

**University of Idaho**  
**2017-2018 FACULTY SENATE AGENDA**

**Meeting #25**

**3:30-4:30 p.m. - Tuesday, April 24, 2018**

**Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #24, April 10, 2018 (vote)

**III. Consent Agenda.**

- 2018-2021 Committee Appointments
- 2019-2020 Sabbatical

**IV. Chair's Report.**

**V. Provost's Report.**

**VI. Other Announcements and Communications.**

- Advising (Hendricks)

**VII. Committee Reports.**

**VIII. Special Orders.**

**IX. Unfinished Business and General Orders.**

**X. New Business.**

**XI. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #24  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #24, Tuesday, April 10, 2018**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Ellison, Grieb, Hrdlicka, Jeffrey, Johnson, Leonor, Kern (Coeur d'Alene), Mahoney, Morgan, Morrison, Nicotra, Panttaja, Seamon, Tibbals, Vella, Wiencek (w/o vote). **Absent:** Baird, Foster, Howard, Schwarzlaender, Watson, Zhao (Idaho Falls). **Guests:** 11

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Morrison/Arowojolu) to approve the minutes was made. The minutes were approved unanimously.

**Consent Agenda.** The chair inquired whether any senator wished to remove the Spring 2018 Graduates from the consent agenda. No request having been made, the matter on the consent agenda is deemed approved.

The chair proposed a change in the order of business so the Provost could report on developments regarding the athletics program while Vice President for Finance and Administration was able to be present at the meeting.

**Provost's Report:**

- **Athletics Update.** The provost reported that, after a year of studying, a plan has been developed for the reorganization of athletics in light of the change of football from the Football Bowl Subdivision (FBS) to the Football Championship Subdivision (FCS). He reminded senators that the State Board of Education (SBOE) imposes a cap on how much general education funds can be spent on athletics. The purpose of the cap is to ensure that the amount of general education funds are not inappropriately diverted to support athletics. Last spring, the university asked the SBOE for permission to spend an additional \$1 million above the cap on athletics in order to support the changes in football and the transition to a new conference. At the time, the SBOE indicated it would only support the additional general education expenditures, if the UI had a plan for the transition that would "right size" the athletics budget. Since then, a small group of administrators has been working on the development of this plan.
- Initially, the belief was that the university would have to eliminate sports in order to address the budget shortfall. Because the Big Sky Conference requires the institution to have 13 specified sports, the only sports available to cut were women's swimming, men's golf and women's soccer. President Staben and others were reluctant to consider this option because of its impact on UI's Title IX compliance efforts and on university enrollment. Analysis shows that the majority of student athletes come to the UI because of the opportunity to play Division I sports. These students would likely go elsewhere if the university does not offer that opportunity. When general enrollment is taken into consideration, it appears the UI could strategically add more sports that take advantage of overlapping scholarship opportunities (such as WUE) and do not involve substantial support costs. If additional sports are added, the university can avoid eliminating sports by covering the expenditure of general education funds through increased tuition income from athletics. Given this possibility, the determination was made to obtain a preliminary assessment of the SBOE support for increasing the number of sports by presenting two scenarios to the Business Affairs and Human Resources (BAHR) Committee of the SBOE. Under the first, and preferred scenario, the university proposes to retain all of its existing sports and add three new sports. The three most likely new sports are triathlon, rifle and men's swimming. These were identified because the UI already has coaching resources for each of these sports, these sports do not have high equipment costs, and the balance of men to women participants in these sports supports the university's compliance with Title IX. The second, and less preferred, scenario is to eliminate three sports. Under this less desirable scenario, only sports not

required by the Big Sky could be eliminated including women's swimming, men's golf and women's soccer but would have to add sand volleyball and triathlon for Title IX purposes.

- The university's preferred proposal was well received by the BAHHR Committee and will be presented to the full SBOE at the April meeting next week. The provost cautioned that if the SBOE is supportive, it will not likely give a full "go-ahead" to the plan as it must first update its policies regarding the cap on athletic expenditures. The provost and VP Foisy are optimistic that the proposal will result in an evolution of board policy that allows the university to add additional sports. The provost also stressed the urgency of the proposal. If we do not receive the support of the SBOE, we must let the student athletes who will be impacted by the elimination of sports, know of the decision immediately. Finally, the provost addressed concerns that student athletes were not comfortable expressing their views publicly. While their hesitation is understandable, he encouraged senators to support student athletes appropriately so these athletes feel comfortable voicing their concerns.
- Vice President Foisy elaborated on several of the provost's comments. He stressed that cutting sports to solve the deficit problem in athletics is not a "deficit elimination strategy." Rather he characterized cutting sports as a "deficit transfer strategy." If the university is forced to cut sports, 60 students are likely to decide not to attend the UI and the university's general education fund will lose the tuition resources those students would have generated. He pointed out that Auxiliary Services will also lose the income from room, board and books that would have been generated by these students. As a result, the elimination of sports merely transfers the athletics' deficit to the general fund. Foisy believes that the university must convince the SBOE to view the budget issue with athletics from a more holistic perspective.
- Foisy estimates that if the university receives permission to add three additional sports, \$6.5 million dollars of combined general fund and auxiliary revenues (i.e. tuition, fees, room, board and books) would be generated. This is more than the university proposes to spend from general education funds in support of the athletics program. Foisy stressed that the preferred university proposal requires that the SBOE abandon the old concept of an athletics spending cap and instead examine whether the university will cover its expenditure of general education funds with increased revenue from athletics. Given the off-setting income, Foisy emphasized that the university is not proposing to spend more net revenue on athletics. Finally, Foisy agreed with the provost that if the SBOE does not support the university's preferred approach, three sports will have to be cut to balance the budget in the immediate future.
- *A senator asked whether we have the facilities to add a sport such as men's swimming?* Foisy responded that the current women's swimming coach is willing to coach both men's and women's teams. It appears our current facility is adequate. The senator followed up asking whether scheduling both teams in the current facility would lead to conflicts and result in a request for capital expansion of the current facility. Foisy acknowledged that there will be complications, one of which is that additional teams will put pressure on a range of support resources. We will need to work through these complications. The senator followed up asking how long it would take for the proposed new teams to reach a "steady state level." Foisy did not know the specific answer to this question. He took the opportunity to add some additional information related to the institutional finance aspects of adding new teams. He stressed that the university is not asking the SBOE to overlook the deficit. Rather, we are advocating for time to deal with the deficit in a responsible and pro-active manner. He emphasized that we know we will have savings in the future. For example, football scholarships will decrease from 85 scholarships to 63 scholarships. This will result in savings of approximately \$400,000/year beginning in FY19. The travel and operating budget for football is expected to decrease by approximately \$290,000. This reduction is primarily the result of savings in travel costs. Finally, we expect that over time, the costs of coaching contracts will decrease because market salary levels for coaches at the FCS level are lower than at the FBS level. These savings will occur only as current coaches transition from the university. Because these savings are realized over time, the university's advocacy for a slower transition process is not "a bridge to nowhere." The current SBOE policies allow the university only two years to address the athletics' budget needs. We are hoping to convince the

board to allow the university to manage the transition in athletics the same way we would manage transitions in other units of the institution.

- *A senator asked whether current scholarship athletes would be supported if we are forced to cut existing sports.* Foisy stated his belief is that if the university has any flexibility at all, the president will not cut off the support of current student athletes. Part of the crunch to make a presentation to the board is so that the university can get firm answers to existing students.
- *A senator asked what would be the best way to encourage current students and others to speak up on their concerns.* She indicated that the university soccer program provides coaching and support for the Moscow United Soccer Club. Members of the club have been discussing how to lobby for the continuation of UI soccer. They plan to directly lobby the SBOE. The provost responded that current student athletes and groups such as the Moscow club – may opt to use whatever approaches people normally use to get their views to the board. He pointed out that some sports' groups have been active on social media and some have sponsored letter campaigns on these issues.
- **Faculty Compensation.** The Faculty Compensation Task Force (F-CTF) met with the deans to discuss how the upcoming change in employee compensation (CEC) will be allocated. Based on input from the task force and the deans, this joint group recommended that 50% of CEC will be allocated to keep up with changes in the market salaries with the goal of maintaining current target salaries reflected in the longevity tables previously developed. The market salary for most academic disciplines has increased during the past year. Even where market compensation has declined, faculty salaries will not decrease. However, some faculty are appointed in disciplines where the market salary has not gone up in the last year and, thus, will not receive an increase in salary related to market salary growth. All faculty will be considered for performance-based salary adjustments, however. 25% of CEC will be dedicated to performance raises for faculty who were identified for their exceptional performance during the annual evaluation process. Performance increases will be awarded to no more than 1/3 of faculty within a given college. Finally, 25% of CEC will be allocated within the discretion of colleges to address college-specific issues such as inversion and/or compression, addressing needs of clinical faculty, or providing additional compensation based on longevity and/or performance. Deans have been tasked to develop a plan for the allocation of these college-specific CEC funds in advance of the finalization of raises. The provost will approve all plans and assure that they are abiding with the market-based compensation philosophy adopted by the university. The provost reported that some deans are dedicating the college specific portion of CEC to further address market increases, some are dedicating the entire amount to augmenting performance increases, and other deans plan to address more specific issues. The taskforce and deans also began discussions of how to address promotion increases in the future. Attaching a salary increase to promotion is a long-standing practice at the university. The F-CTF is looking at the practices at peer institutions and is examining other considerations. The taskforce will consider whether to make changes in this practice by next fall.
- **Electronic Faculty Contracts.** Faculty contracts will be fully electronic for the upcoming year. Faculty will receive email notifications when contracts are ready to be signed. These notifications may come later than normal because of the launch of the electronic system. Faculty may need to continue checking email after the end of the spring semester.
- A senator asked whether exempt staff also would be part of the new electronic contract system. The provost indicated he would have to follow up with an answer to this question. *[N.B. All employees, faculty, exempt, and classified, will now be done electronically.]*
- **Pending Searches.** The provost indicated that several searches are pending: the Vice Provost for Faculty, the new dean of the College of Natural Resources (CNR), and three interim deans in CNR, the Library and the College of Letters Arts and Social Sciences.
- **Program Prioritization.** Finally, the provost reported that Dean Carr-Chellman is chairing a new group looking at Program Prioritization. The provost reminded senators that last year's program prioritization process focused on three criteria – centrality to mission, contribution to the strategic plan, and institutional investment. The Institutional Planning and Efficiency Committee (IPEC) has recommended that the second criteria be re-worked to focus on progress toward the university's strategic plan as demonstrated through cascaded plans. The new committee is working on how to

evaluate the cascaded plans. In addition, the SBOE has made clear in policy that the university must continue to engage in this process. The new committee will also address the specific university goals for the process.

**Chair's Report:**

- The University Faculty Meeting (UFM) will be on Wednesday April 25 at 3:30 in the following locations: Moscow - Vandal Ballroom, Bruce Pitman Center; Boise - IWC 162; Coeur d'Alene - 241; Idaho Falls - 350 - Twin Falls - B-66.
- The University Awards for Excellence Banquet will follow the UFM in Moscow at 6:00 pm.
- The chair reported on the Title IX Overview provided at the President's Leadership Breakfast on April 10. The overview focused on reporting and handling of incidents of sexual assault, harassment and gender discrimination. The key takeaway emphasized by the chair is that all university employees are required to report incidents of sexual assault and sexual harassment within 24 hours of learning of them with the narrow exception of those specifically designated as semi-confidential or confidential reporters. Reports should be made to the [Office of Civil Rights & Investigations](#) (OCRI). Our obligation as employees is to assess the immediate health and safety of the student, to inform the student that we are obligated to report the incident, to refer the student to supportive services, and support the student in accessing such services. We do not have any responsibility for investigating the reported incident. The Women's Center and OCRI will be sponsoring a training on "[How to Respond to Disclosures of Sexual Assault](#)" on Tuesday, April 17<sup>th</sup>, at 9:00 in the Clearwater room.
- The deadline for letting the Faculty Secretary's Office know the names of new senators for the 2018-19 senate is April 15.

**FS-18-050: Faculty Affairs Committee (FAC) Report—Proposed revisions to FSH 3050 - Position Description Policy & Form and FSH 3320 - Annual Evaluation Policy.** The chair of FAC, Prof. Marty Ytreberg gave the report of the committee. This matter was discussed at two prior senate meetings on [March 27, 2018](#) and on [April 3, 2018](#). The proposed revisions to the faculty position description policy simplify the position description and provide that faculty position descriptions need only be revised when a faculty member has a substantial change in responsibilities. The position description form will be online. Finally, the proposed revisions to the faculty annual evaluation policy encourage faculty and unit administrators to discuss goals during the annual evaluation. This discussion would previously have taken place as part of the position description process. Ytreberg pointed out that the supportive documents provided for the meeting reflect revisions either requested or made by motion at the prior two meetings.

A senator reported that she had received feedback from faculty members regarding how leave would be reflected in the new electronic form. Ytreberg indicated that the new form would include a check box enabling a faculty member to indicate that she or he is on full time leave and has no responsibilities in any of the categories. Otherwise, Ytreberg pointed out that the university policy is that faculty members who are not on full time leave from all responsibilities should still complete a position description showing how their work time will be allocated. The percentages in the position description must add up to 100%, even if a faculty member is not working full time. For example, if a faculty member is on a half-time leave, the position description would cover 100% of the faculty member's half-time commitment to the university. In addition, the faculty member can include comments documenting the leave in the comment box on the form.

Another senator asked whether the forms would be archived. The faculty secretary responded that they would be archived. At present, it is not clear whether individual faculty will have direct access to the archived forms. However, faculty will be able to request the archived forms. The provost added that there

may be additional software solutions for archiving the forms. Finally, a senator commented on language in the policy that indicates that the position description would be “provided to” the faculty member by the unit administrator. She commented that this language seemed to indicate that the faculty member does not have the same level of input on the position description as previously. Ytreberg responded that the language identified by the senator only applies to the very first position description for a new faculty member. This document will be generated electronically based on the position announcement and hiring proposal. However, it will not become final until the faculty member approves the description. The proposed changes as amended passed unanimously.

**FS-18-054: Faculty Appeals Hearing Board Report – Proposed Revisions to FSH 3840 Procedures for Faculty Appeals and 1640.43 Faculty Appeals Hearing Board.** The chair of the committee, Prof. Francesca Sammarruca gave the report of the committee. The proposed revisions move the grounds for appeal from FSH 1640.43 where the committee’s structure is described, to FSH 3840 where procedures for faculty appeals are described. The committee believes that including the grounds for appeal in the FAHB procedural policy is more logical and will make it easier for faculty filing an appeal to find the grounds for appeal. The proposed revisions also clarify that communication between faculty filing appeals and members of an appeals panel should be in writing and should include all members of the panel. Finally, the revisions provide that the detailed procedures of the committee are linked to the online policy for ease of access. In response to a question from senate, Sammarruca clarified that in the view of the committee, the proposed revisions do not change any substantive provisions for faculty appeals. The proposed revisions passed unanimously.

**FS-18-055: Safety and Loss-Control Committee (SLCC) Report – Proposed Revisions to FSH 1640.76 Safety and Loss-Control Committee.** The chair of the committee, Prof. Richard Seamon, was present to give the committee report. Also present was Samir Shahat, Director of Environmental Health and Safety. The committee proposes to add four additional members from Information Technology Services, University Support Services, the University Library, and the Office of Research and Economic Development. It also proposes to make the executive Director of Public Safety, or designee, an *ex officio*, non-voting member of the committee. Seamon explained that the committee is quite large, because it must reach a broad constituency in order to further the university’s culture of safety. Director Shahat elaborated that the added members represent several constituencies that were not previously represented on the committee. Miranda Anderson, Chair of the Committee on Committees (ConC) and Vice Chair of Faculty Senate, explained that the proposed revisions have been circulating between the SLCC and the ConC for some time. The ConC had expressed concern about earlier a proposal for a more complex committee structure. The SLCC addressed the concerns and the proposed revisions have been approved by the ConC. A senator asked why the Director of Public Safety was not a voting member of the committee. Shahat responded that the committee is primarily a faculty committee. His role is to provide support and information to the committee. The faculty secretary elaborated that a consistent approach to voting by *ex officio* members across university committees is generally left to the judgment of the committee and the ConC. The proposed revisions passed unanimously.

**FS-18-056: Staff Compensation Task Force Report – Revision to FSH 1640 proposing the creation of the University Staff Compensation Committee.** Lisa Miller, co-chair of the task force presented the report. Miller explained that the task force was originally created in 2015 by the faculty senate to address problems with the recently revised classification system for staff. As a result of changes in university administration, the task force quickly changed its focus to implementation of a new market compensation system for staff. The task force members believe there will be an ongoing need for oversight and policy development as the market compensation system is fully implemented. For this reason they proposed the creation of a university level committee. The provost suggested that the proposal might be premature and that a unified faculty/staff compensation group might be more appropriate. A senator suggested that

the reference in the proposal to the CUPA-HR database was too specific and should be eliminated. It was moved (De Angelis/Tibbals) that the phrase “based on College and University Professional Association (CUPA) and the Bureau of Labor Statistics (BLS)” be deleted from sub-section A-1 of the proposal. A senator expressed concern that if revisions are made to the policy at faculty senate, it should be returned to Staff Council for review. The faculty secretary pointed out that if the proposal is not approved at the meeting it could not be included on the agenda of the University Faculty Meeting and would not become effective until next winter. After discussion the motion was withdrawn by the mover and seconder. The original seconded motion was approved 14-4.

The time for meeting having expired, a motion to adjourn (Seamon/Panttaja) was approved. The meeting was adjourned at 4:59 p.m.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

# Appointed by Committees

Alternate

<b>2 Academic Hearing Board</b>					
800	Doney, Jylisa	Library/2350	885-0959	jylisadoney@uidaho.edu	<input type="checkbox"/>
650	Srivastava, Soumya	Chem. Engr/1021	5-7652	srivastavask@uidaho.edu	<input type="checkbox"/>
<b>4 Academic Petitions Committee</b>					
97	Kitzrow, Martha A.	Coun. & Test. Ctr./3140	885-6716	mkitzrow@uidaho.edu	<input checked="" type="checkbox"/>
820	Mai, Nhu	Counseling Testing/3140		nhumai@uidaho.edu	<input type="checkbox"/>
<b>6 Administrative Hearing Board</b>					
791	Caldwell, Bill	WWAMI/	883-4538	grundy1955@gmail.com	<input type="checkbox"/>
829	Swenson, Matthew	MechEngr	885-9029	swenson@uidaho.edu	<input checked="" type="checkbox"/>
<b>8 Admissions Committee</b>					
573	Barnes, Justin	JAMM/3178	5-6458	jbarnes@uidaho.edu	<input type="checkbox"/>
<b>10 Americans with Disabilities Act Advisory Committee</b>					
550	Stumpf, Bernard	Physics/0903	885-7457	stumpf@uidaho.edu	<input type="checkbox"/>
<b>46 Arts Committee</b>					
687	Smith, Bill	Martin Institute 3177	5-2815	bills@uidaho.edu	<input type="checkbox"/>
160	Spence, Richard B.	History/3175	885-6253	rspence@uidaho.edu	<input type="checkbox"/>
<b>18 Borah Foundation Committee</b>					
578	Boschetti, Luigi	FRFS/1133	885-6508	luigi@uidaho.edu	<input type="checkbox"/>
810	Justwan, Florian	Politics&Phil.	885-4156	fjustwan@uidaho.edu	<input type="checkbox"/>
577	Brown, Helen	Movement Science/2401	885-0172	helenb@uidaho.edu	<input type="checkbox"/>
<b>22 Campus Planning Advisory Committee</b>					
799	Cronan, Daniel	A&A Larc	885-7902	dcronan@uidaho.edu	<input type="checkbox"/>
832	Wardropper, Chloe	Nat. Res. & Soc./1139	885-7528	cwardropper@uidaho.edu	<input checked="" type="checkbox"/>
<b>26 Commencement Committee</b>					
812	Kersten, Michael	Psychology/3043	885-0956	mikekersten@uidaho.edu	<input type="checkbox"/>
797	Carr-Chellman, Davin	Leadership/Counseling	885-1672	dcarrchellman@uidaho.edu	<input type="checkbox"/>
<b>28 Committee on Committees</b>					
824	Overton, Michael	Politics&Phil		moverton@uidaho.edu	<input type="checkbox"/>
827	Rodriguez, Javier	Music/4015	885-6665	jrodriguez@uidaho.edu	<input type="checkbox"/>
<b>36 Dismissal Hearings Committee Panels</b>					
419	Rauk, Jan	Business/3161	885-0147	jrauk@uidaho.edu	<input checked="" type="checkbox"/>
717	Noguera, Magdy	Business/3161	5-6204	mnoguera@uidaho.edu	<input type="checkbox"/>
443	Henrich, Kristin J.	Library/2350	885-6514	khenrich@idaho.edu	<input type="checkbox"/>
808	Harrington, Kyle	VirtualTech	907-1717	kharrington@uidaho.edu	<input type="checkbox"/>
<b>42 Faculty Affairs</b>					
563	Isenbarger, Stacy	Art & Design/2471	885-6851	stacyi@uidaho.edu	<input type="checkbox"/>
748	Ibrahim, Ahmed	Civil Engr./1022	5-1328	aibrahim@uidaho.edu	<input type="checkbox"/>
551	Ytreberg, F. Marty	Physics/0903	885-6908	ytreberg@uidaho.edu	<input type="checkbox"/>
493	Shrestha, Manoj K	Pol. Sci/3165	5-0530	mks@uidaho.edu	<input checked="" type="checkbox"/>

# Appointed by Committees

Alternate

<b>43 Faculty Appeals Hearing Board</b>					
489	qiang, you	Physics/0903	5-7558	youqiang@uidaho.edu	<input checked="" type="checkbox"/>
157	Sharma, Sunil	Civil Engr./1022	885-6403	ssharma@uidaho.edu	<input type="checkbox"/>
830	Tenuto, Penny	EHHS/LeadershipCounsel	364-4015	ptenuto@uidaho.edu	<input checked="" type="checkbox"/>
708	Jung, S.J.	CivilEngg/1022	5-6481	sjung@uidaho.edu	<input type="checkbox"/>
683	Rashed, Arash	PSES Aberdeen	208397700	arashed@uidaho.edu	<input checked="" type="checkbox"/>
<b>90 General Education Assessment Committee</b>					
753	Kirchmeier, Barbara	English/1102	5-8326	barbara@uidaho.edu	<input type="checkbox"/>
749	Joyner, Helen	FCS/2312	5-9683	hjoyner@uidaho.edu	<input type="checkbox"/>
<b>53 Honors Program Committee</b>					
821	Martin, Bryn	Biological Engr/0904	885-1030	brynm@uidaho.edu	<input type="checkbox"/>
809	Hubbs, Graham	Politics/Phil/3165	885-6284	hubbs@uidaho.edu	<input type="checkbox"/>
<b>55 Information Technology Committee</b>					
139	Pendegraft, Norman	Business/3161	885-7157	norman@uidaho.edu	<input type="checkbox"/>
806	Gottwald, Dave	CAA ArtDesign/2471	885-1541	dgottwald@uidaho.edu	<input checked="" type="checkbox"/>
<b>56 Intellectual Property Committee</b>					
833	Wargo, Elizabeth	LeadershipCounseling	2090138	ewargo@uidaho.edu	<input type="checkbox"/>
<b>60 Library Affairs Committee</b>					
627	Darragh, Janine	C&I 3082	5-0353	janined@uidaho.edu	<input type="checkbox"/>
<b>64 Officer Education Committee</b>					
760	Bauscher, Rich	Education/Boise	459-1730	rbauscher@uidaho.edu	<input type="checkbox"/>
<b>66 Parking Committee</b>					
388	Prather, Timothy	PSES/2339	885-9246	tprather@uidaho.edu	<input type="checkbox"/>
<b>74 Sabbatical Leave Evaluation Committee</b>					
131	Nelson, Sarah M.	MLC/3174	885-7756	snelson@uidaho.edu	<input type="checkbox"/>
807	Grindal, Matthew	Soc/Anth	885-0932	mgrindal@uidaho.edu	<input type="checkbox"/>
<b>76 Safety and Loss-Control Committee</b>					
837	Keefe, Rob	Forest, Rangeland&Fire	310-0269	robk@uidaho.edu	<input type="checkbox"/>
838	Lew, Roger	Virtual Tech/2481	208660452	rogerlew@uidaho.edu	<input type="checkbox"/>
491	Schwarzlaender, Mark	PSES/2339	5-9319	markschw@uidaho.edu	<input type="checkbox"/>
761	Blaine, Anna	Law/2324	885-2161	annablaine@uidaho.edu	<input type="checkbox"/>
<b>77 Scientific Misconduct Committee</b>					
793	Baker, Leslie	Geological Sciences/3022	885-7625	lbaker@uidaho.edu	<input type="checkbox"/>
406	Cole, Douglas G	Biological Sci/3051	885-4071	dcole@uidaho.edu	<input type="checkbox"/>
478	Charit, Indrajit	Mat. Sci. & Engr./3024	5-5964	icharit@uidaho.edu	<input checked="" type="checkbox"/>
<b>83 Student Conduct Board</b>					
741	Rezaie, Behnaz (Beth)	ME/0902	5-1026	rezaie@uidaho.edu	<input type="checkbox"/>
599	Rumel, John	Law/2321	885-6423	jrumel@uidaho.edu	<input type="checkbox"/>
443	Henrich, Kristin J.	Library/2350	885-6514	khenrich@idaho.edu	<input type="checkbox"/>
152	Saladin, Steve A.	Coun. & Test. Ctr./3140	885-6716	ssaladin@uidaho.edu	<input type="checkbox"/>
<b>84 Student Financial Aid Committee</b>					
823	Mirkouei, Amin	IndustTecMgmt	757-5420	amirkouei@uidaho.edu	<input type="checkbox"/>

# Appointed by Committees

Alternate

## 87 Teaching & Advising Committee

458	Woolley, Darryl	Acct./3161	885-7300	dwoolley@uidaho.edu	<input type="checkbox"/>
816	Kumar, Kamal	Mech Engr./0902	885-6263	kkumar@uidaho.edu	<input type="checkbox"/>
828	Sini, Raffaella	Landscape Arch	885-5107	rsini@uidaho.edu	<input type="checkbox"/>

## 58 Ubuntu

729	Johnson, Hana	Business/3161	206305027	hanajohn@uidaho.edu	<input type="checkbox"/>
-----	---------------	---------------	-----------	---------------------	--------------------------

## 20 University Budget & Finance Committee

798	Chen, Linda H.	Accounting	885-7153	lindachen@uidaho.edu	<input type="checkbox"/>
440	Caplan, Alan	PSES/2339	885-9441	acaplan@uidaho.edu	<input type="checkbox"/>
836	McIntosh, Deb	Law/2321	5-7531	debmcin@uidaho.edu	<input type="checkbox"/>
443	Henrich, Kristin J.	Library/2350	885-6514	khenrich@idaho.edu	<input type="checkbox"/>

## 89 University Committee for General Education

805	Goebel, Charles	Forest,RngFire/1133	885-7311	cgoebel@uidaho.edu	<input type="checkbox"/>
514	Garrison, Leonard	Music/4015	5-6709	leonardg@uidaho.edu	<input type="checkbox"/>
753	Kirchmeier, Barbara	English/1102	5-8326	barbara@uidaho.edu	<input type="checkbox"/>
834	Waynant, Kristopher	Chemistry/2343	885-6768	kwaynant@uidaho.edu	<input type="checkbox"/>
634	Hall, Cassidy	Curr.&Instr./3080	5-9084	cassidyh@uidaho.edu	<input type="checkbox"/>

## 91 University Curriculum Committee

144	Prorak, Diane	Library/2350	885-2508	prorak@uidaho.edu	<input type="checkbox"/>
444	Stelck, Daniel	Chemistry/2343	885-2146	daniels@uidaho.edu	<input type="checkbox"/>
794	Baumgaertner, Bert	Politics/Philosophy	885-5997	bbaum@uidaho.edu	<input type="checkbox"/>
804	Gauthier, Jean-Marc	VirtualTechD/2481		gauthier@uidaho.edu	<input type="checkbox"/>
795	Beeston, Julie	CompSci -clinical	CDA	jbeeston@uidaho.edu	<input type="checkbox"/>

## 94 University Mutli-Campus Communications Committee

789	Chen, Lide	Ag Engr/Twin Falls	736-3615	lchen@uidaho.edu	<input type="checkbox"/>
792	Bailey, Joshua	Movement Sciences/	885-1054	joshuabailey@uidaho.edu	<input type="checkbox"/>
633	Godfrey, Bruce	Library/2350	292-1407	bgodfrey@uidaho.edu	<input checked="" type="checkbox"/>
802	Duellman, Kasia	Entomology/PlantPath/Nema	757-5476	kduellman@uidaho.edu	<input checked="" type="checkbox"/>

## 95 University Security & Compliance Committee

822	McDunn, Benjamin	Psych.Comm	885-0955	bmcdunn@uidaho.edu	<input type="checkbox"/>
-----	------------------	------------	----------	--------------------	--------------------------

## *CoC Appointed by Faculty*

				Alternate
<b>Bailey, Joshua</b>	Movement Sciences/ University Mutli-Campus Communications Committee	885-1054	joshuabailey@uidaho.edu	<input type="checkbox"/>
<b>Baker, Leslie</b>	Geological Sciences/3022 Scientific Misconduct Committee	885-7625	lbaker@uidaho.edu	<input type="checkbox"/>
<b>Barnes, Justin</b>	JAMM/3178 Admissions Committee	5-6458	jbarnes@uidaho.edu	<input type="checkbox"/>
<b>Baumgaertner, Bert</b>	Politics/Philosophy University Curriculum Committee	885-5997	bbaum@uidaho.edu	<input type="checkbox"/>
<b>Bauscher, Rich</b>	Education/Boise Officer Education Committee	459-1730	rbauscher@uidaho.edu	<input type="checkbox"/>
<b>Beeston, Julie</b>	CompSci -clinical University Curriculum Committee	CDA	jbeeston@uidaho.edu	<input type="checkbox"/>
<b>Blaine, Anna</b>	Law/2324 Safety and Loss-Control Committee	885-2161	annablaine@uidaho.edu	<input type="checkbox"/>
<b>Boschetti, Luigi</b>	FRFS/1133 Borah Foundation Committee	885-6508	luigi@uidaho.edu	<input type="checkbox"/>
<b>Brown, Helen</b>	Movement Science/2401 Borah Foundation Committee	885-0172	helenb@uidaho.edu	<input type="checkbox"/>
<b>Caldwell, Bill</b>	WWAMI/ Administrative Hearing Board	883-4538	grundy1955@gmail.com	<input type="checkbox"/>
<b>Caplan, Alan</b>	PSES/2339 University Budget & Finance Committee	885-9441	acaplan@uidaho.edu	<input type="checkbox"/>
<b>Carr-Chellman, Davin</b>	Leadership/Counseling Commencement Committee	885-1672	dcarrchellman@uidaho.edu	<input type="checkbox"/>
<b>Charit, Indrajit</b>	Mat. Sci. & Engr./3024 Scientific Misconduct Committee	5-5964	icharit@uidaho.edu	<input checked="" type="checkbox"/>
<b>Chen, Lide</b>	Ag Engr/Twin Falls University Mutli-Campus Communications Committee	736-3615	lchen@uidaho.edu	<input type="checkbox"/>
<b>Chen, Linda H.</b>	Accounting University Budget & Finance Committee	885-7153	lindachen@uidaho.edu	<input type="checkbox"/>
<b>Cole, Douglas G</b>	Biological Sci/3051 Scientific Misconduct Committee	885-4071	dcole@uidaho.edu	<input type="checkbox"/>
<b>Cronan, Daniel</b>	A&A Larc Campus Planning Advisory Committee	885-7902	dcronan@uidaho.edu	<input type="checkbox"/>
<b>Darragh, Janine</b>	C&I 3082 Library Affairs Committee	5-0353	janined@uidaho.edu	<input type="checkbox"/>
<b>Doney, Jylisa</b>	Library/2350 Academic Hearing Board	885-0959	jylisadoney@uidaho.edu	<input type="checkbox"/>

## *CoC Appointed by Faculty*

				Alternate
<b>Duellman, Kasia</b>	Entomology/PlantPath/Nema	757-5476	kduellman@uidaho.edu	
University Mutli-Campus Communications Committee				<input checked="" type="checkbox"/>
<b>Garrison, Leonard</b>	Music/4015	5-6709	leonardg@uidaho.edu	
University Committee for General Education				<input type="checkbox"/>
<b>Gauthier, Jean-Marc</b>	VirtualTechD/2481		gauthier@uidaho.edu	
University Curriculum Committee				<input type="checkbox"/>
<b>Godfrey, Bruce</b>	Library/2350	292-1407	bgodfrey@uidaho.edu	
University Mutli-Campus Communications Committee				<input checked="" type="checkbox"/>
<b>Goebel, Charles</b>	Forest,RngFire/1133	885-7311	cgoebel@uidaho.edu	
University Committee for General Education				<input type="checkbox"/>
<b>Gottwald, Dave</b>	CAA ArtDesign/2471	885-1541	dgottwald@uidaho.edu	
Information Technology Committee				<input checked="" type="checkbox"/>
<b>Grindal, Matthew</b>	Soc/Anth	885-0932	mgrindal@uidaho.edu	
Sabbatical Leave Evaluation Committee				<input type="checkbox"/>
<b>Hall, Cassidy</b>	Curr.&Instr./3080	5-9084	cassidyh@uidaho.edu	
University Committee for General Education				<input type="checkbox"/>
<b>Harrington, Kyle</b>	VirtualTech	907-1717	kharrington@uidaho.edu	
Dismissal Hearings Committee Panels				<input type="checkbox"/>
<b>Henrich, Kristin J.</b>	Library/2350	885-6514	khenrich@idaho.edu	
Dismissal Hearings Committee Panels				<input type="checkbox"/>
University Budget & Finance Committee				<input type="checkbox"/>
Student Conduct Board				<input type="checkbox"/>
<b>Hubbs, Graham</b>	Politics/Phil/3165	885-6284	hubbs@uidaho.edu	
Honors Program Committee				<input type="checkbox"/>
<b>Ibrahim, Ahmed</b>	Civil Engr./1022	5-1328	aibrahim@uidaho.edu	
Faculty Affairs				<input type="checkbox"/>
<b>Isenbarger, Stacy</b>	Art & Design/2471	885-6851	stacyi@uidaho.edu	
Faculty Affairs				<input type="checkbox"/>
<b>Johnson, Hana</b>	Business/3161	206305027	hanajohn@uidaho.edu	
Ubuntu				<input type="checkbox"/>
<b>Joyner, Helen</b>	FCS/2312	5-9683	hjoyner@uidaho.edu	
General Education Assessment Committee				<input type="checkbox"/>
<b>Jung, S.J.</b>	CivilEngg/1022	5-6481	sjung@uidaho.edu	
Faculty Appeals Hearing Board				<input type="checkbox"/>
<b>Justwan, Florian</b>	Politics&Phil.	885-4156	fjustwan@uidaho.edu	
Borah Foundation Committee				<input type="checkbox"/>
<b>Keefe, Rob</b>	Forest, Rangeland&Fire	310-0269	robk@uidaho.edu	
Safety and Loss-Control Committee				<input type="checkbox"/>

## *CoC Appointed by Faculty*

				Alternate
<b>Kersten, Michael</b>	Psychology/3043	885-0956	mikekersten@uidaho.edu	
Commencement Committee				<input type="checkbox"/>
<b>Kirchmeier, Barbara</b>	English/1102	5-8326	barbara@uidaho.edu	
University Committee for General Education				<input type="checkbox"/>
General Education Assessment Committee				<input type="checkbox"/>
<b>Kitzrow, Martha A.</b>	Coun. & Test. Ctr./3140	885-6716	mkitzrow@uidaho.edu	
Academic Petitions Committee				<input checked="" type="checkbox"/>
<b>Kumar, Kamal</b>	Mech Engr./0902	885-6263	kkumar@uidaho.edu	
Teaching & Advising Committee				<input type="checkbox"/>
<b>Lew, Roger</b>	Virtual Tech/2481	208660452	rogerlew@uidaho.edu	
Safety and Loss-Control Committee				<input type="checkbox"/>
<b>Mai, Nhu</b>	Counseling Testing/3140		nhumai@uidaho.edu	
Academic Petitions Committee				<input type="checkbox"/>
<b>Martin, Bryn</b>	Biological Engr/0904	885-1030	brynm@uidaho.edu	
Honors Program Committee				<input type="checkbox"/>
<b>McDunn, Benjamin</b>	Psych.Comm	885-0955	bmcdunn@uidaho.edu	
University Security & Compliance Committee				<input type="checkbox"/>
<b>McIntosh, Deb</b>	Law/2321	5-7531	debmcin@uidaho.edu	
University Budget & Finance Committee				<input type="checkbox"/>
<b>Mirkouei, Amin</b>	IndustTecMgmt	757-5420	amirkouei@uidaho.edu	
Student Financial Aid Committee				<input type="checkbox"/>
<b>Nelson, Sarah M.</b>	MLC/3174	885-7756	snelson@uidaho.edu	
Sabbatical Leave Evaluation Committee				<input type="checkbox"/>
<b>Noguera, Magdy</b>	Business/3161	5-6204	mnoguera@uidaho.edu	
Dismissal Hearings Committee Panels				<input type="checkbox"/>
<b>Overton, Michael</b>	Politics&Phil		moverton@uidaho.edu	
Committee on Committees				<input type="checkbox"/>
<b>Pendegraft, Norman</b>	Business/3161	885-7157	norman@uidaho.edu	
Information Technology Committee				<input type="checkbox"/>
<b>Prather, Timothy</b>	PSES/2339	885-9246	tprather@uidaho.edu	
Parking Committee				<input type="checkbox"/>
<b>Prorak, Diane</b>	Library/2350	885-2508	prorak@uidaho.edu	
University Curriculum Committee				<input type="checkbox"/>
<b>qiang, you</b>	Physics/0903	5-7558	youqiang@uidaho.edu	
Faculty Appeals Hearing Board				<input checked="" type="checkbox"/>
<b>Rashed, Arash</b>	PSES Aberdeen	208397700	arashed@uidaho.edu	
Faculty Appeals Hearing Board				<input checked="" type="checkbox"/>
<b>Rauk, Jan</b>	Business/3161	885-0147	jrauk@uidaho.edu	
Dismissal Hearings Committee Panels				<input checked="" type="checkbox"/>

## *CoC Appointed by Faculty*

				Alternate
<b>Rezaie, Behnaz (Beth)</b> Student Conduct Board	ME/0902	5-1026	rezaie@uidaho.edu	<input type="checkbox"/>
<b>Rodriguez, Javier</b> Committee on Committees	Music/4015	885-6665	jrodriguez@uidaho.edu	<input type="checkbox"/>
<b>Rumel, John</b> Student Conduct Board	Law/2321	885-6423	jrumel@uidaho.edu	<input type="checkbox"/>
<b>Saladin, Steve A.</b> Student Conduct Board	Coun. & Test. Ctr./3140	885-6716	ssaladin@uidaho.edu	<input type="checkbox"/>
<b>Schwarzlaender, Mark</b> Safety and Loss-Control Committee	PSES/2339	5-9319	markschw@uidaho.edu	<input type="checkbox"/>
<b>Sharma, Sunil</b> Faculty Appeals Hearing Board	Civil Engr./1022	885-6403	ssharma@uidaho.edu	<input type="checkbox"/>
<b>Shrestha, Manoj K</b> Faculty Affairs	Pol. Sci/3165	5-0530	mks@uidaho.edu	<input checked="" type="checkbox"/>
<b>Sini, Raffaella</b> Teaching & Advising Committee	Landscape Arch	885-5107	rsini@uidaho.edu	<input type="checkbox"/>
<b>Smith, Bill</b> Arts Committee	Martin Institue 3177	5-2815	bills@uidaho.edu	<input type="checkbox"/>
<b>Spence, Richard B.</b> Arts Committee	History/3175	885-6253	rspence@uidaho.edu	<input type="checkbox"/>
<b>Srivastava, Soumya</b> Academic Hearing Board	Chem. Engr/1021	5-7652	srivastavask@uidaho.edu	<input type="checkbox"/>
<b>Stelck, Daniel</b> University Curriculum Committee	Chemistry/2343	885-2146	daniels@uidaho.edu	<input type="checkbox"/>
<b>Stumpf, Bernard</b> Americans with Disabilities Act Advisory Committee	Physics/0903	885-7457	stumpf@uidaho.edu	<input type="checkbox"/>
<b>Swenson, Matthew</b> Administrative Hearing Board	MechEngr	885-9029	swenson@uidaho.edu	<input checked="" type="checkbox"/>
<b>Tenuto, Penny</b> Faculty Appeals Hearing Board	EHHS/LeadershipCounsel	364-4015	ptenuto@uidaho.edu	<input checked="" type="checkbox"/>
<b>Wardropper, Chloe</b> Campus Planning Advisory Committee	Nat. Res. & Soc./1139	885-7528	cwardropper@uidaho.edu	<input checked="" type="checkbox"/>
<b>Wargo, Elizabeth</b> Intellectual Property Committee	LeadershipCounseling	2090138	ewargo@uidaho.edu	<input type="checkbox"/>
<b>Waynant, Kristopher</b> University Committee for General Education	Chemistry/2343	885-6768	kwaynant@uidaho.edu	<input type="checkbox"/>
<b>Woolley, Darryl</b> Teaching & Advising Committee	Acct./3161	885-7300	dwoolley@uidaho.edu	<input type="checkbox"/>

# *CoC Appointed by Faculty*

---

**Ytreberg, F. Marty**  
Faculty Affairs

Physics/0903

885-6908 ytreberg@uidaho.edu

Alternate

## MEMORANDUM

**TO:** Liz Brandt, Chair, Faculty Senate  
Patrick Hrdlicka, Vice Chair, Faculty Senate

**FROM:** John Wiencek  
Provost and Executive Vice President

**DATE:** April 19, 2018

**SUBJECT:** Items for Faculty Senate

Please see the below table with the faculty members who were approved for a sabbatical in the 2019-20 Academic Year.

Name	College	Dept.	Sabb. Term
Casey Doyle	CAA	Art & Design	Fall 2019
Patricia Hart	CLASS	JAMM	Fall 2019
Paul Hohenlohe	COS	Biology and Stats	AY 19-20
Stacy Isenbarger	CAA	Art & Design	Spring 2020
Erin James	CLASS	English	Fall 2019
Helen Joyner	CALS	Food Science	AY 19-20
Christopher Marx	COS	Biology	Spring 2020
Russell Meeuf	CLASS	JAMM	Fall 2019
Brant Miller	CEHHS	Curriculum & Instruction	AY 19-20
Daniel Orozco	CLASS	English	Fall 2019
Kelly Quinnett	CLASS	Theatre	Spring 2020
Alistair Smith	CNR	Forest, Rangeland and Fire Sciences	Spring 2020
Adam Sowards	CLASS	History	AY 19-20
Todd Thorsteinson	CLASS	Psychology & Communication	Fall 2019
Stefan Tohaneanu	COS	Math	AY 19-20
Margaret Vaughn	CEHHS	Curriculum & Instruction	Spring 2020
Miranda Wilson	CLASS	Music	Spring 2020

cc: Ann Thompson, Faculty Secretary Office  
Mary Stout, Provost's Office  
Jill Robertson, Budget Office  
Erin James, Chair, Sabbatical Leave Evaluation Committee



# **ADVISING UPDATE FROM THE VANDAL SUCCESS COALITION**

**REPORT TO FACULTY SENATE  
APRIL 24, 2018**

# ADVISING COALITION TEAMS



Team 1  
Community Feedback

Team 2  
Roles & Responsibilities

Team 3  
Current State, Best  
Practices, Next Steps

## GOALS:

Determine key anxiety  
points for current staff

Understand faculty roles

## GOALS:

Clearly define  
faculty roles

Audit current responsibilities  
of advising staff

## GOALS:

Gather data on advising  
current state

Research best practices  
in advising

## TOOLS:

Advisor Survey

Faculty Survey of Advising

## TOOLS:

College Responsibility Audit

Faculty Survey of Advising

## TOOLS:

Faculty, Advisor,  
Student Surveys

Literature/Best  
Practices Review

# WHAT DID WE LEARN FROM STUDENTS?



- I** Most students have good advising experiences, but this varies a great deal across colleges:
- In 2 colleges, over 20% of students said advising was poor or terrible
  - Quality of advising differs across colleges for transfer students, too

Students want advising to be consistent and accurate, ensuring students get the classes they need.

They want advisors to be available, and they want them to respond in a timely way.

Students want a personal connection to their advisors, and they want advisors to care about them.

# WHAT DID WE LEARN FROM FACULTY?



**I** Faculty want to be involved in advising:

- Advising provides an opportunity outside of class to build relationships with students
- Faculty have insights about careers and how to prepare for them
- Faculty understand their curriculum/course sequencing but sometimes struggle to keep up with general education/core requirements

**I** Most faculty receive no training in advising or mentoring

**I** In most colleges, advising is not rewarded, recognized, or counted in tenure/promotion decisions

**I** A third of faculty say they have too little time for advising

# WHAT DID WE LEARN FROM ADVISORS?



**I** Related to restructuring advising, staff advisors are most concerned about:

- Relationships between advisors, departments, and colleges
- Changes in reporting lines/uncertainty
- Communication challenges
- Changing a structure that works well in some areas

**I** Potential benefits of restructuring could be:

- Better communication, collaboration, and sense of community
- Better training and coordination for increased consistency in advising

**I** From audit of duties: There is a wide range of responsibilities for advising staff across colleges (still documenting)

# VANDAL SUCCESS COALITION



## I Areas of general consensus

- Students should have access to consistent advising (all advisors need training, and we need better communication and collaboration)
- Advising needs are student-specific; advising should address students' unique needs
- Good advising requires knowledgeable, well-informed advisors who are responsive and available and who care about students
- All advisors, whether staff or faculty, should be rewarded and recognized for good work
- Advisors should be embedded in colleges; the particular shared model may vary between and across colleges

# VANDAL SUCCESS COALITION



## I Barriers to improving advising:

- Fear of change
- Lack of trust, communication, transparency
- Territoriality and silos
- Lack of resources (financial, time, training, software)
- No rewards/recognition for faculty or staff

## I Strengths we can leverage:

- Knowledgeable, hardworking faculty and staff who care about students
- Commitment to improving the student experience and student success
- Student services teams embedded in colleges

# WHERE DO WE GO FROM HERE?



- **Determine how resources will be allocated to ensure equity**
- **Define responsibilities for professional advisors**
- **Determine what role(s) faculty will have, specific to each college, and how to coordinate with professional advising to create a highly coordinated model**
- **Create and implement training plan for faculty and professional advisors**
- **Develop a system for assessing, rewarding, and recognizing advising for professional and faculty advisors**

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #24**

**3:30 p.m. - Tuesday, April 10, 2018  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #23, April 3, 2018 (vote)

**III. Consent Agenda.**

- Spring 2018 Graduates (vote)

**IV. Chair's Report.**

**V. Provost's Report.**

**VI. Other Announcements and Communications.**

**VII. Committee Reports.**

**Faculty Affairs (vote)**

- **FS-18-050: FSH 3050** - Position Description Policy & Form and **FSH 3320** - Annual Evaluation Policy (Ytreberg)

**Faculty Appeals Hearing Board (vote)**

- **FS-18-054: FSH 3840** Procedures for Faculty Appeals & **1640.43** Faculty Appeals Hearing Board (Sammarruca)

**Safety & Loss (vote)**

- **FS-18-055: FSH 1640.76** Safety & Loss Committee (Seamon)

**Staff-Compensation Task Force (vote)**

- **FS-18-056: FSH 1640.XX** – University Staff Compensation Committee (Miller)

**VIII. Special Orders.**

**IX. Unfinished Business and General Orders.**

**X. New Business.**

**XI. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #23  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #23, Tuesday, April 3, 2018**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Baird, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Ellison, Grieb, Howard, Hrdlicka, Jeffrey, Johnson, Kern (Coeur d'Alene), Morgan, Morrison, Nicotra, Panttaja, Schwarzlaender, Seamon, Stevenson (for Wiencek, w/o vote), Vella, Watson, Zhao (Idaho Falls). **Absent:** Foster, Leonor, Mahoney, Tibbals, Wiencek. **Guests:** 6

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. A motion (Panttaja/Morgan) to approve the minutes was made. The minutes were approved with two abstentions.

**Chair's Report:**

- On March 6<sup>th</sup>, President Staben released the [initial notice regarding the university's FY2019 Student Fees and Tuition](#) request to the student groups and others including the chair of Faculty Senate. The university proposes an 8% increase in the resident tuition rate (\$600 increase for undergraduates; proposed new tuition \$8,088/yr). Students and other University of Idaho community members will have the opportunity to comment on these proposed changes at an open forum on April 5<sup>th</sup> at 3:30 in the Commons Horizon/Aurora Rooms and comments can also be submitted via email to [studentfees@uidaho.edu](mailto:studentfees@uidaho.edu). This proposal will be presented to the SBOE at the April 19<sup>th</sup> meeting.
- A [memo](#) was distributed on March 20<sup>th</sup> to the UI community from Provost Wiencek and Yolanda Bisbee, who is the chair of the "Great Colleges to Work For" task force. The task force has analyzed survey responses from 2016 and 2017, and recommendations from the Campus Culture and Climate subcommittee of the President's Council on Diversity and Inclusion, to draft an action plan how to address some of the workplace environment challenges that we are facing. Members of the university community are invited to read and provide improvements to the report via email to [provost@uidaho.edu](mailto:provost@uidaho.edu) by April 4, 2018.
- The deadline for Faculty and Staff to participate in the 2018 Great Colleges to Work for survey is April 6. Senators are encouraged to remind their constituents to participate in this anonymous survey which is our primary instrument for evaluation of our workplace environment.
- The names of Newly Elected senators are due to the Faculty Secretary by April 15, 2019.

A senator commented that due to the timing of the ASUI elections, the names of the new ASUI Senators would not be available on the 15<sup>th</sup>.

The Chair deferred to Senator Katie Brown who announced that the [Margaret Ritchie Distinguished Speaker](#) will be alumna and Olympic Gold Medalist Kristin Armstrong. Armstrong's speech will be Wednesday, April 11<sup>th</sup> at 6:00 pm in the Ag Sciences Auditorium.

**Provost's Report:** Jeanne Stevenson did not have any items to report for the Provost.

**Faculty Affairs Committee (FAC) Report: FS-18-050: FSH 3050 - Position Description Policy & Form and FSH 3320 - Annual Evaluation Policy.** Professor Marty Ytreberg, Chair of the Faculty Affairs Committee, was present to discuss the committee's report. Revisions to the position description (PD) policy and form and to the policy on annual evaluations (AE) by faculty were initially presented at the senate meeting on March 27, 2018.

A senator began the discussion by conveying that several colleagues in the School of Music commented that their responsibilities change frequently. They did not think the new form contained sufficient narrative to

explain these changes and that the process did not accommodate their need to change responsibilities regularly. Ytreberg explained that the new process will allow a faculty member to change the PD as often as needed. He also explained that the vision of the committee was that the new PD would be a higher-level document that would not necessarily reflect small changes in responsibilities. The details of what each of us do change often – we get new grants, teach new classes, and work on new projects. The sense of the committee was that usually these changes in detail do not change the general nature of our position expectations. A senator commented that many faculty appreciated the simplification of the form and the elimination of the annual PD meeting. Department chairs in her college expressed the concern that the 250-word limit on the PD narrative was not sufficient to capture enough detail to support annual evaluations and promotion and tenure. She asked whether the character limit could be increased? Ytreberg responded that the committee would be open to increasing the characters. Their goal was to set a character limit that would support the purpose of the form, but discourage too much detail. The committee recognized that more information might well be needed. It was moved (Grieb/Morgan) that the character limit on the PD form be increased to 500. The motion passed with one abstention and one negative vote.

Another senator asked whether the pie chart on the form could be changed to a bar chart. Ytreberg commented that there will be no chart on the new form because the system on which the new electronic form will reside does not accommodate charts.

A senator asked for clarification on whether syllabi with learning assessments will be required with the new PD. Dale Pietrzak, Director of Institutional Assessment and Accreditation, who was attending the meeting as a guest, responded that the university needs to collect and archive this information for accreditation. Ytreberg responded that this information did not need to be collected as part of the PD process and could be done in some other manner.

A senator asked what FAC intended in proposing that the PD be amended in the case of a substantial change in responsibilities. Other senators asked whether FAC might provide guidelines on what constituted a substantial change. Ytreberg responded that the committee didn't want to be proscriptive and dictate what constituted a substantial change. It discussed several scenarios. For example, a position would not necessarily need to be changed if a faculty member is asked to teach a different course, even a course that is a new prep. Likewise, the committee did not think taking on a temporary teaching overload necessitated a change in the PD. On the other hand, where the faculty member assumes a long-term increase in teaching expectations, or assumes major administrative responsibilities, the PD should likely be updated. Secretary Brandt, who is an ex officio member of FAC, added that the committee also thought that a change might be substantial for a faculty member in the tenure process, while the same change might not warrant a revision of the PD for a more senior faculty member. Ytreberg stressed that the committee believes the decision to change the PD should rest with the faculty member, with the approval of the unit administrator and dean.

A senator noted that the changes that were made during the fall 2017 semester are related to the proposed changes in the PD. She asked how FAC envisions that the PD and AE will work in the future. Ytreberg stressed again that the PD is intended as a high-level view of a faculty member's responsibilities; FAC assumes that most faculty will not have to make frequent changes in the PD. The committee envisions that faculty would have a single evaluation meeting with unit administrator. This meeting would be both reflective and forward thinking. He pointed out that the new AE form has a space specifically for forward-looking comments labeled "Commentary/recommendations on progress toward tenure, promotion, and/or continued satisfactory performance." The committee also hopes that the AE discussion will include goal setting.

A senator encouraged in-depth training for unit administrators to support the new system. He expressed concern that without such training, the revisions might lead to a very uneven and possibly unstructured and unhelpful evaluation process. Ytreberg expressed his confidence that the Vice Provost for Faculty has begun and will continue a detailed process of supporting unit administrators in carrying out the AE process.

A senator asked where the detail that was formerly in the PD would be recorded. Ytreberg responded that departments would be free to develop procedures to capture the data if this was deemed necessary.

Based on the concern expressed by several senators regarding the short time for gathering input from colleagues, it was moved (De Angelis/Morgan) to postpone the vote on the proposed policy changes to April 10, 2018. After the initial vote on this matter, a Senator raised a point of order requesting clarification on whether passage of the motion requires a majority of those attending the meeting or a majority of those voting. The faculty secretary consulted the Senate Bylaws and Roberts Rules of Order. She clarified that passage of the motion requires a majority of those voting. She also stated that she may have earlier miscounted the votes and suggested that the vote be repeated. On repeating the vote, the motion to postpone passed with 14 votes in favor and 6 against.

**Library Affairs Report. FS-18-053: FSH 6920 – University Library.** Professor Robert Perret, Chair of the Library Affairs Committee, presented the committee's report. The committee's proposal streamlines and updates the language of the library policy. A senator commented in his view that the introductory language in the proposed policy was a statement of purpose and not truly policy. Perret responded that the committee believed it was important to set forth a broad statement of the library's role in the university. The dean of the University Library, Lynn Baird (a member of senate) commented that the proposed language is taken directly from the library's mission statement. Another senator asked about the enforcement of the fees for books that were checked out for so long that they are declared lost. Her concern was that the fees were not enforced. Another senator questioned why faculty should be exempt from overdue charges. Dean Baird responded that borrowing library materials for extended periods of time is a longstanding privilege of faculty. However, the library has experienced problems when faculty have attempted to assert the extended loan privilege as to interlibrary loans and other materials to which extended periods of time does not apply. The proposed language provides more enforcement than does the present policy. Finally, a senator commented that, in his opinion, certain descriptive provisions could be removed from the proposed policy. Perret responded that the committee intended the policy to be comprehensive. Regarding one of the provisions, Perret also pointed out that the language creates a faculty privilege to request library materials. The proposed revisions passed 22-0.

**Strategic Plan Update.** Director of Institutional Assessment and Accreditation, Dale Pietrzak updated senate on the status of the university's strategic plan in preparation for the mid-cycle visit by the Northwest Commission on Colleges and Universities (NWCCU). Director Pietrzak reminded senate that President Staben first presented the updated strategic plan at his State of the University Address last fall. As the university's processes were reviewed in preparation for the visit, it was determined that a presentation of the update to Faculty Senate also would be appropriate. Pietrzak noted that while the university is behind on meeting several of its aspirational goals, it has made progress in implementing its plan. He also pointed out that since the president's update last fall, some of the metrics in the plan have been further updated as data has become available. The primary concern of the NWCCU reviewers is that the university is assessing its operations and that the assessment activities (such as the University Budget and Finance Committee process and Program Prioritization are tied to our strategic plan).

A senator asked whether there was any data faculty should be particularly aware of? Pietrzak explained that NWCCU wants to know whether the university is regularly collecting information and updating the evaluation of our strategic plan. They are focused on whether we are doing what we said we would do. The upcoming visit is a mid-cycle visit that focuses on student and program learning outcomes and on the ad hoc report issued at the NWCCU's last mid-cycle visit 18 months ago. NWCCU is sending only two reviewers instead of three or four – these reviewers will review both areas of focus. The NWCCU has given them latitude on how to proceed in order to accommodate the paucity of reviewers. Pietrzak also elaborated on the reason for this particular mid-cycle review. The NWCCU reviewers who visited the university in the fall of 2017 liked what the university was doing on strategic planning and wanted to see that we are consistently doing what we say we were going to do over time. A senator commented on several metrics in the update – we have had a decrease in terminal

degrees, we haven't met our enrollment goals and we have experienced an understandable dip in International enrollment.

**Update on Parking and Transportation (PTS).** Director of Parking and Transportation Services Rebecca Couch. Couch indicated that PTS is introducing parking changes and permit price increases. She stated that the PTS' vision is to keep UI moving and to focus on good customer service. The [PTS Strategic Plan](#) is on the PTS website and was provided to senators. Couch stated that while the university has available parking spaces to meet our current needs, the open spaces are not in desired areas. This is beginning to place increasing pressure on the parking system. In preparation for the strategic plan, PTS conducted a campus-wide survey. They received almost 2000 responses including significant responses from faculty, staff and students. As a result, they were able to segment the responses to different groups, so they could compare priorities. The survey asked participants to rank sixteen different priorities based on four criteria -- availability, affordability, sustainability and fairness. Most participants believed that parking policy should emphasize availability and affordability. Sustainability and fairness were lesser considerations for most participants. As a result of the information obtained from the survey, PTS has renewed its focus on reducing the number of vehicles brought to campus. Reducing vehicles is the most cost-effective way to provide affordable parking access. The plan is particularly focused on reducing the need of students to bring personal vehicles to campus. PTS plans to enhance existing alternative transportation options and to add some new options. She particularly mentioned improved shuttle service from parking lots in peripheral areas. Another plan is to increase the convenience of public transportation options by bringing them into the core of campus. PTS plans to start a bike share program. Such programs are booming across the country. Users do not have to worry about purchasing a bike or getting one to campus. Another idea is to provide incentives to people who don't buy a parking permit. The ultimate plan is to focus the parking system on those who need to drive to campus. PTS also hopes to improve availability, enhanced technology, improve lot conditions and better maintain lots.

For FY19 PTS is creating a new permit tier – orange. Orange permits will be priced between gold and red permits. Many of the current high demand, red lots close to the campus core will be reclassified as orange lots. In addition, the prices for gold permits and student residential permits will increase. Gold permits will increase by 4% and premium residential permits will increase by 14%. The goal of these changes is to keep prices for each of the permit tiers about a hundred dollars apart. This provides financial options for students and employees. The increase in price for the premium student permits recognizes that these parking spaces are generally very conveniently located. Demand for these residential permits, located close to student residences, is sky-rocketing.

Late in 2019 PTS expects to begin a major capital project. This project involves paving lot 53 near the Student Health Center and changing the parking in that lot to metered parking, changing the street directions on Ash Street and Idaho Street, changing the on-street parking on these streets to gold permit parking, and adding additional permit parking south of Life Sciences where there are now meters. Finally, PTS is working with the City of Moscow to authorize more on-street parking on city streets to the east of campus. PTS expects that the direction change on Ash and Idaho Streets will make it possible for public transportation to come into the center of the campus – a bus stop will be added on Ash Street. Also, PTS has had complaints about cars driving in pedestrian-only areas. The directional change will make this more difficult. Changing the parking on Ash and Idaho Streets from long-term residential parking to day time parking will make snow removal on these streets easier. In addition, PTS plans better signage that will direct visitors to campus to the metered spots.

A senator asked whether any gold lots had changed. Couch responded that there were no changes to the locations of gold parking lots. Rather, several red lots will be re-classified to orange lots. A senator commented that it appears that the changes push students into affordable red lots further from the campus core. The senator wanted to know how many students had been involved in the process of reviewing parking policies. He stated that the proposed changes are not responsive to student input. A senator commented that the policy would push lower income employees into these more distant lots. He noted the price of the new orange permit is the equivalent of 1% of the annual compensation for some of our employees. Another senator suggested

that the parking map make clear that holders of the new orange permit can park in lots open to lower priced permits. Couch thanked the senator for pointing out this ambiguity.

A senator suggested that PTS create a more direct walk way for those who park in the blue lot on Sweet Avenue to make it more accessible to the campus core. Couch responded that PTS would follow up on this idea.

A senator asked whether parking reciprocity with WSU could be improved. Couch explained that WSU has changed their parking policies. The university plans to try to work with them for reciprocity.

A senator commented that she appreciated the need to increase revenues, but that this should not be done at the expense of employees and students. Her opinion was that while the creation of the new orange lots might be a good idea, she did not support raising permit prices. Senators also expressed frustration that spaces are constantly re-purposed in gold lots for service, delivery, Zip cars and for special uses, especially near Memorial Gym. She also did not support telling employees that they cannot park in lots during athletic events. Many senators nodded in agreement.

A senator commented that it did not appear that customer satisfaction was considered. He pointed out that there are acute shortages of parking for certain students. He suggested that PTS should decrease the price for red permits, because they will be less desirable. He also commented on the high number of parking appeals. Couch responded that PTS is proposing dropping the prices for blue permits.

**Adjournment:** Finally, a senator commented on PTS plans to reduce the number of blue lots. Couch explained that future PTS plans are to convert blue lots on Sweet Avenue to red lots. Time for meeting expired, a motion to adjourn (Morrison/Johnson) was made. The meeting was adjourned at 5:00 p.m.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate



## 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]

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

**Chapter & Title:** FSH 3050 – Position Description Policy & Form and FSH 3320 – Annual Evaluation policy

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

**Originator(s):** Marty Ytreberg March 22, 2018  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** 208-885-6908 ytreberg@uidaho.edu

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_  
 Name Date  
**Telephone & Email:** \_\_\_\_\_

**Reviewed by General Counsel** \_\_\_Yes \_\_\_X\_\_\_No Name & Date: \_\_\_\_\_

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

FAC approved March 22, 2018. The changes to the position description (PD) policy and form are to: (i) Eliminate the annual process. The PD will be initially created by the unit administrator(s) when a faculty member is hired (or once policy goes into effect for current faculty) and modified only if substantial changes occur. (ii) Make the PD form electronic. There will no longer be paper forms. (iii) Clean up, clarify and simplify language.

The changes to the Annual Evaluation (AE) policy adds the word “and goals” to FSH 3320 A-1. e to encourage a discussion.

**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]*

*APM*

F&A Appr.: \_\_\_\_\_  
*[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)*

**\*Note:** This form was drafted solely for the purpose of informing the IT folks who will develop the online form, that will follow as closely as possible the substantive contents of the form. The online form is not likely to look like this form, e.g. the red text will not remain on the form.

**University of Idaho**  
[Faculty Position Description](#) (\*link to FSH 3050)

**Date:** (effective date – retain all versions) \_\_\_\_\_

**Faculty Name:** \_\_\_\_\_ **Employee V#:** \_\_\_\_\_

**Rank:** \_\_\_\_\_ **Administrative Title (if applicable):** \_\_\_\_\_

**Unit(s):** \_\_\_\_\_  
 \_\_\_\_\_

<u><a href="#">Responsibility Areas</a></u> (*link to FSH 1565 C)	PD%
Teaching and Advising	
Scholarship and Creative Activities	
Outreach and Extension	
University Service and Leadership	
<b>Total</b>	<b>100%</b>

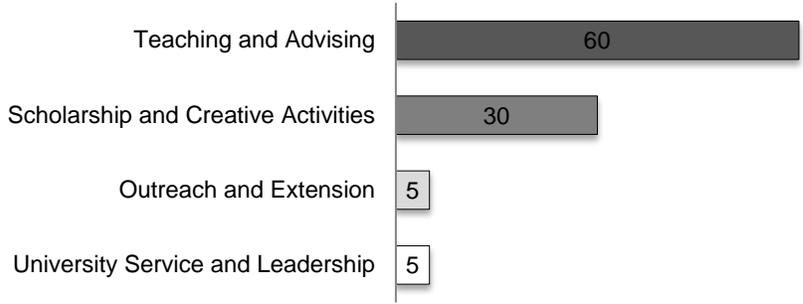
Brief\* description of expectations\*\* that must be consistent with the unit(s) context statement and that encompasses the range of expected activities.

\*limit box to 500 characters, or consult with Faculty Affairs  
 \*\* propose on form a checkbox used for instance when faculty go on full leave for extenuating circumstances, when box checked of no responsibility to equal 0% responsibility for specified time.

**Will include several checkboxes (replaces following signatures on current form):** Faculty Member signature box, confirm button that also assigns date, same for unit administrator, include UAs for those on joint appointments, interdisciplinary/center activities, and college dean.

**Note:** Position descriptions are one component of the independent process for promotion and tenure. See FSH [3520](#) and [3560](#) for details on the promotion and tenure process.

FACULTY POSITION DESCRIPTION <sup>1</sup>	
ENTER CALENDAR YEAR for review period:	
Faculty Name: Title/Rank: Unit(s):	V Number: Administrative Title: (if applicable) FTE:



**Overall description of responsibilities and goals by category<sup>2</sup>:**

**Faculty Member:** I agree that this is a reasonable description of my responsibilities to the University of Idaho for the forthcoming calendar year.

\_\_\_\_\_  
Signature of Faculty Member Date

Interdisciplinary/Center Activities: Attach narrative.<sup>3</sup>

**Unit Administrator(s):** I agree that this position description is a reasonable reflection of the stated expectations for progress towards tenure, promotion and/or continued satisfactory performance.

\_\_\_\_\_  
Signature of Unit Administrator Date

\_\_\_\_\_  
Signature of Additional Unit Administrator Date  
(e.g. joint appointments [if applicable])

\_\_\_\_\_  
Signature of Additional Unit Administrator Date  
(e.g. joint appointments [if applicable])

**College Dean:** I agree that this position description is a reasonable reflection of the stated expectations for progress towards tenure, promotion and/or continued satisfactory performance.

\_\_\_\_\_  
Signature of Dean Date

<sup>1</sup> FSH 3050

<sup>2</sup> See FSH 1565 for faculty responsibilities. Also, instructors will provide syllabi to their unit offices at the beginning of each term for courses for which they are responsible. Each syllabus should include expected learning outcomes for the course and should describe an example of how at least one learning outcome is assessed.

<sup>3</sup> If the above box is checked, the unit administrator is responsible to solicit comments from, and discuss with, the interdisciplinary/center administrators listed whether the interdisciplinary/center activities as stated are accurate. All solicited comments are to be attached to this form. (FSH 3050 B-2, 3520 E-1, G-3, G-4 c, 3560 C, and E-2d, and 3320 A-1 d).

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

January 2017

3050  
POSITION DESCRIPTIONS

*PREAMBLE: This section describes the creation and use of position descriptions that define responsibilities for faculty. This section was original to the 1979 Handbook; it has been editorially revised at intervals. In July 1998 the year covered by a position description was changed from an academic year to a calendar year. In July 2001 section B underwent some clarifying changes while the form itself underwent extensive revisions. In July 2007 the form underwent substantial revisions to address enforcement and accountability issues in the UI promotion and tenure process as well as to align the form with the Strategic Action Plan. In 2009 the form was revised to better integrate faculty interdisciplinary activities (including ensuring communication among all parties and eliminating the need to obtain multiple signatures) and FSH 3140 was incorporated into this policy. In January 2015 assessment language was added to the form. In 2016 a pilot form was introduced that reduced the amount of detail requested from faculty, streamlining the process and ratified in January 2017 with minor edits. Further information may be obtained from the Provost's Office (208-885-6448). [rev. 7-98, 7-01, 7-07, 7-09, 1-15, 1-17ed. 12-06]*

**A. GENERAL.** The position description establishes the expectations for each faculty member's specific responsibilities in the ~~four~~ major responsibility areas identified in FSH 1565 C, Teaching and Advising, Scholarship and Creative Activities, Outreach and Extension, and University Service and Leadership. Expectations must be consistent with the unit(s) context statement. Faculty should ensure that the description fully encompasses the range of their expected activities ~~be careful when preparing their position description to ensure they describe their goals and expectations in all responsibility areas.~~ The position description serves as a reference for a faculty member's a variety of important functions; in particular, it constitutes the essential frame of reference in annual performance evaluation of faculty members [see 3320], and consideration of faculty members is one component of the independent process for tenure and promotion [see 3520 and 3560]. [rev. 7-98, 1-17, ed. 7-00, 7-02, 7-09, 1-12]

**B. PERFORMANCE EXPECTATIONS.** ~~Expectations designated for individual faculty members to achieve tenure or promotion in rank or satisfactory performance evaluation must be compatible with the criteria of the department or other unit concerned. Each faculty member is to be advised of these expectations in writing by the departmental or unit administrator at the time of appointment. [7-09 original text from 3140 A]~~

~~**B-1.** Expectations are specified in the current faculty position description and are the basis for the annual performance evaluation. Expectations must not be greater than those that can be reasonably supported in the department or unit by providing sufficient time and resources. [rev. 7-09 partial text from 3140 B-1, 4 & 5]~~

~~**B-2.** Except by written agreement between the faculty member and the appropriate administrator, expectations for individual faculty members are in effect for a period of one calendar year. [7-09 original text from 3140 B-2]~~

**BC. PROCEDURE.**

~~**CB-1.** The calendar year A position description shall be provided to each faculty member by the unit administrator within a reasonable period of time after the faculty member begins employment. The faculty member, and the unit administrator(s), and/or center director, must approve the position description, is recorded on the form appended to this section with a due date established by the provost. [rev. 7-98, 1-08, 7-09, ed. 7-01]~~

~~**C-2.** The form should be filled out in collaboration with the unit administrator. Faculty members involved in interdisciplinary activities should check the box on the position description form and attach a narrative explaining their activities and listing units and members involved. For faculty involved in interdisciplinary activities or with centers, the unit administrator is to solicit comments regarding the position description and discuss it with all interdisciplinary/center administrator(s) listed on the faculty member's narrative attached to the form. The form is then to be signed by the faculty member, approved by the unit administrator, and dean, and sent to the Provost's Office. [rev. 7-01, 7-02, 1-08, 7-09]~~

~~**BC-32.** The position description shall remain in effect unless revised to reflect substantial changes in expectations. Such a change may include the assumption of administrative responsibilities, a change in teaching~~

load, an increase in research responsibilities, leave or sabbatical, etc. The faculty member and the unit administrator(s), and/or center director, must approve the revised position description. Any change in duties or responsibilities that represents a significant departure from the position description is permitted only with the written consent of the faculty member and administrator involved. A revised position description should be filed in this event. [7-09—original text from 3140 B-3]

~~C-4. When the personnel activity report form (PAR) (see APM 45.09) is completed, the unit administrator should compare the data obtained for each faculty member with the corresponding position description. Perfect agreement between the position description and the record of actual performance is not necessarily expected, but it is desirable that any discrepancy between them be as small as is feasible. [ed. 7-01, 7-09]~~

(Form follows on the next pages.)

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

??

3050  
POSITION DESCRIPTIONS

*PREAMBLE: This section describes the creation and use of position descriptions that define responsibilities for faculty. This section was original to the 1979 Handbook; it has been editorially revised at intervals. In July 1998 the year covered by a position description was changed from an academic year to a calendar year. In July 2001 section B underwent some clarifying changes while the form itself underwent extensive revisions. In July 2007 the form underwent substantial revisions to address enforcement and accountability issues in the UI promotion and tenure process as well as to align the form with the Strategic Action Plan. In 2009 the form was revised to better integrate faculty interdisciplinary activities (including ensuring communication among all parties and eliminating the need to obtain multiple signatures) and FSH 3140 was incorporated into this policy. In January 2015 assessment language was added to the form. In 2016 a pilot form was introduced that reduced the amount of detail requested from faculty, streamlining the process and ratified in January 2017 with minor edits. Further information may be obtained from the Provost's Office (208-885-6448). [rev. 7-98, 7-01, 7-07, 7-09, 1-15, 1-17ed. 12-06]*

**A. GENERAL.** The position description establishes the expectations for each faculty member in the major responsibility areas identified in FSH 1565 C, Teaching and Advising, Scholarship and Creative Activities, Outreach and Extension, and University Service and Leadership. Expectations must be consistent with the unit(s) context statement. Faculty should ensure that the description fully encompasses the range of their expected activities. The position description serves as a reference for a faculty member's annual performance evaluation [see 3320], and is one component of the independent process for tenure and promotion [see 3520 and 3560]. *[rev. 7-98, 1-17, ed. 7-00, 7-02, 7-09, 1-12]*

**B. PROCEDURE.**

**B-1.** A position description shall be provided to each faculty member by the unit administrator within a reasonable period of time after the faculty member begins employment. The faculty member, and the unit administrator(s), and/or center director, must approve the position description. *[rev. 7-98, 1-08, 7-09, ed. 7-01]*

**B-2.** The position description shall remain in effect unless revised to reflect substantial changes in expectations. Such a change may include the assumption of administrative responsibilities, a change in teaching load, an increase in research responsibilities, leave or sabbatical, etc. The faculty member and the unit administrator(s), and/or center director, must approve the revised position description.

(Form follows on the next pages.)

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

November 2017

3320

**ANNUAL PERFORMANCE EVALUATIONS 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 I 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 I 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. In July 2014 changes were incorporated to ensure all faculty go through a review by their peers. In January 2017 a temporary fix to this policy was put in place to allow for a pilot narrative evaluation process for 2016 and ensure that existing policy would apply. In November 2017 an emergency revision (rewrite of the faculty section, not the administrator section) to this policy was put in place to address the new narrative evaluation process so as to be effective before the next evaluation process. Further information may be obtained from the Provost's Office (208-885-6448. [ed. 7-03, rev. 7-07, 1-08, 7-09, 7-10, 7-14, 1-17]*

**CONTENTS:**

- A. Annual Performance Evaluation for Faculty Members
- B. Faculty Performance that does not Meet Expectations
- C. Performance Evaluation of Academic Administrators
- D. Sequence of Evaluation of Faculty Members and Administrators.

**A. ANNUAL PERFORMANCE EVALUATION 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 unit administrator. The provost is responsible for preparing supplementary instructions each year, including the schedule for completion of the annual performance evaluation. Personnel on international assignment see FSH 3380 C. [rev. 7-03, 7-09, 7-14, ed. 7-10, 1-17]

**a. Forms.** The Annual Performance Evaluation Form is available below. The form may not be altered without following the appropriate governance process (see FSH 1460). The unit administrator is responsible for ensuring that each faculty member uses the proper form together with the supplementary instructions as provided by the Provost Office. [rev. 7-01, 1-17]

**b.** Performance expectations are described below. The narrative in the evaluation form shall provide evidence to support the evaluation. [ed. 7-10]

**i. Performance that Meets or Exceeds Expectations** is at least satisfactory performance during the review period of a faculty member relative to the position description.

**ii. Performance that does not Meet Expectations** denotes performance during the review period that is less than expected of a faculty member relative to the position description and means improvement is necessary. An evaluation of not meeting expectations in one or more responsibility areas triggers procedures outlined in FSH 3320 B below.

**c. Annual Report of Efforts and Accomplishments by Faculty Member.** Each faculty member shall provide his or her unit administrator with the following materials in preparation for the annual performance evaluation:

- (1) Current Curriculum Vitae
- (2) UI Faculty Position Description for Annual Performance Review

## UI FACULTY-STAFF HANDBOOK

### Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF Section 3320: Annual Performance Evaluations of Faculty Members and Performance Evaluation of Academic Administrators

---

(3) Written detailed summary report of faculty activity for the period of the annual performance review that compares accomplishments to expectations in the Position Description for the review period. This report may be in the form of a self-evaluation using the annual evaluation form included in this policy.

[rev. 7-09]

(4) Other materials necessary to document efforts and accomplishments for the review period. [add. 7-01, ed. 7-10]

**d. Evaluation of Faculty by Unit Administrators.** Unit administrators evaluate the faculty members in their unit. The performance of each faculty member during the review period is judged on the basis of the position description(s) in effect during that period. In the case of a faculty member holding joint appointments and/or involved in interdisciplinary activities, as described in the position description, in two or more academic or administrative units, it is the responsibility of the administrator in the faculty member's primary academic discipline to solicit and consider relevant information on job performance from other administrators with responsibility for the faculty member's work. [See also 3080 E-3.] [rev. 7-09, ed. 7-10]

Whether a faculty member's performance meets expectations is determined by comparing the faculty member's performance to the position description for the review period. For each area of responsibility, the unit administrator shall describe the basis for her/his evaluation of the faculty member's performance in the narrative on the form. After the unit administrator has completed the narrative evaluation for all faculty for the review period, the unit administrator shall provide the following items to each reviewed individual as they become available: [rev. 7-03, 7-09]

(1) a copy of the individual's annual evaluation form [rev. 7-09]

(2) if requested, comparative information to help assess performance evaluation

The unit administrator shall also include comments and recommendations for the faculty member's progress toward tenure, promotion or continued satisfactory performance in the appropriate place on the annual evaluation form.

**e. Conference.** It is strongly recommended that the unit administrator meet with each faculty member. The unit administrator shall provide each faculty member with the opportunity to meet to discuss the unit administrator's evaluation. (Suitable alternate arrangements shall be made for off-campus personnel.) The purpose of this meeting is to review and discuss the administrator's evaluation and the faculty member's detailed report of activities. The unit administrator should explain the narrative providing a formative assessment on progress towards tenure, promotion, and/or continued satisfactory performance. The faculty member and the unit administrator should work to identify strategies and goals to help the faculty member improve performance. The evaluation may be modified as a result of the discussion. At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator. If the faculty member wishes to respond to the contents of the review, he/she shall be permitted to append a response to the unit administrator's evaluation. A copy of the administrator's final evaluation shall be given to the faculty member. [ren. and rev. 7-01, rev. 7-09, ed. 7-10]

**f. College-Level Action.** Copies of the performance evaluation materials forwarded by the unit administrator to the appropriate dean(s), for evaluation at the college(s) level, shall include: [rev. 7-09]

(1) the evaluation form with the complete narrative and the comments and recommendations on progress towards tenure, promotion, and/or continued satisfactory performance, and [rev. 7-09]

(2) any comments provided by interdisciplinary/center administrators or from those administrators of faculty holding joint appointments provided pursuant to subsection A-1. d., above. [rev. 7-09]

**g.** If the unit administrator fails to include the required narrative and comments/recommendations the college shall return the materials to the unit administrator. [add. 7-09, rev. 7-10]

## UI FACULTY-STAFF HANDBOOK

### Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF Section 3320: Annual Performance Evaluations of Faculty Members and Performance Evaluation of Academic Administrators

---

**h.** If the faculty member has attached a response to the evaluation, the response shall be provided to the dean with the annual evaluation form. The dean shall arrange a meeting with the unit administrator and the faculty member to attempt to resolve the relevant issues.

**i.** If the college dean disagrees with the unit administrator's evaluation, the dean shall attach a narrative stating the reasons for the disagreement. A copy of the dean's narrative shall be provided to the faculty member. The faculty member may respond to the dean's evaluation before the evaluation is forwarded to the provost. The faculty member, unit administrator, and dean are encouraged to resolve the disagreement before forwarding the evaluation to the provost. If the matter remains unresolved at the college level, the provost shall be notified of the disagreement.

**j.** The college shall forward all evaluation material at the unit and college level, including the dean's narrative and faculty responses, if any, to the provost for permanent filing. *[ren. and rev. 7-01, rev. 12-06, 7-09, 7-10]*

**A-2. Relationship to Promotion and Tenure Process.** The faculty annual performance evaluation is an administrative review. Annual evaluations are one component of the independent promotion and tenure process. See FSH 3520 and FSH 3560 for details on the promotion and tenure process.

#### **B. FACULTY PERFORMANCE THAT DOES NOT MEET EXPECTATIONS.** *[add. 7-10]*

**B-1.** If the unit administrator determines that a faculty member is not meeting expectations, the unit administrator should consider the reasons for and explanations of the performance. (see FSH 3190). *[ed. 7-09, rev. 7-10]*

The unit administrator, in consultation with the faculty member, should address the possible causes of the problem, should suggest appropriate resources and encourage the employee to seek such help. Faculty members and unit administrators may obtain referral information and advice from the Ombuds, Human Resources, or the Provost's Office. *[ed. 12-06, 7-09, 7-14, rev. 7-16]*

**B-2. PROVOST INVOLVEMENT.** In the event of an overall evaluation of "does not meet expectations" where the faculty member's performance is so far below expectations that it is ~~it is~~ not acceptable in relation to the position description, the provost may, in consultation with the dean and unit administrator, determine that further review of the faculty member's performance is required pursuant to FSH 3320 B-5 below. *[ren. and ed. 7-09, rev. 7-16]*

**B-3. FIRST OCCURRENCE.** In the event that a faculty member has not met expectations overall or within one or more areas of responsibility, the unit administrator shall offer to meet with the faculty member. At this meeting, the faculty member and the unit administrator shall review the faculty member's Position Description and examine strategies that would permit the faculty member to improve performance. A mentoring committee shall be formed upon the request of either the faculty member or the unit administrator. The committee shall be composed of two or more faculty members agreed upon by the unit administrator and faculty member. *[rev. 7-09, 7-10]*

**B-4. TWO OCCURENCES WITHIN THREE YEARS.** In the event of two annual evaluations within three years concluding that the faculty member has not met expectations overall or within one or more areas of responsibility the unit administrator shall arrange a meeting of the faculty member, the unit administrator and the college dean *[ed. 12-06, rev. 7-10]*

The intent of the meeting is to review:

**a.** the current position description and revise it if necessary to address the issues identified during the discussion. *[ed. 7-09]*

**b.** the strategies implemented in the previous year(s) and to identify why the strategies did not result in the faculty member meeting expectations. The parties should re-examine strategies that would support improved performance by the faculty member. *[ed. 7-09]*

## UI FACULTY-STAFF HANDBOOK

### Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF Section 3320: Annual Performance Evaluations of Faculty Members and Performance Evaluation of Academic Administrators

---

**B-5. THREE OCCURENCES WITHIN FIVE YEARS.** In the event of three annual evaluations of “does not meet expectations” within a five-year period, either overall or within one or more areas of responsibility, the dean shall initiate a formal peer review. *[rev. 7-09, ren. 7-10]*

**a. Composition of the Review Committee.** The Review Committee shall consist of at least four (4) members, appointed as follows:

- (1) The faculty member may submit to the unit administrator a list of the names of three faculty members from within the unit and at least one faculty member from outside of the unit. If the faculty member is tenured or on the tenure track, faculty on the committee should be tenured faculty unless no tenured faculty are available. The unit administrator shall appoint the committee, including at least two names from the faculty member’s list.
- (2) The committee members shall select a chair.

**b. Report and Timing.** The committee report includes the review and possible recommendation(s), and shall be completed within sixty days of the annual evaluation.

**c. The Review.** The purpose of the review is to assess the level of performance of the faculty member, the reasonableness of the previous evaluations, and the appropriateness of the strategies put in place to assist the faculty member.

The faculty member and the unit administrator shall provide the following materials for the review period to the committee:

- (1) Updated Curriculum Vitae of the faculty member,
- (2) Position Descriptions,
- (3) Annual evaluation materials submitted by the faculty member,
- (4) Annual Evaluations of the faculty member by the unit administrator and the dean,
- (5) Student and peer evaluations (if any) of teaching,
- (6) A summary of the strategies put in place to assist the faculty member,
- (7) A self-assessment summary of each area of the faculty member’s responsibility and what the faculty member has learned and achieved during the review period, including contributions to the department, university, state, nation, and field (about 2 pages).

The faculty member may submit any additional information he or she desires, and the committee may request additional materials as it deems necessary.

**d. Responses to Committee Report.** The committee chair shall submit the report to the faculty member, unit administrator, and dean. Each recipient shall have fifteen days from the report’s date to submit written responses to the review committee. The committee chair shall send the report and all responses to the provost.

**e. Provost.** The provost shall be responsible for determining the appropriate resolution, which may include: *[rev. 7-09]*

- (1) continuing the status quo;
- (2) mentoring to address area(s) of concern;
- (3) termination for cause;
- (4) consideration of other recommended resolution(s). *[1-4 add. 7-09]*

**B-6. Non-Tenured Faculty.** Pursuant to Regent’s policy, non-tenured faculty do not have an expectation of contract renewal beyond that stated in FSH 3900 B-2, absent a specific written multi-year contract. The process set forth in FSH 3320 B does not require the University to renew a non-tenured faculty contract. The process set forth in FSH 3320 B shall not be required for a non-tenured faculty member who has been given notice of non-renewal.

## C. PERFORMANCE EVALUATION OF ACADEMIC ADMINISTRATORS. *[ed. 7-09, ren. 7-10]*

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations of Faculty Members  
 and Performance Evaluation of Academic Administrators

---

**C-1. EVALUATION BY FACULTY MEMBERS.** Opportunity is provided for an annual performance evaluation of college deans, assistant and associate deans, and administrators of academic departments and other intracollege units by the faculty members of the respective units. The provost sends each faculty member an appropriate number of copies of the form, “Annual Faculty Evaluation of Academic Administrators” [form 2 appended to this section] to be used for evaluation of the unit or center administrator, one to be used for evaluation of the dean, and one to be used for evaluation of each assistant or associate dean in the college. [*ren. & ed. 7-10, 10-10*]

**C-2. EVALUATION OF UNIT AND CENTER ADMINISTRATORS AND ASSISTANT AND ASSOCIATE DEANS.** The review and evaluation of unit and center administrators, and assistant and associate deans, require consideration of their responsibilities as faculty members and as administrators as defined by percentage allocations in the Annual Position Description. All administrators are entitled to a review and evaluation of their performance as faculty members. Further, all administrators are entitled to a review of their performance as administrators. (Forms to be used in the evaluation of administrators are found in Form 1 and 2. [*rev. 7-99, ed. 3-07, rev. & ren. 7-10 (incorporated 1420 E-6 into this entire section C-2 through C-4)*])

**1. Evaluation as a Faculty Member.**

**a. Annual Evaluation.** The annual evaluation of an administrator’s performance as a faculty member shall be conducted by the dean of the college in accordance with the provisions of *FSH 3320 A* above.

**b. Third Year Review.** If the administrator is untenured, there shall be a third-year review in accordance with the procedures outlined in *FSH 3520 G-4*.

**2. Evaluation as an Administrator.**

**a. Annual Evaluation.** The dean shall conduct an annual evaluation of each administrator’s performance in accordance with the responsibilities specified in *FSH 1420 E-1* and in the Annual Position Description. The dean and administrator will negotiate the administrator’s Annual Position Description on the basis of the unit’s needs, and make it available to the faculty for annual evaluation purposes. The administrator will present his or her annual goals for the unit at the beginning of the review year and report on his/her effectiveness in meeting last year’s goals. Annual goals should be based on the unit action plan, needs of the unit, and discussion with the dean. The dean will make a conscientious effort to solicit input from unit faculty through evaluation form 2. [*rev. 7-99, ed. 6-09, 10-10*]

Unit faculty must send completed copies of form 2 directly to the dean. The dean furnishes the administrator a summary of the faculty evaluations in such a way that the confidentiality of individual evaluations is preserved. The dean may arrange a conference with the administrator to discuss the summary. After these steps have been completed, the dean shall destroy the individual faculty members’ evaluations and shall file the written summary in the dean’s office. The dean then submits a summary of conclusions and recommendations resulting from the review to the provost, who in turn makes his or her review and forwards recommendations to the president. The dean will then provide feedback to faculty who have submitted form 2, as appropriate. [*ed. 10-10*]

**C-3. EVALUATION OF DEANS.** The provost shall conduct an annual evaluation of each dean’s performance in accordance with the dean’s responsibilities specified in *FSH 1420 D-2* and in the Annual Position Description. The provost and dean will negotiate the Annual Position Description for the dean on the basis of the college’s needs and make it available to the faculty for annual evaluation purposes. The dean will present his or her annual goals for the college at the beginning of the review year and report on his or her effectiveness in meeting last year’s goals. Annual goals should be based on the college’s action plan, needs of the college, and discussion with the provost. The provost will make a conscientious effort to solicit input from college faculty through evaluation form 2. [*ed. 10-10*]

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations of Faculty Members  
 and Performance Evaluation of Academic Administrators

---

College faculty will send completed copies of form 2 directly to the provost. The provost will summarize the faculty responses and share that summary with the dean. In preparing and conveying that summary, the provost has the responsibility to ensure that faculty comments are confidential. This includes, but is not limited to, avoiding the use of any phrases that can identify the faculty member making the comments. The provost may arrange a conference with the dean to discuss the summary. After these steps have been completed, the provost shall destroy individual faculty members' evaluations and file the written summary in the Office of Academic Affairs. The provost must then submit a summary of conclusions and recommendations resulting from the review to the president. The provost will then provide feedback to faculty who have submitted form 2, as appropriate. *[ed. 10-10]*

**C-4. PERIODIC REVIEW OF ADMINISTRATORS.** Each administrator is formally reviewed at least six months before the end of each appointment term, or, if there is not a fixed appointment term, at least every five years. The Provost appoints an ad hoc review committee to include faculty, department chairs, and experienced administrators of other units. The periodic review will be conducted at the request of the Provost and Executive Vice President and in accordance with the mechanisms of formal review, which must provide for the following:

1. Opportunity for the dean, center administrator, or unit administrator to prepare a report/portfolio summarizing his or her administrative achievements for the period, including annual reviews; *[rev. and ren. 7-99]*
2. Opportunity for all faculty and staff of the college/unit to participate in the review;
3. Solicitation of input by the committee from appropriate constituencies of the college/unit. Confidentiality of all individual evaluations will be ensured; *[add. 7-99]*
4. Preparation by the review committee of a written report summarizing the findings and recommendations of the review, which will be forwarded to the Provost and the dean/center or unit administrator; *[ed. and ren. 7-99]*
5. The provost will submit the written report along with any additional comments and recommendations to the president and provide appropriate feedback to the administrator. *[rev. and ren. 7-99]*

**a. Additional Review.** The provost and/or college dean may initiate a review at any time he or she determines a review is needed. The dean shall submit to the provost a summary of conclusions and recommendations resulting from this additional review. If the review is conducted by the provost, he or she shall submit a summary of conclusions and recommendations to the president.

The faculty of the unit may also initiate, by majority vote, a formal review (as outlined above) of the unit administrator. The tenured faculty of a college may also initiate, by majority vote, a formal review (as outlined above) of the college dean.

**D. SEQUENCE OF EVALUATION OF FACULTY MEMBERS AND ADMINISTRATORS.** The provost prepares the schedule for completion of steps in the performance evaluation and salary determination process each year. The schedule will ensure that faculty members' evaluations of unit or center administrators and assistant and associate deans have been received by the dean before the administrators' recommendations on salary, promotion, and tenure are made known to the faculty and, similarly, that faculty members' evaluations of deans have been received by the provost before the deans' recommendations on salary, promotion, and tenure are made known to the faculty. Likewise, the summaries of faculty evaluations of unit or center administrators, assistant and associate deans, and deans will be communicated to the persons evaluated after their recommendations on faculty salary, promotion, and tenure have been transmitted to the provost. *[ren. & rev. 7-10]*

(Forms on next few pages)



## 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]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:**    **Chapter 3, Procedures for Faculty Appeals FSH 3840 & FSH 1640.43**

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

<b>Originator(s):</b> (Please see FSH 1460 C)	Francesca Sammarruca (FAHB, Chair)    03/18/2018				
<b>Telephone &amp; Email:</b>	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-top: 1px solid black; width: 50%;">Name</td><td style="border-top: 1px solid black; width: 50%;">Date</td></tr> <tr><td style="border-bottom: 1px solid black; text-align: center;">885-6738</td><td style="border-bottom: 1px solid black; text-align: center;">fsammarr@uidaho.edu</td></tr> </table>	Name	Date	885-6738	fsammarr@uidaho.edu
Name	Date				
885-6738	fsammarr@uidaho.edu				
<b>Policy Sponsor:</b> (If different than originator.)	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-top: 1px solid black; width: 50%;">Name</td><td style="border-top: 1px solid black; width: 50%;">Date</td></tr> <tr><td style="border-bottom: 1px solid black;"> </td><td style="border-bottom: 1px solid black;"> </td></tr> </table>	Name	Date		
Name	Date				
<b>Telephone &amp; Email:</b>					
<b>Reviewed by General Counsel</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Name & Date: <u>    Kent Nelson 4/3/18    </u>					

**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.

The FAHB proposes the determinations which fall under the scope of the FAHB review, presently found in FSH 1640.43, should be stated in FSH 3840 along with *Areas of Concern*. It is crucial for an appellant to write a properly focused appeal. The move improves clarity and concentrates the most relevant information the appellant needs in the section they will be referring to, not the committee section of the FSH. The appellant should also be instructed to contact the chair of the FAHB to receive a copy of the unofficial document known as "FAHB Procedures," otherwise unavailable to the faculty member.

**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.

FSH 1640.43. This policy contains information that we want to see in FSH 3840.

**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. \_\_\_\_\_  
 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]

3840

## 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. In April 2014 changes were made to align this policy with Board policy. 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, 4-14]*

## 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, 7-12, ed. 9-06, 6-09]

**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 B-3, B-6]; the earlier assignment to a salary-increment category [see 3420 B-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. 3-14]

**B-3.** The request for a hearing ~~is shall be~~ addressed to the chair of the Faculty Appeals Hearing Board (FAHB) (see FSH 1640.43). ~~The scope of grounds for the FAHB review is are limited to the following possible determinations:~~

## UI FACULTY-STAFF HANDBOOK

### Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF Section 3840: Procedures for Faculty Appeals

(1) failure to comply with prescribed procedures; (2) application of inappropriate considerations; (3) abuse of discretion; and; (4) abuse of the appellant's academic rights and privileges. The request for a hearing must be based on one, or more, of these four grounds. 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]*

Commented [AT1]: This was taken from FSH 1640.43 and moved here.

**B-4.** A request for a hearing does not affect the effective date of the decision being appealed. *[add. 7-02]*

**B-5.** The FAHB may establish additional procedures (see C-1 below) for initiating appeals not inconsistent with this policy. The appellant should request these procedures prior to submitting an appeal.

#### **C. FACULTY APPEALS HEARING BOARD.** *(see FSH 1640.43)*

##### **DC. HEARING PROCEDURES.** *[ren. 7-08]*

**DC-1.** The ~~FAHB 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 shall be filed with the Faculty Secretary and shall be ~~are~~ available on request from the chair of the ~~FAHB board~~ and/or the faculty secretary. *[add. 7-99, ren. 7-08]*

**C-2.** The FAHB chair organizes the formation of a panel to hear an appeal, see FSH 1640.43 B on panel formation.

**C-32.** In order to maintain the independence of the FAHB panel in its hearing process and deliberations, there shall be no communications between any member of the board and a party to an appeal that are not in writing and provided contemporaneously to all parties to the appeal. Parties to an appeal shall make all communications to the FAHB panel in writing and shall provide contemporaneous copies to all other parties. Likewise, communications from the FAHB panel shall be copied to all parties.

**DC-42.** The ~~board-panel~~ 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-panel chair~~ communicates the ~~panel's~~ decisions in writing to the parties and allows each of them five working days in which to respond. The chair of the ~~board-panel~~ negotiates any disputed matters. *[ed. and ren. 7-99, ren. 7-08]*

**DC-53.** The chair of the ~~board-panel~~ 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-panel~~ 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 or an advisor 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, rev. 7-15]*

**DC-64.** 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-panel~~ may then question the faculty member. The administration then presents its case, followed by questions from the ~~board-panel~~. 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]*

**DC-75.** As a general rule, the ~~board-panel~~ 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]*

**DC-86.** The faculty member and the ~~board-panel~~ 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]*

##### **ED. PROCEDURES FOLLOWING THE HEARING.** *[ren. 7-08]*

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3840: Procedures for Faculty Appeals

---

**ED-1.** The findings and recommendations of the hearing ~~board-panel~~ 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]*

**ED-2.** The president, following receipt of the report of the hearing ~~boardpanel~~, has the responsibility of promptly responding in writing—and in any case within 45 days—to the faculty member, and the hearing ~~panelboard~~, and of providing a statement of the rationale for his or her decision. *[rev. 7-99, ed. 7-02, ren. 7-08]*

**ED-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)*[add. 7-02, ren. 7-08, rev. 4-14]*

**ED-4.** The chair of the ~~FAHBboard~~ shall report annually to the Faculty Senate regarding the nature of the matters considered by ~~the all board-panel(s)~~ during the preceding year. *[add. 7-99, ren. 7-02, 7-08, 6-09]*

**UI FACULTY-STAFF HANDBOOK**

Chapter I: HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE  
Section 1640: Committee Directory

**UI FACULTY-STAFF HANDBOOK**

## CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

January 2018

**1640.43****FACULTY APPEALS HEARING BOARD***[This section was removed from FSH 3840 C & D and placed here in July 2008]*

**A. FUNCTION.** This board will conduct a hearing at the request of a faculty member who wishes to appeal an institutional decision under FSH 3840 A. In each case referred to it, the board ~~has the following responsibilities: [ed. 4-12]~~

~~A-1. To will~~ review all documentary evidence submitted by the parties prior to the hearing and all evidence submitted by the parties at the hearing. The board may require the parties to submit evidence deemed relevant by the board. The board will make recommendations to the president (see FSH 3840 for further details).

~~A-2. To determine whether there has been any (1) failure to comply with prescribed procedures, (2) application of inappropriate considerations, (3) abuse of discretion, or (4) abuse of the appellant's academic rights and privileges.~~

~~A-3. To make recommendations to the president.~~

**B. STRUCTURE AND MEMBERSHIP:** Five faculty members, one of whom is a departmental administrator, are principal members. In addition, five other faculty members, two other departmental administrators, and three off-campus faculty members are appointed as alternate members of the board. In appointing members, including alternates, the Committee on Committees must ensure that the majority of the members are tenured and each of them have been employed at the UI for longer than two years. Since a case for dismissal is appealable to the Faculty Appeals Hearing Board, care should be taken in appointing members to both Faculty Appeals Hearing Board and Dismissal Hearings Committee. The term of membership is three years, with initial terms staggered to form a rotation pattern. The off-campus alternates will serve, in place of principal faculty members chosen by lot, when an appeal by an off-campus faculty member is to be heard. The other alternate members will serve, as appropriate, when a principal member is deemed to have a conflict of interest. Once the panel for an individual hearing has been determined, it will meet at the direction of the chair of the Faculty Appeals Hearing Board and elect its own panel chair. In selecting a chair, a tenured faculty member will receive priority. *[rev. 7-99, 1-09, 4-11, 7-17]*

**B-1. Panel Chair's Role:** Once a panel chair has been selected, he/she will request a meeting with the Faculty Secretary at their earliest opportunity to discuss and review process. The panel chair may request assistance from the Faculty Secretary, Ombuds, or General Counsel's office throughout the hearing. *[add. 7-15]*

**B-2. Observers:** Both parties may have an advisor or counsel at the hearing. *[add. 7-15]*

**C. SPECIAL CONSIDERATION:** Faculty members serving on the Faculty Appeals Hearing Board (FAHB) should take careful note of the following additional considerations and conditions for service: 1) appeals usually occur following tenure, promotion, and salary decisions in the middle of the Spring semester, 2) appeal hearings usually require a 2-4 hour time block which will require meeting on a weekday evening or Saturday to accommodate the schedules of all of the parties involved in a hearing, and 3) the term of office of a member of the FAHB ends when the last active case final report is submitted. Faculty members not willing to abide by these conditions should not apply for service on the Faculty Appeals Hearing Board. *[add. 7-02]*

**Commented [AT1]:** FAHB requested this be moved to the policy, FSH 3840 so that faculty filing appeals understand what their appeal will be based upon. FAHB felt this was very important for faculty to understand and believe it is missed by faculty because it resides in the committee function/structure and not the policy on Faculty Appeals. This is a non-substantive edit as it is simply being moved from one policy to another for clarity.

Memo

To: Committee on Committees

From: Richard Seamon, Chair (2017-2018), University Safety and Loss-Control Committee (SLCC)

Re: SLCC Request to Revise Membership

Date: March 21, 2018

Dear Committee on Committees:

At its meeting on November 15, 2017, the SLCC approved a resolution to seek a change to the SLCC's membership. The change would add four new voting members, to represent Information Technology Services, University Support Services, the University Library, and the Office of Research and Economic Development. If adopted, this change would require revising Faculty Staff Handbook 1640.76.B as follows:

B. STRUCTURE. The committee is composed of ~~17~~21 voting members and 3 ex-officio (non-voting) members, as follows: One faculty member from each college; a member from Information Technology Services; a member from University Support Services; a member from the University Library; a member from the Office of Research and Economic Development; Director of University Residences or designee; Director of Student Health Services or designee; Assistant VP of Facilities or designee; Assistant Vice-President of Human Resources or designee; Staff Affairs Representative; one undergraduate student; one graduate student; Commander, Moscow Police Department, campus subdivision (ex-officio); Occupational Safety Specialist (ex-officio); the Director, Environmental Health & Safety (ex-officio), and the University of Idaho's Executive Director of Public Safety or designee. The Safety and Loss-Control Committee is governed by a chair and vice-chair, with the vice-chair assuming responsibilities of the chair after one-year rotation. The committee elects its own chair and vice-chair from among the voting members. Committee members representing colleges are appointed by the university's Committee on Committees and serve a three-year period. The college representatives are ex officio members of their college unit safety committees. Student members of the committee will serve terms as recommended by the ASUI and GPSA.

The SLCC voted to approve this proposed change after a discussion of the concerns that, as we understand it, were expressed by your committee and Ann Thompson when the SLCC passed an identical resolution in March or April, 2016. Again as we understand it, the main concerns were:

1. This change would make the SLCC too big to be manageable, with regard, for example, to getting a quorum.
2. Considering the concern about size, would it be better to make any additional representatives ones who would serve without a vote?
3. How does the SLCC relate to "unit safety committees" and to the university-wide safety and loss-control infrastructure, including safety and loss control at the educational centers and research and extension centers.

Below is a summary of the SLCC's discussion of these concerns.

1. *Will adding four members make the committee unwieldy?*

The SLCC does not think that adding four voting members will make the committee unwieldy. For the last 18 months or so, monthly meetings have almost always had a quorum. Furthermore, almost all of these meetings have been devoted primarily to sharing information and reinforcing each other's commitment to "spreading the gospel of safety" to colleagues, rather than debating action items. The SLCC thus functions to facilitate a culture and safety by spreading awareness of issues and best practices. The SLCC voted to add four new members to broaden this effort to cultivate a culture of safety.

2. *Would it be better, if new members are added, to have them participate without a vote?*

The SLCC does not think that it would be better to leave the new members without a vote. The consensus was that people who lack a vote will be less likely to attend than people who have a vote, and more generally, that people who lack a vote will not have the same investment in the committee's mission as people who have a vote. If the key goal of the SLCC is to promote a culture of safety through information sharing and "spreading the gospel," it would be better to add members who have "skin in the game."

3. *How Does the SLCC Relate to the University's "Safety Units," its Centers, and the Broader Safety and Loss Infrastructure?*

a. Administrative Procedures Manual (APM) 35.32.D requires unit administrators to develop and implement a "unit safety program." One element of a "unit safety program," under APM 35.32D-1, is a "unit safety committee." For example, each academic unit -- each college, in other words -- has a unit safety committee. The unit safety committees help implement the University's Safety and Loss Control Program. Ultimate responsibility for administering this program lies with the Director of Environmental Health and Safety (EHS). The unit safety committees have no formal connection with the SLCC; they are not supervised by the SLCC. They do, however, provide information that is regularly reported to the SLCC, and members of the SLCC regularly communicate with their corresponding unit safety committee.

b. To the extent that units operate in the centers as well as on the Moscow campus, those units' safety and loss committees implement unit safety programs at the centers as well as the main campus. For example, the College of Agricultural and Life Sciences has a unit safety committee that implements that college's unit safety program at the Moscow campus and the research and extension centers.

c. As mentioned above, the Director of EHS heads the university's institutional Safety and Loss Control Program. Under APM 35.32A-1, the Director prescribes "[s]afety policies and procedures which are required in order to ensure compliance with local, state, or federal law or regulation." When the Director proposes safety policies that "are a combination of legal or regulatory requirements and institutional policy, those portions with institutional policy" elements are "submitted for review and approval by" the SLCC. (APM 35.32A-1.) In addition to prescribing safety policies and procedures (some of which are subject to SLCC review and approval), the Director of EHS "is responsible for administering the institutional Safety and Loss Control Program." (APM 35.32A-3.) To carry out this responsibility, among other things the Director of EHS "coordinates the efforts of all University units and employees to

create and maintain" safety. To that end, the Director of EHS and EHS Office staff work with unit safety committees to develop and implement unit safety plans.

\* \* \*

Thank you for considering this request.

Attached to this memo are:

- A. SLCC Minutes from meeting 2017-18 # 3 (Nov. 15, 2017)
- B. Unit Safety Committees and contact personnel
- C. APM 35.32

**UI FACULTY-STAFF HANDBOOK**  
 Chapter I: HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE  
 Section 1640: Committee Directory

---

**UI FACULTY-STAFF HANDBOOK**

## CHAPTER ONE:

## HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

January 2018

**1640.76****SAFETY AND LOSS-CONTROL COMMITTEE***[created 7-00, replacing previous Safety Committee]*

**A. FUNCTION.** The responsibilities and purposes of the committee are as follows: **a.** to promote policies and programs that will provide a safe and healthy working and living environment for university students, employees, and members of the public, and that will protect public property from injury or damage; **b.** to promote the principles and associated benefits of an effective Safety and Loss-Control Policy; **c.** to endorse and systematically promote university employee safety training; **d.** to encourage the campus community to identify, correct, and report potential hazards and/or unsafe work practices; **e.** to monitor and review University of Idaho accident and loss summarized reports and statistics; and; **f.** to report annually to Faculty Senate and the President's Executive Council on campus-wide safety initiatives and program development. *[ed. 7-09]*

**B. STRUCTURE.** The committee is composed of 217 voting members and 3 ex-officio (non-voting) members, as follows: One faculty member from each college; a member from Information Technology Services, University Support Services, University Library, Office of Research and Economic Development; ~~;~~ Director of University Residences, or designee; Director of Student Health Services, or designee; Assistant VP of Facilities, or designee; ~~senior Assistant Vice-President of~~ Human Resources executive, or designee; a Staff Affairs ~~R~~representative; one undergraduate student; one graduate student, and the Executive Director of Public Safety, or designee; the three ex-officio non-voting members include the Commander, Moscow Police Department, campus subdivision ~~(ex-officio)~~; Occupational Safety Specialist ~~(ex-officio)~~; the Director, Environmental Health & Safety ~~(ex-officio)~~, and the University of Idaho's Executive Director of Public Safety or designee.

The Safety and Loss-Control Committee is governed by a chair and vice-chair, with the vice-chair assuming responsibilities of the chair after one-year rotation. The committee elects its own chair and vice-chair from among the voting members. Committee members representing colleges are appointed by the university's Committee on Committees and serve a three-year period. The college-faculty representatives are *ex officio* members of their college unit safety committees. Student members of the committee will serve terms as recommended by the ASUI and GPSA. *[rev. 7-05, 7-06, 7-08, ed. 6-09, 10-13]*

**Attachment A**  
**University Safety and Loss Control Committee**

**Meeting Minutes**

**Meeting 2017-18 #3**

Date: November 15, 2017

Location: Idaho Commons Panorama Room

Members/Alternates Present: Richard Seamon (CH), Benjamin Barton, Mike Sonnichsen, Rob Keefe, Member (for Raymond Dixon), James Moberly, Onesmo Balemba, Elaina McIntosh-Perry (for Mike Holthaus), Nancy Spink (for Matt Dorschel), Samir Shahat, Kelvin Daniels

Members Absent: Monica Banyi, Brandi Terwilliger, Debbie Huffman, Nicholas Brannon, Amy Lin, Cynthia Ballesteros, Fahmid Tousif

Also in attendance: Greg Cain, and Russell McClanahan

**HANDOUTS/ATTACHMENTS:**

1. USLCC Minutes for October 18, 2017
2. Meeting 2017-18 #3 Agenda
3. Annual Unit Safety Assessments

Meeting called to order at 2:05 p.m. by committee chair, Richard Seamon.

Confirmed next meeting for December 20, 2017.

Minutes for October 21<sup>st</sup> meeting approved, motioned by Ben Barton and seconded by Mike Sonnichsen.

Open issues:

1. Richard Seamon has met with Miranda Anderson of the Committee on Committees. Miranda suggests the Committee starts over and answers three questions.
  - a. Who are the Unit Safety Committees, where are they located and how do they relate to the USLCC. Answer; Unit Safety Committees are a separate part of APM 35.32 to implement Loss Control. APM and list attached to minutes.
  - b. How are the Branch Campuses represented? Answer; Research and Extension are represented in CALS and CNR USCs.

- c. Would increasing the membership from 17 to 21 make it too difficult to get a quorum?

Chair suggests submitting a written request polished with answers. Discussion followed regarding the APM 35.32 and FSH 1640. Copies will be sent out for next meeting.

Motion was made by James Moberly to submit the request again to include the 4 new members, ITS, ORED, ESS and the Library. Motion was seconded by Onesmo Balemba and passed with all yeas.

2. Accident report; As of November 14, 2016 there were 94 accidents with an incurred total of \$604,214 with 4 claims still open and \$225,808 of that incurred total is reserve. As of November 14, 2017 there are 95 accidents that have an incurred total of \$648,889 with 42 open claims and \$393,588 in reserves.

Discussion followed on accident report outs to USC and departments. Using near misses and accident numbers we hope to track trends to be proactive in training and preventative rather than reactive.

3. Unit Safety Committee reports:
  - a. CNR hopes to meet November 29<sup>th</sup>. They have been burning on the Ex. Forest and working with EHS for communication SOP and permits. The Department is working on Lab Safety (Dora) and assisting with Fire Safety and Evacuation. The logging safety grant is on hold, through NIOSH 65,000 subscribers nationally.
  - b. ESS – will have Unit Safety meeting as the first half of one of the semi-monthly staff meetings.
  - c. Col of A&A has focused on completing the Fire Safety and Emergency Evacuation plans.
  - d. CLASS- has no report.
  - e. CALS met Nov 9 (report by Kelvin) Watch for Slips and falls. Lab audits, annual vehicle inspections and new AEDs in AgSci and AgBio.
  - f. Col-Law – will be having the CPR and First Aid training as a college. They have a current issue with egress at the clinic and are installing security cameras.
4. Benjamin Barton volunteered to act as Vice-Chair

New business:

1. Staff council requested information on dissuading fears about concealed carrier on campus. Active shooter response training will be conducted at the Bruce Pitman Center December 6.
2. Annual Unit Safety Committee Assessments have been distributed and are due December 11.

For the Good of the Order

None

Meeting adjourned at 3:10 p.m. motion by Ben Barton, seconded by James Moberly.

Submitted by: Kelvin Daniels, Occupational Safety Specialist, Secretary.

**UNIT SAFETY COMMITTEES**  
**CONTACT PERSONNEL**  
Fiscal Year 2018

E-mail string for all unit safety committee contacts

[kknicker@uidaho.edu](mailto:kknicker@uidaho.edu); [dschloss@uidaho.edu](mailto:dschloss@uidaho.edu); [donparks@uidaho.edu](mailto:donparks@uidaho.edu); [mnugen@uidaho.edu](mailto:mnugen@uidaho.edu);  
[jenniej@uidaho.edu](mailto:jenniej@uidaho.edu); [dstout@uidaho.edu](mailto:dstout@uidaho.edu); [markn@uidaho.edu](mailto:markn@uidaho.edu); [dlahann@uidaho.edu](mailto:dlahann@uidaho.edu);  
[kbateman@uidaho.edu](mailto:kbateman@uidaho.edu); [thadg@uidaho.edu](mailto:thadg@uidaho.edu); [iltaylor@uidaho.edu](mailto:iltaylor@uidaho.edu); [brandit@uidaho.edu](mailto:brandit@uidaho.edu);  
[jeannec@uidaho.edu](mailto:jeannec@uidaho.edu); [gcaïn@uidaho.edu](mailto:gcaïn@uidaho.edu); [bborcher@uidaho.edu](mailto:bborcher@uidaho.edu); [samm@uidaho.edu](mailto:samm@uidaho.edu);  
[jpankopf@uidaho.edu](mailto:jpankopf@uidaho.edu); [marlanem@uidaho.edu](mailto:marlanem@uidaho.edu); [sfox@uidaho.edu](mailto:sfox@uidaho.edu) ; [mmcguire@uidaho.edu](mailto:mmcguire@uidaho.edu);  
[msonic@uidaho.edu](mailto:msonic@uidaho.edu)

**COLLEGE OF AGRICULTURE & LIFE SCIENCES**

- Mark McGuire [mmcguire@uidaho.edu](mailto:mmcguire@uidaho.edu)

**COLLEGE OF ART & ARCHITECTURE**

- Mike Sonnichsen [msonic@uidaho.edu](mailto:msonic@uidaho.edu)

**COLLEGE OF BUSINESS & ECONOMICS**

- Ross Wulf [rwulf@uidaho.edu](mailto:rwulf@uidaho.edu)

**COLLEGE OF EDUCATION**

- David Schloss [dschloss@uidaho.edu](mailto:dschloss@uidaho.edu)

**COLLEGE OF ENGINEERING**

- Don Parks [donparks@uidaho.edu](mailto:donparks@uidaho.edu)

**COLLEGE OF LAW**

- Mike Nugen [mnugen@uidaho.edu](mailto:mnugen@uidaho.edu)

**COLLEGE OF LETTERS, ARTS & SOCIAL SCIENCES**

- Jennie Hall [jenniej@uidaho.edu](mailto:jenniej@uidaho.edu)

**COLLEGE OF NATURAL RESOURCES**

- Darrell Stout [dstout@uidaho.edu](mailto:dstout@uidaho.edu)

**COLLEGE OF SCIENCE**

- Mark Neilsen [markn@uidaho.edu](mailto:markn@uidaho.edu)

**OFFICE OF RESEARCH AND GRADUATE STUDIES AND INSTITUTES**

- Dan LaHann [dlahann@uidaho.edu](mailto:dlahann@uidaho.edu)

**IRIC**

- Russ McClanahan [rmclanahan@uidaho.edu](mailto:rmclanahan@uidaho.edu)

Updated 09/18/2017

#### **AUXILIARY SERVICES**

- Nick Brannon [nbrannon@uidaho.edu](mailto:nbrannon@uidaho.edu)

#### **EVENT & SUPPORT SERVICES**

- Greg Cain [gcain@uidaho.edu](mailto:gcain@uidaho.edu)

#### **FACILITIES**

- Thad Gilkey [thadg@uidaho.edu](mailto:thadg@uidaho.edu)

#### **HUMAN RESOURCES – moving into Executive area committee**

- Shelby Hurn [shelby@uidaho.edu](mailto:shelby@uidaho.edu)

#### **EXECUTIVE AREA (PRESIDENT’S / PROVOST’S OFFICE, ACADEMIC AFFAIRS)**

- David Pittsley [dpittsley@uidaho.edu](mailto:dpittsley@uidaho.edu)

#### **IDAHO COMMONS/STUDENT UNION/ACADEMIC AND STUDENT SERVICES**

- Elissa Keim [ekeim@uidaho.edu](mailto:ekeim@uidaho.edu)

#### **INFORMATION TECHNOLOGY SERVICES**

- Brian Borchers [bborcher@uidaho.edu](mailto:bborcher@uidaho.edu)

#### **LIBRARY**

- Samm Green [samm@uidaho.edu](mailto:samm@uidaho.edu)

#### **UNIVERSITY ADVANCEMENT/ALUMNI**

- Judy Pankopf [jpankopf@uidaho.edu](mailto:jpankopf@uidaho.edu)

#### **WWAMI**

- Marlane Martonick [marlanem@uidaho.edu](mailto:marlanem@uidaho.edu)

#### **OUTREACH**

##### *UI Center – Boise*

- Stephanie Fox [sfox@uidaho.edu](mailto:sfox@uidaho.edu)

##### *UI Center – Idaho Falls*

- Joanna Taylor [jltaylor@uidaho.edu](mailto:jltaylor@uidaho.edu)

##### *UI Center – Coeur d’Alene*

- To be determined



## Administrative Procedures Manual

## Menu

## 35.32 - Safety & Loss Control Program

January 11, 2011

### A. Institutional Safety and Responsibility. *[ed. 1-11]*

A-1. Safety Policies and Procedures. Safety policies and procedures which are required in order to ensure compliance with local, state, or federal law or regulation will be prescribed by the Director of Environmental Health and Safety. When proposed safety policies are a combination of legal or regulatory requirements and institutional policy, those portions with institutional policy will be submitted for review and approval by the University's Safety and Loss Control Committee. *[ren. & rev. 1-11]*

A-2. Obligations. Administrators, managers and supervisors are responsible for developing and implementing safe work practices, promoting safety, and setting the example for others. All employees are expected to adhere to safe operating work practices and are encouraged to provide expertise and offer ideas to make safety a part of the job. All members of the University community are expected to continuously promote safety awareness, maintain property and equipment in safe operating condition, and comply with APM Chapter 35 (Environmental Health & Safety). *[ren. & rev. 1-11]*

A-3. Director of Environmental Health and Safety Responsibilities. The Director of Environmental Health and Safety is responsible for administering the institutional Safety and Loss Control Program. To fulfill this responsibility, the Director of Environmental Health and Safety directs the activities of the Environmental Health and Safety ("EHS") Office, monitors the work

environment and coordinates the efforts of all University units and employees to create and maintain safe conditions of study, research, and employment, to promote safe practices and to ensure compliance with applicable regulations. The Director of Environmental Health and Safety also serves as the University's environmental compliance officer. *[ed. & ren. 1-11]*

A-4. Supervisor Responsibilities. Deans, directors, department heads, faculty members, staff and other supervisory personnel are responsible for providing safe environments and operations under their control (including, but not limited to, work, classroom, laboratory, and field-trip activities), and are required to ensure that all reasonable and necessary precautions are taken to prevent accidents and to preserve the life and health of the employees, instructors, students and others under their supervision. Supervisors are responsible for ensuring that employees under their supervision are adequately trained, equipped, monitored, evaluated, and guided as appropriate to ensure compliance with established safety policies, standards, and procedures. Annual performance evaluations of supervisors shall reflect performance in promoting safe work practices. *[ed. & ren. 1-11]*

A-5. Employee Responsibilities. All University employees are required to comply with the safety policies, procedures, and work practices established by the University. Employees must avoid any activity that creates or constitutes a serious hazard to themselves or others while working for the University. Any employee who believes that performing an assigned work task or activity may pose a serious risk to life or health is expected to immediately bring their concerns to the attention of his or her supervisor, or others as designated by department/division procedures. *[ren. 1-11]*

B. Safety and Loss Control Committee Function. In conformity with the State of Idaho's Safety and Loss Control Program model, the University has established a Safety and Loss Control Committee. [See also FSH 1640.76]

B-1. Responsibilities. The responsibilities and purposes of the committee are described in FSH 1640.76. *[ed. 7-10]*

C. Safety and Loss Control Committee Membership/Structure.

C-1. Membership/Structure. See FSH 1640.76. *[ed. 7-10]*

C-2. Governance. The Safety and Loss Control Committee is governed by a chair and vice-chair, with the vice-chair assuming responsibilities of the chair after a one-year rotation. Committee members are appointed by the University's Committee on Committees and serve a three-year period with students serving terms as recommended by the ASUI and GPSA. *[ed. 1-11]*

D. Unit Safety Program. Unit administrators are required to ensure that a unit safety program is developed and implemented using the template provided by EHS. *[add. 1-11]*

D-1. Unit Safety Program Elements. The Unit Safety Program is comprised of the following nine elements: *[add. 1-11]*

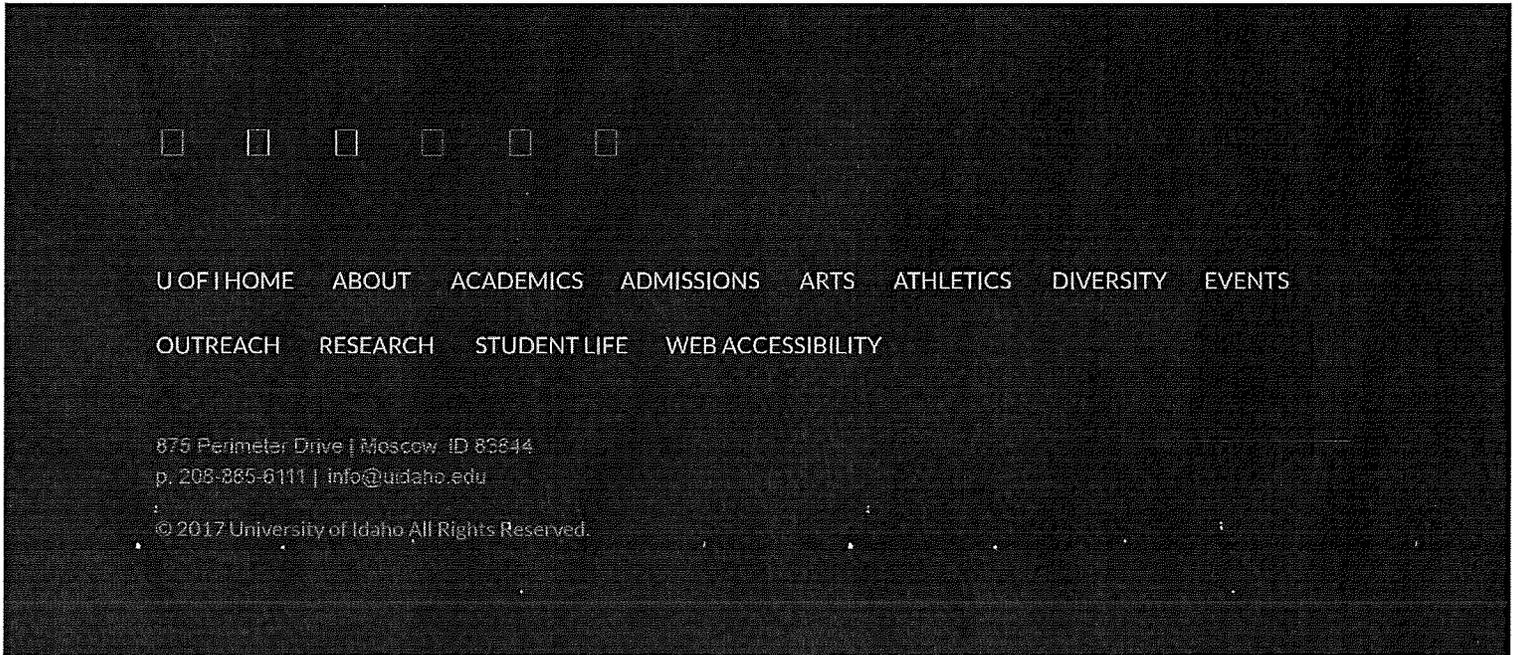
- Policy and Procedures
- Unit Safety Committee
- Job Hazard Assessment
- Safety Training
- Accident Reporting and Investigation
- Inspections
- Emergency Response Plans
- Vehicle Safety and Use
- Hazardous Materials Use

Further information, guidance, resources and tools to assist in the development of a unit safety program are available at the EHS website. Please click here to access the Unit Safety Program webpage. *[add. 1-11]*

D-2. Unit Safety Program Assessment. Unit administrators shall ensure that their safety program is reviewed annually to determine the progress made in reaching the goals described in the unit safety program template. To accomplish this, a Unit Safety Program Assessment Checklist is available.

Please click here to access the Assessment Checklist. *[add. 1-11]*

E. Information. For additional information and assistance, please contact the Environmental Health and Safety Office at (208) 885-6524 or Safety Office email. *[add. 1-11]*



# University of Idaho

## 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]

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

**Chapter & Title: Chapter 1, University Committees 1640.XX – University Staff  
 Compensation Committee**

---

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

Lisa Miller, Chair Staff Compensation Task Force 4/4/2018

**Originator(s):**

(Please see FSH 1460 C)

**Telephone & Email:**

Name \_\_\_\_\_ Date \_\_\_\_\_  
[lisa@uidaho.edu](mailto:lisa@uidaho.edu) 5-7004

**Policy Sponsor:** (If different than originator.)

**Telephone & Email:**

Name \_\_\_\_\_ Date \_\_\_\_\_  
Brian Foisy  
[brianfoisy@uidaho.edu](mailto:brianfoisy@uidaho.edu)

**Reviewed by General Counsel**  Yes  No Name & Date: Kent Nelson 4/3/18

- 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.  
*The Staff Compensation Taskforce (SCTF) was established in 2015. The taskforce is at a place where it has been determined a permanent committee will better serve the university. This proposal is to create an official university standing committee and place it within the Faculty-Staff handbook.*
- 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]

*APM*

F&A Appr.: \_\_\_\_\_  
 [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)

**UI FACULTY-STAFF HANDBOOK**

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

March 2018

---

**1640.XX**

**UNIVERSITY STAFF COMPENSATION COMMITTEE formerly SCTF**

**A. FUNCTION.** The function of the University Staff Compensation Committee (USCC) is:

**A-1.** To advise the president, provost and the vice president for finance and administration on matters pertaining to staff compensation. The USCC will periodically review policy matters regarding annual change in employee compensation (CEC) allocations and annual market-based adjustment to staff salary based on College and University Professional Association (CUPA) and the Bureau of Labor Statistics (BLS);

**A-2.** To be involved strategically in the university annual CEC process. The USCC will advise on the CEC process and staff compensation goals, and participate in university hearings and meetings;

**A-3.** To initiate and/or respond to the study of staff compensation policies and issues; and,

**A-4.** To provide periodic reports to Staff Council and Faculty Senate on matters pertaining to staff compensation.

**B. AGENDA.** The agenda of each meeting will be set by the chair of the committee in collaboration with the senior human resources executive and/or the vice president for finance and administration, or designee. The senior human resources executive is the point of contact for the committee and is responsible for notifying the committee of relevant matters pertaining to staff salaries.

**C. STRUCTURE AND MEMBERSHIP.** The committee is composed of eleven members as follows: voting members will consist of nine staff. Ex officio (w/o vote) members include the vice president for finance and administration and the senior human resources executive. The committee's chair will be selected by Staff Council. The membership is appointed by Staff Council and will consist of a broad representation of staff located university-wide with a minimum of two off-campus members.

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #23**

**3:30 p.m. - Tuesday, April 3, 2018  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #22, March 27, 2018 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

**VI. Committee Reports.**

**Faculty Affairs (vote)**

- **FS-18-050: FSH 3050** - Position Description Policy & Form and **FSH 3320** - Annual Evaluation Policy (Ytreberg)

**Library Affairs (vote)**

- **FS-18-053: FSH 6920** – University Library (Perrett)

**VII. Special Orders.**

- [Strategic Plan and NWCCU](#) (Pietrzak)
- Parking and Transportation (Couch)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #22  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #22, Tuesday, March 27, 2018**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Baird, Brandt (w/o vote), Brown, Caplan, De Angelis, Foster, Grieb, Howard, Hrdlicka, Jeffrey, Johnson, Kern (Coeur d'Alene), Mahoney, Morgan, Morrison, Panttaja, Schwarzlaender, Seamon, Tenuto (Boise)(for Cannon w/o vote), Tibbals, Vella, Watson, Wiencek (w/o vote). **Absent:** Cannon (Boise), Ellison, Leonor, Nicotra, Zhao (Idaho Falls). **Guests:**  
6

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Morrison/Anderson) to approve the minutes was made. The minutes were approved with four abstentions.

**Chair's Report:**

- The Registrar launched the new web-based tool for changing majors (Dwayne Hubbard, Heather Chermak) at the beginning of March. We had urged the Registrar to build in a notification tool that would alert advisors by email when a student was requesting a change of major. The work group was adamant that we not send these emails to advisors. Instead, colleges are encouraged to send their weekly reports to the impacted advisors. Several of us have some concerns regarding this approach and we recommend that we all keep eyes to how this new procedure unfolds.
- On March 6<sup>th</sup>, President Staben released the [initial notice regarding the university's FY2019 Student Fees and Tuition](#) request to the student groups and others including the Chair of Faculty Senate. The university proposes an 8% increase in the resident tuition rate (\$600 increase for undergraduates; proposed new tuition \$8,088/yr.). Students and other University of Idaho community members will have the opportunity to comment on these proposed changes at an open forum on April 5<sup>th</sup> at 3:30 in the Commons Horizon/Aurora Rooms and comments can also be submitted via email to [studentfees@uidaho.edu](mailto:studentfees@uidaho.edu). This proposal will be presented to the SBOE at the April 19<sup>th</sup> meeting
- A [memo](#) was distributed on March 20 to the UI community from Provost Wiencek and Yolanda Bisbee, who is the chair of the "Great Colleges to Work For" task force. The task force has analyzed survey responses from 2016 and 2017, and recommendations from the Campus Culture and Climate subcommittee of the President's Council on Diversity and Inclusion, to draft an action plan how to address some of the workplace environment challenges that we are facing. Members of the university community are invited to read and provide improvements to the report via email to [provost@uidaho.edu](mailto:provost@uidaho.edu) by April 4, 2018.
- The deadline for Faculty and Staff to participate in the 2018 Great Colleges to Work for survey is April 6. Senators are encouraged to remind their constituents to participate in this anonymous survey which is our primary instrument for evaluation of our workplace environment. As a member of the Great College Cascaded Plan Workgroup, the chair stressed the importance of faculty and staff participation in the survey. Responses are carefully tabulated and analyzed, and real plans are set in motion to improve the workplace environment based on the survey results.
- Sabbatical applications for the 2019-20 academic year are due Friday, March 30.
- Nominations for honorary degrees for the December 2018 commencement ceremony are due April 15.
- University Faculty Meeting is set for 3 p.m. PDT/ 4 p.m. MDT April 25 in the Vandal Ballroom and by video connection to sites in Coeur d'Alene, Boise, Twin Falls and Idaho Falls.
- University of Idaho Excellence Award banquet is at 6:00 p.m., Wednesday, April 25, 2018, in the International Ballroom, Pitman Center,

- Staff Council is looking for enthusiastic board-appointed staff members to fill positions on Staff Council becoming available starting June 1, 2018, for fiscal year 2019. Participants will be required to attend the Staff Council meeting every month, from 9-11 a.m. on the second Wednesday of each month in the Paul Joyce Faculty-Staff Lounge.
- Senators should be actively considering running for Chair and Vice Chair of Faculty Senate as there will be complete turnover of leadership year.

**Provost's Report:**

- Members of the Northwest Commission on Colleges and Universities (NWCCU), the university's regional accrediting body, will be on campus on April 12-13 for a formative site visit. The purpose of this visit is to identify areas in which the university is not meeting expectations and encourage necessary improvements. The commission will be examining institutional assessment processes particularly in the area of general education. The provost believes the commission also wants to continue its focus on how the university integrates its planning efforts on campus, how different constituencies are included in the planning process, and how the institution determines whether it is meeting its goals. Last year the commission complimented the university on its planning process. This year it wants to ensure that we are continuing to make progress. The Presidential Leadership Breakfast on March 28 will focus on the NWCCU visit.
- The time for Change in Employee Compensation (CEC) is approaching quickly. The Faculty Compensation Taskforce (F-CTF) has met with the deans to determine how to continue to implement the UI's new approach to compensation. Considering both the mid-year compensation increase and the 3% CEC approved by the legislature, approximately 4.72% of general education funded compensation will be available for employee compensation. This means that approximately \$1.28 million in general education funding is available for faculty CEC this spring. At present, it is not clear whether this includes the amount necessary for promotion increments, or whether those changes in compensation will be funded from different resources. This amount of funding is a significant improvement over recent years. Several factors will be considered in determining compensation changes including keeping up with market inflation, continuing support for the market based compensation approach implemented at mid-year, and providing support for performance-based compensation. Final decisions about allocations have not yet been made.
- The Vandal Success Coalition has conducted several surveys and have shared the result with the larger group looking at UI policies regarding advising. So far, valuable information has been gathered. The group is now conducting a survey of students. They plan to hold a retreat to determine how to align and support the university's advising efforts.
- The dean search for the College of Natural Resources (CNR) is underway. The search committee will be chaired by Dean Ginger Carney. The goal is to get started before the end of the school year, to retain a search firm over the summer, and to begin campus interviews during the fall semester.
- In addition to the CNR search, the provost is consulting with college leaders in the College of Letters Arts and Social Sciences and CNR regarding interim dean appointments.
- The vacancy announcement for the Vice Provost for Faculty will be posted within the next two days. The search will be open for approximately the next three weeks. The provost encouraged senators to inform colleagues of this important position and to consider nominating qualified individuals for the position. He stressed that this position works with senate among others on many issues of importance to faculty.
- Consideration of the future process for Program Prioritization continues. The Institutional Planning and Effectiveness Committee (IPEC) recommended that the three criteria (centrality to mission, contribution to the strategic plan, and institutional investment) be utilized, but that the evaluation of contribution to the strategic plan be measured differently. Many faculty and staff criticized the measurement process regarding the strategic plan because the standards did not align well with the planning process. IPEC asked a committee of deans and faculty to work on tweaking the process.

The committee, chaired by Dean Ali Carr-Chelman, has expressed the desire to undertake a more comprehensive re-evaluation of the process. The committee and IPEC are meeting to discuss the scope of our efforts. The provost emphasized that we do not need to rush the reconsideration process. While the State Board of Education (SBOE) expects us to refresh our prioritization process, it has not established a strict timeline for doing so.

- The provost has not yet followed up regarding the process for considering college mergers. He plans to get a communication out soon, and to convene a group before the end of the semester charged with examining possible mergers. He would like to have the group undertake some preliminary planning so that the university can collect data over the summer. The group will then be able to get started quickly next fall.

A senator asked the provost to explain the timing he expects for future Program Prioritization efforts. She asked whether the current committee is considering a replacement for what we did a year ago or whether its efforts will be focused on the future. The provost responded that IPEC envisioned the current process as re-thinking how to evaluate the contribution of each unit to the strategic plan. The committee would like to take a more holistic approach. The committee and IPEC are meeting in the coming week to resolve the scope of the current effort. The provost also explained that the direction of the SBOE on timing is fairly vague. The board expects the university to go through a regular process of program prioritization, but has not dictated a particular schedule. The provost is hopeful that we will have a revised process in place by the end of the 2018-19 academic year. At that time, we will consider our next prioritization at the next strategic plan waypoint. However, he added that, the decision about when to launch our next prioritization process is the president's.

A senator pointed out transparency of the timing is important to the various departments. Faculty and staff are weary of the process and concerned about how it will move forward. The provost agreed that clarity is important, but also stressed the importance of considering the input of the new planning committee. Another senator asked whether resource reallocation is going to happen, based on program prioritization. The faculty secretary pointed out that reallocation has already happened. Regarding future reallocations, the provost stressed that the decision is the president's decision. He explained that initially the president considered doing an annual reallocation to fund market compensation. However, after this first year, it became clear in many places we are cutting into bone. In addition, we have also recently identified a systemic shortfall in our central reserves. We are going to use one-time money to replenish central reserves next fall. The question is about how we will continue to replenish central reserves. Because of these competing pressures, it isn't certain whether and how, we will implement a reallocation next year. The provost added that if enrollment grows the amount of any reallocation could be reduced. The situation is evolving.

A senator made the point that it's important for units that want to position themselves well, to understand how they will be evaluated. The provost acknowledged this and indicated that IPEC is concerned about this issue also. He again stated that IPEC has focused on evaluating unit cascaded strategic plans as the best way to revise the program prioritization process. IPEC is meeting with Dean Carr-Chelman's committee to refine the process. He stressed that departments should not "game" the system based on the old approach, because it will definitely be changing.

A senator asked how to provide input to the many committees considering the issues. The provost ruefully acknowledged that it would be good to have a comprehensive and central place to access the committees. He indicated that IPEC is working to develop a more robust website to address this issue. Another senator expressed confusion about the role of the various committees. The provost clarified that the program prioritization committee chaired by Dean Carr-Chelman is a sub-committee of IPEC. The committee examining the university's budget process has been convened by Vice President Foisy. The senator

followed up asking whether the budget committee will be looking at Y accounts as part of its plan to address the budget issue? The provost responded that the committee would be primarily focused on general education funds. He stressed, however, that there are often significant unexplained carry forward balances in Y accounts. He pointed out that it is reasonable for the institution to expect that Y account balances be expended for appropriate purposes and not continually be protected without scrutiny.

**Research Council Report (revision of FSH 1640.72).** Audrey Harris, Biosafety Officer in the Office of Research Assurances presented the report proposing a revision to FSH 1640.72 to eliminate the provision making the Institutional Review Board (IRB) a subcommittee of the Research Council. Harris pointed out that this structure was a relic from a time when all the research assurance committees were standing committees of the Research Council. She indicated that there is not a consultative or communication role between the Research Council and the IRB and that neither committee was aware that the subcommittee provision was part of policy. The proposal was approved unanimously.

**Faculty Affairs Committee (FAC) Report.** Professor Marty Ytreberg, chair of the committee, presented the report. He explained that FAC is proposing revisions to FSH 3050 regarding faculty position descriptions. The committee also proposes a small related change to FSH 3320 regarding faculty annual evaluations. The goal of FAC was to respond to substantial input from faculty and administrators urging that position descriptions only be revised when a faculty member has a significant change in responsibilities. The committee also sought to address the lack of coordination between the position description process and the annual evaluation process. Under current policy, we have two intertwined meetings at different times one or two months apart (one at year end on the annual evaluation and one at the beginning of the year on the position description). Another concern considered by the committee was that some departments have developed a very detailed process to determine how information is listed in the position description. The committee believed that this process was related to the numerical faculty evaluation process and the desire to articulate exactly what a “3” means. FAC did not think there is a continuing need for the detailed provisions, given the recent changes made to the annual evaluation process. Ytreberg also pointed out that the typical faculty member’s position description doesn’t change very much from year to year. Finally, the committee wanted to institute an online position description. FAC’s vision is that faculty would complete the position description once and would only change it if the faculty member has significant changes in responsibilities. Examples when a revision to a faculty position description might be appropriate under the proposed policy include a permanent or long-term change to a faculty member’s teaching load, or the assumption of significant administrative responsibilities. The committee also wanted a faculty member to be able to reflect that she or he has no responsibilities during a period of leave. Finally, the committee is also proposing a small change to the annual evaluation provision (FSH 3320) to encourage a discussion of goals during the annual evaluation process.

A faculty member commented that historically the annual evaluation has been a backward-looking process and the position description has been a forward-looking process. He asked how the forward-looking process would be furthered under the proposed approach to the position description. Ytreberg responded that FAC believes that the annual evaluation process should include a forward-looking component. He pointed out that the new annual evaluation form, approved by senate during the fall semester, includes a section for comments on the faculty member’s continued progress in his or her position. FAC wanted to discourage faculty members from mechanically inventorying activities. The committee also wanted to address the disincentive to mention goals for fear that the faculty member might be penalized if the goal is not accomplished. The position description will now have a single box that is a brief description of responsibilities. The committee left it to the faculty member and administrator to determine what information should be recorded on position description.

A senator asked whether the proposed process has been approved by the Office of General Counsel. Secretary Brandt explained that the policy has been forwarded to general counsel and that he has been kept informed of the process and revisions. She indicated that we do not expect him to have legal issues with the process. Another senator expressed reservations about the limit of 250 characters for the description of responsibilities and asked how the description would relate to the description of the position in the vacancy announcement. Ytreberg responded that the committee believes the description in the position description would be a shorter, more compact version of the information in the vacancy announcement.

A senator stated his view that the new form might be disadvantageous in evaluating whether teaching loads of different faculty in a department are equitable. Ytreberg responded that in a typical department most faculty have similar expectations. He acknowledged that while this is not true across the board, the proposed position description still contains percentages and some description to capture differences.

Another senator commented that the percentages on the position description are not descriptive of the allocation of time, but rather are a description of the relative weight given to different aspects of a faculty member's responsibilities. He argued that it is important that percentages reflect how faculty will be evaluated. Ytreberg agreed, and added that FAC did not include provisions in the position description dictating how the percentages on the position description are interpreted. Rather, policy makes clear how the position description percentages will be used.

A senator commented that the current position description conveys important information about expectations to tenure and promotion evaluators. She asked how this information would be included in the process under the new approach. Ytreberg explained that the general weight of responsibilities would still be reflected by the percentages and this detailed information should be part of a faculty member's professional portfolio. He also pointed out that the unit is required to have a context statement that details unit norms and expectations.

Chair Hrdlicka encouraged senators to share the proposed changes with their constituents and collect their feedback, with the intent of discussing and voting on the proposed changes at the following senate meeting.

**APM 50.16 -- Criminal Background Check.** Vice President for Finance and Administration Brian Foisy provided information regarding the updated procedures for criminal background checks. The revised procedure requires criminal background checks for all non-student positions, all graduate student appointees, post docs and temporary help employees. In addition, if students' work involves any contact with minors, a background check is required. This last requirement is a change as the former policy only required background checks for student employees if their contact with minors was "significant"; in practice, the interpretation of the word "significant" was confusing. The requirement of a background check for those with any contact with minors applies to employees, interns, and volunteers. The policy also includes an exception providing that occasional employees, such as an adjunct faculty member who teaches one semester a year, do not have to be re-checked each time they are hired within one year since last employed by UI. In addition, changes in employment status where the employee is still engaged in the same type of work, do not require a background check. However, a unit that believes a background check is necessary, can request such a check. Finally, in a change from the former policy, no person is automatically excluded from employment based on the results of the background check. While exclusion from employment is a likely result, the facts and circumstances of the person's specific situation can be considered.

A senator asked whether the proposers had considered the 2012 Equal Employment Opportunity Commission (EEOC) Guidance regarding background checks. The senator commented that he believes the guidance may establish a standard for whether and when an employee can be excluded from employment based on a background check. The concern of the EEOC is that exclusions based on background checks can have a disparate impact on employees of color. Foisy did not know whether this guidance had been considered and indicated that he would follow up on it.

Another senator expressed concern that the university might not know about criminal conduct by an occasional employee during a break in employment. Foisy responded that the institution has to balance the cost of the background checks against the risk of missing some criminal activity. He pointed out that the institution does not have any provision for re-checking long-term employees and has no way of knowing whether they have been involved in criminal activity since their date of hire. At present, we are not in a position to eliminate the risk, only control for it. He also explained that if the institution learns of possible criminal activity, it can then pursue a check of the employee's background, if warranted.

Another senator asked how we notify prospective employees of the need for a criminal background check. Foisy explained that most prospective employees are informed during their application process through People Admin. If employees are not hired through People Admin, the unit doing the hiring has the responsibility to inform prospective employees of the need for a criminal background check in writing.

**National College Health Assessment (NCHA) – Dr. Greg Lambeth, Director Center for Counseling & Testing (CTC).** Dr. Lambeth reported the results of the NCHA and of additional university-level surveys to senate. The university has participated in NCHA for the past nine years, so we now have access to some significant longitudinal data. In the most recent survey, 980 students or 28.1% of those receiving the survey, responded. Lambeth stressed that the survey was sent to a non-clinical sample of students – it was not distributed only to student who accessed CTC services. He summarized four important takeaways from the survey data. First, the severity of mental health issues experienced by students is increasing at the university. Second, self-harming, suicidal ideation and suicide attempts by students have also increased. Third, the CTC clients have consistently higher acuity of mental health symptoms. Finally, the demand for clinical services at the CTC has been steadily increasing in the past decade.

Lambeth highlighted some of the survey results. He noted that in many of the areas covered by the survey, there appears to be a steeper increase of problems during the past four years. Overall, over 50% of our students report that they experience high levels of stress and that they are overwhelmed by all they have to do. 45% of students report that during the past year they have experienced depression that makes it difficult to function. 68% of students report that they have felt very lonely. Lambeth commented that some people connect the statistic regarding loneliness to what is going on in social media, reasoning that although students are highly connected through social media, these connections may not be meaningful.

A significant percentage of students (up from previous years) report that they feel overwhelming anger and hopelessness. Almost 9% of students report that they have engaged in self-harm such as cutting, burning, bruising, or otherwise injuring themselves. The self-harm statistics are evidence of conduct that is visible in residence halls, to roommates, and to advisors. 16% of students report that in the past year they have seriously considered suicide. This last statistic is very high for a nonclinical survey population.

Students report that mental health issues have a major impact on their academic performance. Their reported incident of alcohol use did not change significantly in the most recent survey, but UI students report binge drinking at higher levels than previously. The number of students who report marijuana use is up slightly (and appears to track with the legalization of marijuana in Washington). Our students report

a small increase in prescription drug use. Poly Drug use (meaning the use of several drugs simultaneously) is also on the rise.

The CTC has seen a dramatic increase in the number of students accessing services at the center. Last year 1200 students (or 11% of all students) sought services at the CTC. This number has increased from 900 students seeking such services ten years ago. Moreover, when these numbers are examined in light of the NCHS results, it appears that many UI students who report mental health problems never access services at the CTC. Lambeth also reported that a significant number of students report concerns about remaining in school. Typically, these concerns are due to mental health issues that often overlap, or are exacerbated by financial and family concerns. Finally, the UI has seen an increase in medical withdrawals.

Lambeth reasoned that these increases in student mental health issues partially reflect national trends. He pointed out that no state in the country reports an increase in peoples' feelings of well-being. Such large cultural and social impacts are reflected in our college students. He also made some general observations based on his first two years of experience at UI – we have many students from low income backgrounds who have had no access to health insurance and limited health care. The good news is that through the university these students have comparatively good access to mental health treatment.

A senator asked what time of year the NCHS survey was conducted and whether it is conducted at the same time each time it is administered. Lambeth reported that the survey is always conducted in the fall. The data collected outside the NCHS by the CTC is only 3 weeks old. The senator also asked whether the general NCHS data can be broken down more specifically. Lambeth indicated that there is quite a bit of granular data in the NCHS survey.

The time for the meeting having expired a motion (Foster/Tibbals) to adjourn passed unanimously. The meeting adjourned at 5:11 p.m.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate



## Faculty Position Description (\*link to FSH 3050)

Date: (\*autodate-retain all versions, effective date) \_\_\_\_\_

Faculty Name: \_\_\_\_\_ Employee V#: \_\_\_\_\_

Rank: \_\_\_\_\_ Administrative Title (if applicable): \_\_\_\_\_

Unit(s): \_\_\_\_\_

Responsibility Areas <span style="color: red;">(*link to FSH 1565 C)</span>	PD% <span style="color: red;">(*autofill into pie chart)</span>
Teaching and Advising	
Scholarship and Creative Activities	
Outreach and Extension	
University Service and Leadership	
<b>Total</b>	<b>100%</b>



Brief\* description of expectations\*\* that must be consistent with the unit(s) context statement and that encompasses the range of expected activities.

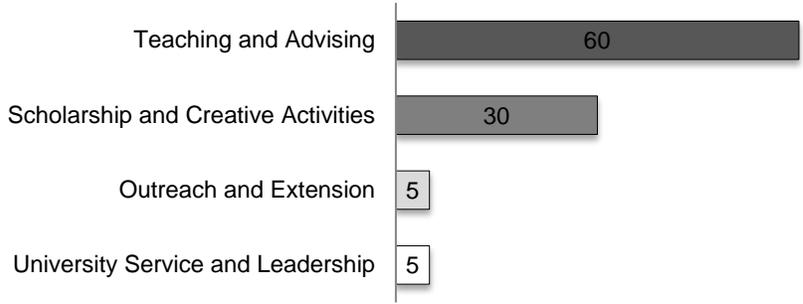
\*limit box to 250 characters, or consult with FAC

\*\* propose on form a checkbox used for instance when faculty go on full leave for extenuating circumstances, when box checked of no responsibility to equal 0% responsibility for specified time.

**Include several checkboxes (replace following signatures on current form):** Faculty Member signature box, confirm button that also assigns date, same for unit administrator, include UAs for those on joint appointments, interdisciplinary/center activities, and college dean.

- 
- Note to include or weave into online form:
- Position descriptions are one component of the independent process for promotion and tenure ~~process~~. See FSH 3520 and 3560 for details on the promotion and tenure process.
  - ~~Instructors will provide syllabi to their unit offices at the beginning of each term for courses for which they are responsible. Each syllabus should include expected learning outcomes for the course and should describe an example of how at least one learning outcome is assessed.~~ Note: Is this still needed for NWCCU? Check with Dale Pietrzak, if so where best to include other than PD form, and what language is needed.
  - ~~\*\*\*If the joint appt./interdisciplinary box is checked, the unit administrator is responsible to solicit comments from, and discuss with, the interdisciplinary/center administrators listed whether the interdisciplinary/center activities as stated are accurate. All solicited comments are to be attached to this form. (FSH 3050 B-2, 3520 E-1, G-3, G-4 c, 3560 C, and E-2d, and 3320 A-1 d).~~

FACULTY POSITION DESCRIPTION <sup>1</sup>	
ENTER CALENDAR YEAR for review period:	
Faculty Name: Title/Rank: Unit(s):	V Number: Administrative Title: (if applicable) FTE:



**Overall description of responsibilities and goals by category<sup>2</sup>:**

**Faculty Member:** I agree that this is a reasonable description of my responsibilities to the University of Idaho for the forthcoming calendar year.

\_\_\_\_\_  
Signature of Faculty Member Date

Interdisciplinary/Center Activities: Attach narrative.<sup>3</sup>

**Unit Administrator(s):** I agree that this position description is a reasonable reflection of the stated expectations for progress towards tenure, promotion and/or continued satisfactory performance.

\_\_\_\_\_  
Signature of Unit Administrator Date

\_\_\_\_\_  
Signature of Additional Unit Administrator Date  
(e.g. joint appointments [if applicable])

\_\_\_\_\_  
Signature of Additional Unit Administrator Date  
(e.g. joint appointments [if applicable])

**College Dean:** I agree that this position description is a reasonable reflection of the stated expectations for progress towards tenure, promotion and/or continued satisfactory performance.

\_\_\_\_\_  
Signature of Dean Date

<sup>1</sup> FSH 3050

<sup>2</sup> See FSH 1565 for faculty responsibilities. Also, instructors will provide syllabi to their unit offices at the beginning of each term for courses for which they are responsible. Each syllabus should include expected learning outcomes for the course and should describe an example of how at least one learning outcome is assessed.

<sup>3</sup> If the above box is checked, the unit administrator is responsible to solicit comments from, and discuss with, the interdisciplinary/center administrators listed whether the interdisciplinary/center activities as stated are accurate. All solicited comments are to be attached to this form. (FSH 3050 B-2, 3520 E-1, G-3, G-4 c, 3560 C, and E-2d, and 3320 A-1 d).

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

January 2017

3050  
POSITION DESCRIPTIONS

*PREAMBLE: This section describes the creation and use of position descriptions that define responsibilities for faculty. This section was original to the 1979 Handbook; it has been editorially revised at intervals. In July 1998 the year covered by a position description was changed from an academic year to a calendar year. In July 2001 section B underwent some clarifying changes while the form itself underwent extensive revisions. In July 2007 the form underwent substantial revisions to address enforcement and accountability issues in the UI promotion and tenure process as well as to align the form with the Strategic Action Plan. In 2009 the form was revised to better integrate faculty interdisciplinary activities (including ensuring communication among all parties and eliminating the need to obtain multiple signatures) and FSH 3140 was incorporated into this policy. In January 2015 assessment language was added to the form. In 2016 a pilot form was introduced that reduced the amount of detail requested from faculty, streamlining the process and ratified in January 2017 with minor edits. Further information may be obtained from the Provost's Office (208-885-6448). [rev. 7-98, 7-01, 7-07, 7-09, 1-15, 1-17ed. 12-06]*

**A. GENERAL.** The position description establishes the expectations for each faculty member's specific responsibilities in the ~~four~~ major responsibility areas identified in FSH 1565 C, Teaching and Advising, Scholarship and Creative Activities, Outreach and Extension, and University Service and Leadership. Expectations must be consistent with the unit(s) context statement. Faculty should ensure that the description fully encompasses the range of their expected activities ~~be careful when preparing their position description to ensure they describe their goals and expectations in all responsibility areas.~~ The position description serves as a reference for a faculty member's a variety of important functions; in particular, it constitutes the essential frame of reference in annual performance evaluation of faculty members [see 3320], and consideration of faculty members is one component of the independent process for tenure and promotion [see 3520 and 3560]. [rev. 7-98, 1-17, ed. 7-00, 7-02, 7-09, 1-12]

**B. PERFORMANCE EXPECTATIONS.** ~~Expectations designated for individual faculty members to achieve tenure or promotion in rank or satisfactory performance evaluation must be compatible with the criteria of the department or other unit concerned. Each faculty member is to be advised of these expectations in writing by the departmental or unit administrator at the time of appointment. [7-09 original text from 3140 A]~~

~~**B-1.** Expectations are specified in the current faculty position description and are the basis for the annual performance evaluation. Expectations must not be greater than those that can be reasonably supported in the department or unit by providing sufficient time and resources. [rev. 7-09 partial text from 3140 B-1, 4 & 5]~~

~~**B-2.** Except by written agreement between the faculty member and the appropriate administrator, expectations for individual faculty members are in effect for a period of one calendar year. [7-09 original text from 3140 B-2]~~

**BC. PROCEDURE.**

~~**CB-1.** The calendar year A position description shall be provided to each faculty member by the unit administrator within a reasonable period of time after the faculty member begins employment. The faculty member, and the unit administrator(s), and/or center director, must approve the position description. is recorded on the form appended to this section with a due date established by the provost. [rev. 7-98, 1-08, 7-09, ed. 7-01]~~

~~**C-2.** The form should be filled out in collaboration with the unit administrator. Faculty members involved in interdisciplinary activities should check the box on the position description form and attach a narrative explaining their activities and listing units and members involved. For faculty involved in interdisciplinary activities or with centers, the unit administrator is to solicit comments regarding the position description and discuss it with all interdisciplinary/center administrator(s) listed on the faculty member's narrative attached to the form. The form is then to be signed by the faculty member, approved by the unit administrator, and dean, and sent to the Provost's Office. [rev. 7-01, 7-02, 1-08, 7-09]~~

~~**BC-32.** The position description shall remain in effect unless revised to reflect substantial changes in expectations. Such a change may include the assumption of administrative responsibilities, a change in teaching~~

load, an increase in research responsibilities, leave or sabbatical, etc. The faculty member and the unit administrator(s), and/or center director, must approve the revised position description. Any change in duties or responsibilities that represents a significant departure from the position description is permitted only with the written consent of the faculty member and administrator involved. A revised position description should be filed in this event. [7-09—original text from 3140 B-3]

~~C-4. When the personnel activity report form (PAR) (see APM 45.09) is completed, the unit administrator should compare the data obtained for each faculty member with the corresponding position description. Perfect agreement between the position description and the record of actual performance is not necessarily expected, but it is desirable that any discrepancy between them be as small as is feasible. [ed. 7-01, 7-09]~~

(Form follows on the next pages.)

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

??

---

3050  
POSITION DESCRIPTIONS

*PREAMBLE: This section describes the creation and use of position descriptions that define responsibilities for faculty. This section was original to the 1979 Handbook; it has been editorially revised at intervals. In July 1998 the year covered by a position description was changed from an academic year to a calendar year. In July 2001 section B underwent some clarifying changes while the form itself underwent extensive revisions. In July 2007 the form underwent substantial revisions to address enforcement and accountability issues in the UI promotion and tenure process as well as to align the form with the Strategic Action Plan. In 2009 the form was revised to better integrate faculty interdisciplinary activities (including ensuring communication among all parties and eliminating the need to obtain multiple signatures) and FSH 3140 was incorporated into this policy. In January 2015 assessment language was added to the form. In 2016 a pilot form was introduced that reduced the amount of detail requested from faculty, streamlining the process and ratified in January 2017 with minor edits. Further information may be obtained from the Provost's Office (208-885-6448). [rev. 7-98, 7-01, 7-07, 7-09, 1-15, 1-17ed. 12-06]*

**A. GENERAL.** The position description establishes the expectations for each faculty member in the major responsibility areas identified in FSH 1565 C, Teaching and Advising, Scholarship and Creative Activities, Outreach and Extension, and University Service and Leadership. Expectations must be consistent with the unit(s) context statement. Faculty should ensure that the description fully encompasses the range of their expected activities. The position description serves as a reference for a faculty member's annual performance evaluation [see 3320], and is one component of the independent process for tenure and promotion [see 3520 and 3560]. *[rev. 7-98, 1-17, ed. 7-00, 7-02, 7-09, 1-12]*

**B. PROCEDURE.**

**B-1.** A position description shall be provided to each faculty member by the unit administrator within a reasonable period of time after the faculty member begins employment. The faculty member, and the unit administrator(s), and/or center director, must approve the position description. *[rev. 7-98, 1-08, 7-09, ed. 7-01]*

**B-2.** The position description shall remain in effect unless revised to reflect substantial changes in expectations. Such a change may include the assumption of administrative responsibilities, a change in teaching load, an increase in research responsibilities, leave or sabbatical, etc. The faculty member and the unit administrator(s), and/or center director, must approve the revised position description.

(Form follows on the next pages.)

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

November 2017

3320

**ANNUAL PERFORMANCE EVALUATIONS 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 I 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 I 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. In July 2014 changes were incorporated to ensure all faculty go through a review by their peers. In January 2017 a temporary fix to this policy was put in place to allow for a pilot narrative evaluation process for 2016 and ensure that existing policy would apply. In November 2017 an emergency revision (rewrite of the faculty section, not the administrator section) to this policy was put in place to address the new narrative evaluation process so as to be effective before the next evaluation process. Further information may be obtained from the Provost's Office (208-885-6448. [ed. 7-03, rev. 7-07, 1-08, 7-09, 7-10, 7-14, 1-17]*

**CONTENTS:**

- A. Annual Performance Evaluation for Faculty Members
- B. Faculty Performance that does not Meet Expectations
- C. Performance Evaluation of Academic Administrators
- D. Sequence of Evaluation of Faculty Members and Administrators.

**A. ANNUAL PERFORMANCE EVALUATION 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 unit administrator. The provost is responsible for preparing supplementary instructions each year, including the schedule for completion of the annual performance evaluation. Personnel on international assignment see FSH 3380 C. [rev. 7-03, 7-09, 7-14, ed. 7-10, 1-17]

**a. Forms.** The Annual Performance Evaluation Form is available below. The form may not be altered without following the appropriate governance process (see FSH 1460). The unit administrator is responsible for ensuring that each faculty member uses the proper form together with the supplementary instructions as provided by the Provost Office. [rev. 7-01, 1-17]

**b.** Performance expectations are described below. The narrative in the evaluation form shall provide evidence to support the evaluation. [ed. 7-10]

**i. Performance that Meets or Exceeds Expectations** is at least satisfactory performance during the review period of a faculty member relative to the position description.

**ii. Performance that does not Meet Expectations** denotes performance during the review period that is less than expected of a faculty member relative to the position description and means improvement is necessary. An evaluation of not meeting expectations in one or more responsibility areas triggers procedures outlined in FSH 3320 B below.

**c. Annual Report of Efforts and Accomplishments by Faculty Member.** Each faculty member shall provide his or her unit administrator with the following materials in preparation for the annual performance evaluation:

- (1) Current Curriculum Vitae
- (2) UI Faculty Position Description for Annual Performance Review

**UI FACULTY-STAFF HANDBOOK****Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF****Section 3320: Annual Performance Evaluations of Faculty Members  
and Performance Evaluation of Academic Administrators**

(3) Written detailed summary report of faculty activity for the period of the annual performance review that compares accomplishments to expectations in the Position Description for the review period. This report may be in the form of a self-evaluation using the annual evaluation form included in this policy. *[rev. 7-09]*

(4) Other materials necessary to document efforts and accomplishments for the review period. *[add. 7-01, ed. 7-10]*

**d. Evaluation of Faculty by Unit Administrators.** Unit administrators evaluate the faculty members in their unit. The performance of each faculty member during the review period is judged on the basis of the position description(s) in effect during that period. In the case of a faculty member holding joint appointments and/or involved in interdisciplinary activities, as described in the position description, in two or more academic or administrative units, it is the responsibility of the administrator in the faculty member's primary academic discipline to solicit and consider relevant information on job performance from other administrators with responsibility for the faculty member's work. [See also 3080 E-3.] *[rev. 7-09, ed. 7-10]*

Whether a faculty member's performance meets expectations is determined by comparing the faculty member's performance to the position description for the review period. For each area of responsibility, the unit administrator shall describe the basis for her/his evaluation of the faculty member's performance in the narrative on the form. After the unit administrator has completed the narrative evaluation for all faculty for the review period, the unit administrator shall provide the following items to each reviewed individual as they become available: *[rev. 7-03, 7-09]*

- (1) a copy of the individual's annual evaluation form *[rev. 7-09]*
- (2) if requested, comparative information to help assess performance evaluation

The unit administrator shall also include comments and recommendations for the faculty member's progress toward tenure, promotion or continued satisfactory performance in the appropriate place on the annual evaluation form.

**e. Conference.** It is strongly recommended that the unit administrator meet with each faculty member. The unit administrator shall provide each faculty member with the opportunity to meet to discuss the unit administrator's evaluation. (Suitable alternate arrangements shall be made for off-campus personnel.) The purpose of this meeting is to review and discuss the administrator's evaluation and the faculty member's detailed report of activities. The unit administrator should explain the narrative providing a formative assessment on progress towards tenure, promotion, and/or continued satisfactory performance. The faculty member and the unit administrator should work to identify strategies and goals to help the faculty member improve performance. The evaluation may be modified as a result of the discussion. At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator. If the faculty member wishes to respond to the contents of the review, he/she shall be permitted to append a response to the unit administrator's evaluation. A copy of the administrator's final evaluation shall be given to the faculty member. *[ren. and rev. 7-01, rev. 7-09, ed. 7-10]*

**f. College-Level Action.** Copies of the performance evaluation materials forwarded by the unit administrator to the appropriate dean(s), for evaluation at the college(s) level, shall include: *[rev. 7-09]*

- (1) the evaluation form with the complete narrative and the comments and recommendations on progress towards tenure, promotion, and/or continued satisfactory performance, and *[rev. 7-09]*
- (2) any comments provided by interdisciplinary/center administrators or from those administrators of faculty holding joint appointments provided pursuant to subsection A-1. d., above. *[rev. 7-09]*

**g.** If the unit administrator fails to include the required narrative and comments/recommendations the college shall return the materials to the unit administrator. *[add. 7-09, rev. 7-10]*

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations of Faculty Members  
and Performance Evaluation of Academic Administrators

---

**h.** If the faculty member has attached a response to the evaluation, the response shall be provided to the dean with the annual evaluation form. The dean shall arrange a meeting with the unit administrator and the faculty member to attempt to resolve the relevant issues.

**i.** If the college dean disagrees with the unit administrator's evaluation, the dean shall attach a narrative stating the reasons for the disagreement. A copy of the dean's narrative shall be provided to the faculty member. The faculty member may respond to the dean's evaluation before the evaluation is forwarded to the provost. The faculty member, unit administrator, and dean are encouraged to resolve the disagreement before forwarding the evaluation to the provost. If the matter remains unresolved at the college level, the provost shall be notified of the disagreement.

**j.** The college shall forward all evaluation material at the unit and college level, including the dean's narrative and faculty responses, if any, to the provost for permanent filing. *[ren. and rev. 7-01, rev. 12-06, 7-09, 7-10]*

**A-2. Relationship to Promotion and Tenure Process.** The faculty annual performance evaluation is an administrative review. Annual evaluations are one component of the independent promotion and tenure process. See FSH 3520 and FSH 3560 for details on the promotion and tenure process.

**B. FACULTY PERFORMANCE THAT DOES NOT MEET EXPECTATIONS.** *[add. 7-10]*

**B-1.** If the unit administrator determines that a faculty member is not meeting expectations, the unit administrator should consider the reasons for and explanations of the performance. (see FSH 3190). *[ed. 7-09, rev. 7-10]*

The unit administrator, in consultation with the faculty member, should address the possible causes of the problem, should suggest appropriate resources and encourage the employee to seek such help. Faculty members and unit administrators may obtain referral information and advice from the Ombuds, Human Resources, or the Provost's Office. *[ed. 12-06, 7-09, 7-14, rev. 7-16]*

**B-2. PROVOST INVOLVEMENT.** In the event of an overall evaluation of "does not meet expectations" where the faculty member's performance is so far below expectations that it is ~~it is~~ not acceptable in relation to the position description, the provost may, in consultation with the dean and unit administrator, determine that further review of the faculty member's performance is required pursuant to FSH 3320 B-5 below. *[ren. and ed. 7-09, rev. 7-16]*

**B-3. FIRST OCCURRENCE.** In the event that a faculty member has not met expectations overall or within one or more areas of responsibility, the unit administrator shall offer to meet with the faculty member. At this meeting, the faculty member and the unit administrator shall review the faculty member's Position Description and examine strategies that would permit the faculty member to improve performance. A mentoring committee shall be formed upon the request of either the faculty member or the unit administrator. The committee shall be composed of two or more faculty members agreed upon by the unit administrator and faculty member. *[rev. 7-09, 7-10]*

**B-4. TWO OCCURENCES WITHIN THREE YEARS.** In the event of two annual evaluations within three years concluding that the faculty member has not met expectations overall or within one or more areas of responsibility the unit administrator shall arrange a meeting of the faculty member, the unit administrator and the college dean *[ed. 12-06, rev. 7-10]*

The intent of the meeting is to review:

**a.** the current position description and revise it if necessary to address the issues identified during the discussion. *[ed. 7-09]*

**b.** the strategies implemented in the previous year(s) and to identify why the strategies did not result in the faculty member meeting expectations. The parties should re-examine strategies that would support improved performance by the faculty member. *[ed. 7-09]*

## UI FACULTY-STAFF HANDBOOK

### Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF Section 3320: Annual Performance Evaluations of Faculty Members and Performance Evaluation of Academic Administrators

---

**B-5. THREE OCCURENCES WITHIN FIVE YEARS.** In the event of three annual evaluations of “does not meet expectations” within a five-year period, either overall or within one or more areas of responsibility, the dean shall initiate a formal peer review. *[rev. 7-09, ren. 7-10]*

**a. Composition of the Review Committee.** The Review Committee shall consist of at least four (4) members, appointed as follows:

- (1) The faculty member may submit to the unit administrator a list of the names of three faculty members from within the unit and at least one faculty member from outside of the unit. If the faculty member is tenured or on the tenure track, faculty on the committee should be tenured faculty unless no tenured faculty are available. The unit administrator shall appoint the committee, including at least two names from the faculty member’s list.
- (2) The committee members shall select a chair.

**b. Report and Timing.** The committee report includes the review and possible recommendation(s), and shall be completed within sixty days of the annual evaluation.

**c. The Review.** The purpose of the review is to assess the level of performance of the faculty member, the reasonableness of the previous evaluations, and the appropriateness of the strategies put in place to assist the faculty member.

The faculty member and the unit administrator shall provide the following materials for the review period to the committee:

- (1) Updated Curriculum Vitae of the faculty member,
- (2) Position Descriptions,
- (3) Annual evaluation materials submitted by the faculty member,
- (4) Annual Evaluations of the faculty member by the unit administrator and the dean,
- (5) Student and peer evaluations (if any) of teaching,
- (6) A summary of the strategies put in place to assist the faculty member,
- (7) A self-assessment summary of each area of the faculty member’s responsibility and what the faculty member has learned and achieved during the review period, including contributions to the department, university, state, nation, and field (about 2 pages).

The faculty member may submit any additional information he or she desires, and the committee may request additional materials as it deems necessary.

**d. Responses to Committee Report.** The committee chair shall submit the report to the faculty member, unit administrator, and dean. Each recipient shall have fifteen days from the report’s date to submit written responses to the review committee. The committee chair shall send the report and all responses to the provost.

**e. Provost.** The provost shall be responsible for determining the appropriate resolution, which may include: *[rev. 7-09]*

- (1) continuing the status quo;
- (2) mentoring to address area(s) of concern;
- (3) termination for cause;
- (4) consideration of other recommended resolution(s). *[1-4 add. 7-09]*

**B-6. Non-Tenured Faculty.** Pursuant to Regent’s policy, non-tenured faculty do not have an expectation of contract renewal beyond that stated in FSH 3900 B-2, absent a specific written multi-year contract. The process set forth in FSH 3320 B does not require the University to renew a non-tenured faculty contract. The process set forth in FSH 3320 B shall not be required for a non-tenured faculty member who has been given notice of non-renewal.

## C. PERFORMANCE EVALUATION OF ACADEMIC ADMINISTRATORS. *[ed. 7-09, ren. 7-10]*

**UI FACULTY-STAFF HANDBOOK**

## Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

Section 3320: Annual Performance Evaluations of Faculty Members  
and Performance Evaluation of Academic Administrators

**C-1. EVALUATION BY FACULTY MEMBERS.** Opportunity is provided for an annual performance evaluation of college deans, assistant and associate deans, and administrators of academic departments and other intracollege units by the faculty members of the respective units. The provost sends each faculty member an appropriate number of copies of the form, "Annual Faculty Evaluation of Academic Administrators" [form 2 appended to this section] to be used for evaluation of the unit or center administrator, one to be used for evaluation of the dean, and one to be used for evaluation of each assistant or associate dean in the college. [*ren. & ed. 7-10, 10-10*]

**C-2. EVALUATION OF UNIT AND CENTER ADMINISTRATORS AND ASSISTANT AND ASSOCIATE DEANS.** The review and evaluation of unit and center administrators, and assistant and associate deans, require consideration of their responsibilities as faculty members and as administrators as defined by percentage allocations in the Annual Position Description. All administrators are entitled to a review and evaluation of their performance as faculty members. Further, all administrators are entitled to a review of their performance as administrators. (Forms to be used in the evaluation of administrators are found in Form 1 and 2. [*rev. 7-99, ed. 3-07, rev. & ren. 7-10 (incorporated 1420 E-6 into this entire section C-2 through C-4)*])

**1. Evaluation as a Faculty Member.**

**a. Annual Evaluation.** The annual evaluation of an administrator's performance as a faculty member shall be conducted by the dean of the college in accordance with the provisions of *FSH 3320 A* above.

**b. Third Year Review.** If the administrator is untenured, there shall be a third-year review in accordance with the procedures outlined in *FSH 3520 G-4*.

**2. Evaluation as an Administrator.**

**a. Annual Evaluation.** The dean shall conduct an annual evaluation of each administrator's performance in accordance with the responsibilities specified in *FSH 1420 E-1* and in the Annual Position Description. The dean and administrator will negotiate the administrator's Annual Position Description on the basis of the unit's needs, and make it available to the faculty for annual evaluation purposes. The administrator will present his or her annual goals for the unit at the beginning of the review year and report on his/her effectiveness in meeting last year's goals. Annual goals should be based on the unit action plan, needs of the unit, and discussion with the dean. The dean will make a conscientious effort to solicit input from unit faculty through evaluation form 2. [*rev. 7-99, ed. 6-09, 10-10*]

Unit faculty must send completed copies of form 2 directly to the dean. The dean furnishes the administrator a summary of the faculty evaluations in such a way that the confidentiality of individual evaluations is preserved. The dean may arrange a conference with the administrator to discuss the summary. After these steps have been completed, the dean shall destroy the individual faculty members' evaluations and shall file the written summary in the dean's office. The dean then submits a summary of conclusions and recommendations resulting from the review to the provost, who in turn makes his or her review and forwards recommendations to the president. The dean will then provide feedback to faculty who have submitted form 2, as appropriate. [*ed. 10-10*]

**C-3. EVALUATION OF DEANS.** The provost shall conduct an annual evaluation of each dean's performance in accordance with the dean's responsibilities specified in *FSH 1420 D-2* and in the Annual Position Description. The provost and dean will negotiate the Annual Position Description for the dean on the basis of the college's needs and make it available to the faculty for annual evaluation purposes. The dean will present his or her annual goals for the college at the beginning of the review year and report on his or her effectiveness in meeting last year's goals. Annual goals should be based on the college's action plan, needs of the college, and discussion with the provost. The provost will make a conscientious effort to solicit input from college faculty through evaluation form 2. [*ed. 10-10*]

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations of Faculty Members  
 and Performance Evaluation of Academic Administrators

---

College faculty will send completed copies of form 2 directly to the provost. The provost will summarize the faculty responses and share that summary with the dean. In preparing and conveying that summary, the provost has the responsibility to ensure that faculty comments are confidential. This includes, but is not limited to, avoiding the use of any phrases that can identify the faculty member making the comments. The provost may arrange a conference with the dean to discuss the summary. After these steps have been completed, the provost shall destroy individual faculty members' evaluations and file the written summary in the Office of Academic Affairs. The provost must then submit a summary of conclusions and recommendations resulting from the review to the president. The provost will then provide feedback to faculty who have submitted form 2, as appropriate. *[ed. 10-10]*

**C-4. PERIODIC REVIEW OF ADMINISTRATORS.** Each administrator is formally reviewed at least six months before the end of each appointment term, or, if there is not a fixed appointment term, at least every five years. The Provost appoints an ad hoc review committee to include faculty, department chairs, and experienced administrators of other units. The periodic review will be conducted at the request of the Provost and Executive Vice President and in accordance with the mechanisms of formal review, which must provide for the following:

1. Opportunity for the dean, center administrator, or unit administrator to prepare a report/portfolio summarizing his or her administrative achievements for the period, including annual reviews; *[rev. and ren. 7-99]*
2. Opportunity for all faculty and staff of the college/unit to participate in the review;
3. Solicitation of input by the committee from appropriate constituencies of the college/unit. Confidentiality of all individual evaluations will be ensured; *[add. 7-99]*
4. Preparation by the review committee of a written report summarizing the findings and recommendations of the review, which will be forwarded to the Provost and the dean/center or unit administrator; *[ed. and ren. 7-99]*
5. The provost will submit the written report along with any additional comments and recommendations to the president and provide appropriate feedback to the administrator. *[rev. and ren. 7-99]*

**a. Additional Review.** The provost and/or college dean may initiate a review at any time he or she determines a review is needed. The dean shall submit to the provost a summary of conclusions and recommendations resulting from this additional review. If the review is conducted by the provost, he or she shall submit a summary of conclusions and recommendations to the president.

The faculty of the unit may also initiate, by majority vote, a formal review (as outlined above) of the unit administrator. The tenured faculty of a college may also initiate, by majority vote, a formal review (as outlined above) of the college dean.

**D. SEQUENCE OF EVALUATION OF FACULTY MEMBERS AND ADMINISTRATORS.** The provost prepares the schedule for completion of steps in the performance evaluation and salary determination process each year. The schedule will ensure that faculty members' evaluations of unit or center administrators and assistant and associate deans have been received by the dean before the administrators' recommendations on salary, promotion, and tenure are made known to the faculty and, similarly, that faculty members' evaluations of deans have been received by the provost before the deans' recommendations on salary, promotion, and tenure are made known to the faculty. Likewise, the summaries of faculty evaluations of unit or center administrators, assistant and associate deans, and deans will be communicated to the persons evaluated after their recommendations on faculty salary, promotion, and tenure have been transmitted to the provost. *[ren. & rev. 7-10]*

(Forms on next few pages)

# University of Idaho

## 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]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** 6290 UI Library

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** \_\_\_\_\_

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** Robert Perret 11/03/2017  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** (208) 885-6534 rperret@uidaho.edu

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_  
 Name Date  
**Telephone & Email:** \_\_\_\_\_

**Reviewed by General Counsel** \_\_\_Yes \_\_\_X\_\_\_No Name & Date: \_\_\_\_\_

- I. Policy/Procedure Statement:** Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.  
 Revisions to update policy on current library practices, partnerships, and policies.
- II. Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?  
 N/A
- III. Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change.  
 N/A
- 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]*

*APM*

F&A Appr.: \_\_\_\_\_  
*[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)*

**UI FACULTY-STAFF HANDBOOK**

## CHAPTER SIX:

## OTHER GENERAL INSTITUTIONAL POLICIES

2007 (editorial)

6920

## UNIVERSITY LIBRARY

*PREAMBLE: This section provides basic information about the UI [Library](#). For further information, contact the library [directly](#) (208-885-6534).*

**A. INTRODUCTION.** ~~As Idaho's flagship research library, the University of Idaho Library (Library) connects our users with information, ideas, tools, and spaces; enriches formal and informal learning opportunities; supports and advances research, scholarly, and creative activity; builds partnerships through regional and national outreach; and preserves university, state, and regional historical archives. We champion the transformative power of ideas and learning, inspire our students to engage in a lifelong pursuit of intellectual development, and provide an essential foundation for innovation, research, and scholarship. The University Library supports the teaching, research, and service missions of the university. It is the regional depository in Idaho for U.S. Government documents [regional repository](#) and is a designated Earth Science Information Center and a U.S. Patent depository. As a member of WLN and OCLC it has access to the collections of other scholarly libraries within the region and the nation. The Library seeks to build and maintain mutually beneficial partnerships to ensure faculty, staff, and students have the broadest access to the Library collections, while providing services to citizens of the state and region.~~

**B. SERVICES.****B-1. Loan Privileges.**

~~a. Books in the general collection may be borrowed for four have a six weeks loan period. Loan periods for Mmaterials from the general collection are charged out at the loan desk located near the entrance on the first floor in other collections may be shorter. These All materials are subject to recall after two weeks, if needed by others.~~

~~b. Faculty members are exempt from overdue charges with the exceptions of fines associated with overdue interlibrary loan, consortial, or recalled materials; nevertheless, it is not in the overall university interest to have a faculty member borrow a large number of books and keep them for a long time. Highly specialized materials that are not in demand and are needed by faculty members for continuous close-at-hand use may be charged out loaned for an extended period as long as one semester.~~

~~c. Normally, the UI Library does not lend indexes, abstracts, reference books, U.S. government documents, or periodicals for use outside the library because it is in the best interest of the UI community that they be available in the library and accessible to all. In exceptional cases, arrangements to check them out may be made through the librarian in charge.~~

**B-2. Interlibrary Loans.**

~~a. The [Library's department](#) administers an interlibrary-loan service and, to facilitate borrowing on request, will obtain scholarly materials not available here from another library [esy](#) for use by faculty members, staff and students engaged in serious research.~~

~~b. Interlibrary loans are agreements between libraries. The lending library establishes has the privilege of stipulating the conditions under which the loan [periods](#) is made, and the borrowing library must abide by these regulations and any special use conditions. Overdue Ample time should be allowed for securing the item desired, and any book that is in print and of value to the library should be ordered rather than borrowed. It is recommended that graduate student research at UI not be undertaken in areas in which a large percentage of the needed library materials must be borrowed through interlibrary loan are subject to fines as infractions may interrupt service to [from other libraries users](#).~~

~~c. The Library is a member of the Orbis Cascade Alliance, a consortium of academic libraries in the Pacific~~

**UI FACULTY-STAFF HANDBOOK**  
 Chapter VI: OTHER GENERAL INSTITUTIONAL POLICIES  
 Section 6920: University Library

~~Northwest. UI faculty, staff and students can borrow materials located at member libraries, including Washington State University. In view of the fact that most research libraries limit the loan of periodicals, persons requesting periodical articles on interlibrary loan should expect to receive photocopies and should be prepared to pay the charges involved.~~

**B-3. Electronic Resources.**

~~a. The Library licenses and makes available electronic content for use by students, faculty, and staff currently affiliated with of the UI. Use of licensed content is dictated by terms agreed to by both the Library and the content provider. These agreements typically prohibit excessive downloading of content, commercial use, and use by individuals not directly affiliated with the UI. If the Library is notified that a user is violating the terms of a license, appropriate action will be taken by the Library to address the violation in questions and, as necessary, to prevent further abuse.~~

~~b. Individuals not affiliated with the UI have limited use of most resources through public terminals in the Library.~~

**B-3. Reciprocal Use Agreement with WSU.**

~~a. Washington State University and UI have an agreement under which faculty members and students of either institution have free use of the library resources and facilities of the other. Such use is subject, however, to the regulations of each institution.~~

~~b. UI faculty members and students must consider use of the WSU Library a privilege, not a right. They should not abuse or endanger this privilege by borrowing a large number of items at one time, items for class use here, materials in great demand, items this library should buy, or rare items; nor should they keep, or request to keep, materials they borrow longer than the normal loan period. Under certain circumstances, UI faculty members may be given a long-term or semester loan of certain UI library materials, but this is not true of WSU library materials.~~

~~— B-4. Library Hours. The University Library is normally open about 100 hours a week. Changes in library hours for holidays and vacation periods are regularly published in the *Idaho Register* and posted at the main entrance of the library.~~

**B-546. Placing Books on Course Reserve.**

~~a. It is important that faculty members are encouraged to place books or related materials on course reserve before at least one week prior to making class assignments.~~

~~b. The library should be given Requests forms to create a reserve-book lists are available online or in the Library at least one week in advance.~~

~~b. c. Standard "Library Reserve Book" forms should be used and may be picked up at, or ordered by telephone from, the reserve desk. Faculty members are urged to check the card catalog to ascertain that the library has the needed books, to write the call numbers on the form and, if convenient, to take the books required for reserve directly to the reserve desk. Faculty members may place personal copies, as well as library books, on reserve for two hour, one day, or three day loans at their discretion. Non-library materials should be properly identified with a mark of ownership and should be reclaimed after they are no longer needed on reserve.~~

~~d. If library materials are to be purchased for reserve, sufficient time should be allowed for their acquisition. "Purchase Request" forms marked "for reserve use first (second) semester" will be given priority treatment.~~

**UI FACULTY-STAFF HANDBOOK**  
Chapter VI: OTHER GENERAL INSTITUTIONAL POLICIES  
Section 6920: University Library

---

**B-657. Library-Use Lectures.**

- a. Upon request, librarians conduct specialized lectures on the using and evaluating of information library resources are available for upper-division and graduate classes.
- b. The lectures are given by the subject librarians, and techniques of bibliographic searching are emphasized. Far from being stereotyped orientation talks, these presentations are intended to meet specific needs and may be adapted to stress any points that the instructor indicates. With this specialized instruction, followed by individual consultation with the subject librarians, students are able to make far better use of library resources. Instructors may make arrangements for the lectures through the appropriate subject librarian.
- c. Students may consult individually with librarians after the lectures are given to gain additional insights about the research process in the library and at least one week's notice should be given to avoid scheduling conflicts.

**B-768. Ordering Books and Periodicals Resource Requests.**

a. To order a book, a faculty member is encouraged to work with their librarians to select materials that will serve the current and future needs of the UI. The faculty member fills out a "Purchase Request" form, listing all pertinent information. The order request may be requested via email or through the online resource purchase request form is forwarded to the library after obtaining approving signatures as required by the department or college. When the book is received and cataloged, the library notifies the requester. Faculty members are urged to turn in requests early in the fiscal year. Faculty members who require specialized materials for continuous use in the office or laboratory are permitted to requisition them for purchase from their department (not library) funds, subject to approval of the departmental administrator or dean. New periodical subscriptions require the cancellation of an equivalent dollar amount of existing subscriptions. Faculty requests for new subscriptions to periodicals should be made to the appropriate subject specialist in the library.

b. ——— b. New periodical subscription requests should be made through a librarian. Due to the cost of these materials, the Library is judicious in acquiring new titles without an evaluation of existing titles. When books disappear, the library normally delays ordering replacements for a year on the assumption that they may reappear on the shelves. Most of them do. If, however, a missing book is needed immediately (e.g., for reserve, as a reference book, or because it is in great demand), the library will order a replacement immediately. If faculty members wish to reorder missing books, they should so indicate on the order form used for requesting books by inserting the statement "book missing—replace." If this is not done, the library's acquisitions section may find it listed in the catalog and return the request marked "duplicate." Frequently the library does not find out that a book is missing until it is reported by students or faculty members.

c. Resources needed immediately (for reserve or because of demand) will be ordered and processed in an expedited fashion.

**B-8. Library Publications.** The *Bookmark* serves as a communication medium from the library to the faculty and staff. Its aim is to bring helpful information on books, library problems, and library goals to the faculty and staff.

**B-79. Copying Use of Copyrighted Materials.** The U.S. copyright law governs the making of photocopies or other reproductions, preparation of derivative works, distribution, performance, display, and transmission of copyrighted materials. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be used for any purpose other than private study, scholarship, or research. If a user makes a

**UI FACULTY-STAFF HANDBOOK**  
Chapter VI: OTHER GENERAL INSTITUTIONAL POLICIES  
Section 6920: University Library

---

~~request for, or later uses, a photocopy or reproduction for purposes outside the standards of "fair use," that user may be charged with copyright infringement.~~ The University Library reserves the right to refuse ~~to accept a copying any request by a patron that order if,~~ in its Library's judgment, ~~fulfilling the order would involve the Library acting in violation of U.S. copyright law.~~

**B-~~810~~.** **Departmental Libraries.** It is the policy of the ~~UI University of Idaho~~ to maintain a strong central library. Branch libraries are ~~generally discouraged because: (a) they reduce the accessibility of materials of interest to several disciplines, (b) proper staffing increases overall library expenses, and (c) costly duplication of holdings is likely to result. Exceptions to this policy are considered on an individual basis.~~ In view of the ~~volume and~~ special character of ~~UI's~~ library resources in the field of law, the College of Law maintains a library and ~~a~~ staff with specialized training in law librarianship [see 6925].

**B-~~911~~.** **Additional Information.**

- a. For additional information about the ~~University~~ Library and its operations, ~~see the Llibrary maintains a world-wide web site at .~~
- b. Faculty members who wish to suggest changes in ~~library~~ regulations or policies should feel free to make these suggestions known to the ~~l~~ library staff or members of the Library Affairs Committee [see 1640.60].

**Commented [JC(1)]:** Revision to address broad range of services provided by Library, and discretion of Library in the performance of these services, with respect to compliance with copyright law.



Unit Strategic Plan  
FY2019

## Our Mission

*As a unit within the division of Finance and Administration, and Facilities Services, Parking and Transportation Services (PTS) keeps the University of Idaho moving by facilitating a safe and efficient parking and transportation system. PTS strives for excellence in customer service and is committed to serving the University of Idaho by providing clear and informative communications, making sound financial decisions, and engaging with stakeholders as our campus adapts to changing needs and growth.*

## Our Vision

*To become a campus where a personally owned vehicle is not required to meet commuter and campus resident mobility needs.*

## Our Values

*We believe in a work environment and programs characterized by transparency, respect, integrity, fairness and consistency. We are problem solvers who believe in collaboration, teamwork, and personal commitment with focus on cost-effectiveness and fiscal responsibility, as we are financial stewards for our customers. We have respect and appreciation for the entire campus community and are dedicated to providing friendly, courteous, knowledgeable and specific customer service.*

# About our Department

## WHO WE ARE – WHAT WE DO

Key activities of the PTS team include daily and long-term management and planning for the campus parking and transportation system. Our department involvement, investments, and operations are essential in keeping university functions moving smoothly each day of the year. Our services impact the experience of every person on the University of Idaho (UI) campus.

PTS annually administers parking for nearly 5,500 parking spaces, with parking lots making up approximately 44 acres of the campus footprint. Maintaining this critical university infrastructure for maximum safety and function for campus patrons is essential to fulfilling our mission of keeping UI moving. Our in-house maintenance program provides annual savings, as well as increased efficiencies and quality of work, with our team performing campus hardscape repairs including crack repair and seal-coating, parking lot striping, and thermal plastic application for crosswalks, and traffic and bike lanes.

The unit is comprised of two divisions, field and office operations, and includes 13 full-time positions, augmented with additional temporary staff. In addition to the key activities of the unit, and in keeping with the University's commitment to ensuring equal access to all campus facilities, PTS manages the Vandal Access service, providing on-campus transportation to individuals with mobility impairments.

All PTS salaries, operating expenses, and parking lot maintenance are funded through permit, meter, event service, and enforcement income, with the exception of the Vandal Access service which is centrally funded. In keeping with our commitment to excellent customer service, our financial model is to generate needed funding from sources including permits, meters, and event services (approx. 85% of revenue), and not rely on a set amount of annual citation revenue. Parking enforcement, a key activity of the field division and a necessary tool for parking system management, generates roughly 15% of PTS revenue annually. While our unit's financial model is to be self-supporting, and therefore the parking permit fee structure is set to align with that model, opportunities for mutual cost-sharing and cost-savings are afforded as a unit within Facilities Services. For PTS, these opportunities translate into savings for campus parkers and allow dollars saved to be directed towards other mission critical functions. Partnerships within the Facilities division that provide mutual benefit to units include campus snow removal, hardscape maintenance, and construction management programs. Additional Facilities partnerships can provide for supplemental financial support for major parking capital projects.

Alternative transportation options currently supported by PTS include ride-sharing and car-sharing programs, Zimride and Zipcar. Additionally, PTS supports cycling on campus by managing bike rack inventory, utilization, and adding new bike parking infrastructure when necessary. Aligning with our mission to keep UI moving, and working towards our vision of a campus where a personally owned vehicle is not required to meet mobility needs, PTS looks to increase support for alternative transportation by adding to, enhancing, and promoting mobility choices for faculty, staff, and students. As demand for vehicle parking on campus increases, new and enhanced mobility choices along with incentives for choosing an alternative mode will be essential.

# Alignment with University Strategic Plan

As PTS focuses on our mission of keeping the University of Idaho moving, we align with the institutions strategic plan by supporting the university's collaborative teaching, research, outreach, and engagement initiatives by providing ease of access and navigation for all campus patrons. As the University of Idaho grows and PTS narrows in on our vision of becoming a campus where a personally owned vehicle is not required to meet commuter and campus resident mobility needs, our efforts will increase the attractiveness of our Moscow campus for prospective students.

Specifically, the key activities and mission of PTS correlate with Goal 4 of the University of Idaho Strategic Plan, Cultivate: "improve efficiency, transparency and communication, and invest wisely in resources to enhance end user experiences." Our contribution toward campus transportation infrastructure improvements and our plans for future expansion and enhancement of mobility choices outlined within this plan directly impact campus aesthetics and the first impression of visitors, a critical element in supporting our university mission and attracting new students to enroll at the University of Idaho.

## Our Goals

### 1. Customer Service: Transportation

- a. Public Transit & Shuttles
  - i. Increase service and convenience of public transit
  - ii. Provide general campus shuttle service from perimeter to core lots
  - iii. Provide evening shuttle service for on-campus residents
  - iv. Provide shuttle to Moscow-Pullman airport
  - v. Create program for off-campus park-n-ride (free or very minimal fee), with connection to local transit or shuttle to campus core
  - vi. Expand vanpool use by employees
- b. Bicycles
  - i. Provide bike share program
  - ii. Maintain adequate supply of bicycle parking inventory commensurate with demand
- c. Alternate Trip Incentive Programs
  - i. Provide incentives for choosing alternative transportation (walk, bike, transit)
  - ii. Implement emergency ride home program
- d. Promote & maintain pedestrian priority campus walkway
  - i. Develop campus walkway vehicle access policies
  - ii. Make physical campus walkway entrance improvements to reduce vehicle entry

## **2. Customer Service: Parking**

- a. Parking Space Availability
  - i. Achieve and maintain 85% lot utilization in commuter lots
  - ii. Achieve and maintain 95% lot utilization in residential lots
  - iii. Increase availability of core campus parking for short-term use
- b. Permit Affordability
  - i. Maintain and expand low-cost perimeter parking option (\$64 or less)
- c. Technology
  - i. Parking space availability apps
  - ii. Mobile payment for meters
- b. Parking Lot Maintenance & Improvement
  - i. Achieve and maintain a pavement condition index (PCI) rating of 55 or above for paved parking lots
  - ii. Improve gravel parking lots: lot 35, lot 14, lot 38, lot 57



## Proposed Changes to Parking System

FY19

### FY19 Changes – **SEEKING INPUT**

1. Create new Orange permit zone, located and priced between Gold and Red (\$250 for FY19)
2. Permit price increases:
  - a. Gold: 4% or \$13 increase (\$325 to \$338)
  - b. Residential (Silver, Purple, Green): 14% or \$24 (\$172 to \$196)
3. Transportation:
  - a. Bike share program roll-out summer 2018

# FY19 Proposals Detailed

## 1. Create new permit tier located and priced between Gold and Red

### PTS Goal Alignment:

Parking Space Availability: achieve and maintain 85% lot utilization in commuter lots.

Overview: This proposal focuses on improved utilization and space availability in current Red commuter parking lots. The proposed action is to create a new permit color tier within the parking system, priced between the Gold and Red permit price at \$250 for FY19, and convert eleven existing Red parking lots to new permit color – Orange (see Proposed 18-19 Campus Parking Map).

### Existing Conditions:

- There are twenty-one parking lots on campus designated as Red permit parking (combination of on-street and surface parking lots), varying in size, and distance from the center of campus. Red permit lots provide an inventory of 1210 spaces. The common ratio of Red permits to spaces has been around 1.4 permits per space (or 40% oversell).
- Eleven of the Red permit lots are of high demand for parkers and experience utilization rates of 85-99% on a daily basis. This translates into most Red permit holders essentially utilizing a “hunting license” permit, as these lots fill quickly, with only a few spaces opening up throughout the day (see Red Lot Utilization Chart, next page).
- The remaining ten Red permit lots are of low demand and experience utilization rates of 17-84% on a daily basis. This translates into high numbers of spaces regularly unoccupied, even with a 40% oversell of Red permits (see Red Lot Utilization Chart, next page).

Goal: An optimal parking lot utilization rate is 85%. At 85% utilization it is expected that on average, 15% of spaces within a lot are unoccupied, allowing for improved customer satisfaction in the ability to find a place to park where their permit is valid. The goal we aim to achieve with this proposal is improved utilization (85%) of existing Red lots, providing improved space availability for parkers.

### Proposed Actions:

- Convert eleven high demand Red lots to Orange permit lots:
  - Red lots: 1, 64B, 100, 6, 41, 41D, 43, 45, 24, 17, 88 (see Proposed 18-19 Parking Map)
  - Resulting inventory: 591 Red permit spaces, 619 Orange permit spaces
- Price Orange permit between Gold and Red at \$250 for FY19
  - The high demand of lots proposed to be Orange drives the need for an increased price, as well as the closer proximity to the core and/or adjacency to Gold premium lots; the pricing goal is to keep Orange approximately \$100 from price of Gold and Red permits.
- Cap sale of Orange and Red permits at 1.25 permits per space (or 25% oversell)\* to ensure space availability while monitoring lot utilization.

*\*Note: Industry standard for permit oversell is 20-40%, oversell of permits is appropriate for commuter parking lots when not all parkers are on campus every day, all day long, or at the same times during the day.*

Red Lot Utilization FY18			
Lot #	Location Description	Fall	Spring
1	Line & 3rd Street	92%	89%
64B	3rd & Home Street	94%	96%
49	North of HR	72%	84%
50	South of HR	22%	24%
100	Narrow Street	98%	99%
6	College Avenue	93%	92%
38	Railroad Street	69%	61%
58	Sweet at ECC	64%	69%
43	Behind Mary Forney Hall	91%	65%
41	Behind Music	n/a	96%
41D	South Deakin Ave	86%	78%
45	South Blake Ave	96%	95%
84	West Nez Perce Dr	18%	17%
51	Upper West Kibbie	61%	57%
34	West Kibbie paved	52%	45%
24	West of Law	97%	97%
17	Stadium & 6th	93%	95%
86	Stadium Dr	78%	77%
87R	West 6th Street	68%	73%
8	Engineering Annex	79%	83%
88	6th St South of Wallace	86%	86%

Overall 74% 72%

Red Lot Utilization FY17		
Lot #	Location Description	Fall
1	Line & 3rd Street	63%
64B	3rd & Home Street	94%
49	North of HR	76%
50*	South of HR	71%
100	Narrow Street	95%
6	College Avenue	89%
38	Railroad Street	62%
58	Sweet at ECC	57%
43	Behind Mary Forney Hall	84%
41	Behind Music	97%
41D	South Deakin Ave	76%
45	South Blake Ave	95%
84	West Nez Perce Dr	23%
51	Upper West Kibbie	40%
34	West Kibbie paved	52%
24	West of Law	96%
17	Stadium & 6th	93%
86	Stadium Dr	75%
87R	West 6th Street	61%
8	Engineering Annex	66%
88	6th St South of Wallace	85%

Overall 73%

\* Purple permits were permitted to overflow into lot 50 during FY17, increasing utilization.

## 2. Permit Price increases: Gold & Residential

### PTS Goal Alignment:

New permit revenue provides funding to support all PTS goals, as permit revenue is the primary source of funding for all parking and transportation operations. Further, an increase in permit prices aligns with customer service goals, specifically: Parking Space Availability.

Overview: Gold permits are proposed to increase from \$325 to \$338 for FY19, an increase of 4% or \$13 for the year. Residential permits (Silver, Purple, and Green) are proposed to increase from \$172 to \$196 for FY19, an increase of 14% or \$24 for the year.

### Gold Permit Increase Justification:

- The Gold parking permit is the premium parking permit on campus; Gold lots are highest priority for maintenance including snow plowing and enforcement (to ensure space availability for permit holders), Gold allows full privilege parking (may park down to less premium commuter lots), and Gold lots are located in nearest proximity to the campus core.
- The Gold permit pricing goal is to keep Gold at least \$100 above the next commuter permit, proposed to be Orange at \$250 for FY19; a moderate 4% increase to the Gold permit price each year will allow for that difference in price to be achieved overtime. It is the intent that this pricing structure, along with caps on permit sales, aids in providing space availability for parkers, as it provides varying financial options to choose from based on personal needs.
- Gold permit price has remained static since FY12, with no increase in seven (7) years.
- The Gold permit price (as proposed) remains in line with employee permit prices at peer institutions, with eight of the 20 peers included having a premium employee permit above the proposed \$338 for Gold (see Peer Institution Comparison).

### Residential Permit Increase Justification:

- The residential parking permit (Silver, Purple, and Green) allows for 24/7 parking within close proximity of residences (and in some cases at the front door).
- The consistent uptick in demand of residential permits drives the need for an increase in price, as demand has exceeded supply in Silver and Purple parking areas. An affordable (\$35) residential storage permit option is now available on the perimeter of campus. It is the intent that this pricing structure, along with caps on permit sales, aids in providing space availability for parkers, as it provides varying financial options to choose from based on personal needs.
- Silver, Purple, and Green parking permits are the premium student resident parking permits and need to align in price with the premium student commuter permit, proposed to be Orange; proposed annual increases to the residential permit will allow for that alignment overtime.
- The residential permit price has not increased in 3 years, since FY16.
- The proposed residential permit price remains in line with residential permit prices at peer institutions, with eleven of the 20 peers included having a premium student resident permit above the proposed \$196 for Silver, Purple and Green (see Peer Institution Comparison).

Peer Institution Comparison: Permit Prices & Spaces/Student

updated Feb 2018

	Students	Parking Spaces	Spaces per Student	Employee Permit	Campus Resident Permit	Student Commuter Permit
Oregon State	31,904	7,000	0.219	\$64 - \$504	\$98 - \$336	\$64 - \$504
Eastern Washington	12,607	3,651	0.290	\$149 - \$336 (free remote)	\$149	\$149 - \$336 (free remote)
Boise State	23,886	7,450	0.312	\$170-\$458	\$278	\$118-\$411
Univ of Montana	13,000	4,702	0.362	\$148 - \$232	\$232	\$232
Montana State	16,703	6866	0.411	\$195	\$40 (remote) - \$195 Family Housing \$116	\$40 (remote) - \$195
Utah State	19,020	8,462	0.445	\$140 - \$273	\$71 - \$220	\$55 - \$248
Kansas State	24,000	11,000	0.458	\$155 - \$205	\$180	\$180
Washington State	20,286	9,500	0.468	\$125-\$656	\$125-\$331	\$125-\$656
Univ of Arkansas	27,558	13,000	0.472	\$0 (remote) \$127 - \$880	\$645	\$0 (remote) - \$99
Idaho State	12,643	6,136	0.485	\$75 - \$300	\$100	\$50 - \$300
Univ of Idaho	11,316	5,537	0.489	\$64 / \$172 / \$325	\$35 (remote) - \$172	\$64-\$172-\$325
Virginia Tech	32,304	16,500	0.511	\$30 (remote) - \$312	\$399	\$194 - \$289
Univ of Wyoming	12,397	6,395	0.516	\$196	Free (remote) - \$130	\$130
Iowa State	35,993	20,000	0.556	\$107 - \$533	\$148	\$107 - \$533
Michigan State	50,019	28,382	0.567	\$510	\$127 - \$306 University Village \$127	\$104 (remote)
Univ of New Hampshire	15,400	8,823	0.573	\$75	\$375	\$75
North Dakota State	14,358	8,948	0.623	\$60 - \$185	\$185	\$60 - \$185
Univ of Nebraska	25,897	17,043	0.658	\$276 - \$1056	\$276 - \$405	\$276 - \$648
Clemson Univ	18,599	12,500	0.672	\$24 - \$250 (\$24 park-n-ride)	\$162	\$162 (\$24 park-n-ride)
New Mexico State	14,432	13,500	0.935	\$67 (remote) - \$113	\$59.50	\$59.50
Colorado State	31,616			\$250 (remote, single lot) up to \$582	\$150 (remote) up to \$628	\$250 (remote) up to \$536

	high end is above UI
	high end is below UI

# Long-Term Permit Pricing Plan

## Permit Projections FY19 - FY23

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	
<b>Gold</b>	# of Permits: ( 16% oversell)	915	915	915	915	915	915	
	Permit Price:	\$325	\$325	<b>\$338</b>	<b>\$352</b>	<b>\$366</b>	<b>\$380</b>	<b>\$395</b>
	Projected Revenue:	\$297,375	\$297,375	\$309,351	\$321,725	\$334,594	\$347,978	\$361,897
<b>Orange</b>	# of Permits: (25% oversell)			774	774	774	774	
	Permit Price:			<b>\$250</b>	<b>\$260</b>	<b>\$270</b>	<b>\$281</b>	<b>\$292</b>
	Projected Revenue:			\$193,438	\$201,175	\$209,222	\$217,591	\$226,295
<b>Red</b>	# of Permits: (25% oversell)	1,770	1,770	739	1,500	1,500	1,500	
	Permit Price:	\$172	\$172	<b>\$172</b>	<b>\$179</b>	<b>\$186</b>	<b>\$193</b>	<b>\$201</b>
	Projected Revenue:	\$304,440	\$304,440	\$127,065	\$268,320	\$279,053	\$290,215	\$301,824
<b>Silver (Res)</b>	# of Permits: (7% oversell)	820	820	800	800	800	800	
<b>Purple (Res)</b>	# of Permits: (7% oversell)	631	631	500	500	500	500	
<b>Green (Res)</b>	# of Permits:	288	288	288	288	288	288	
	Permit Price:	\$172	\$172	<b>\$196</b>	<b>\$224</b>	<b>\$255</b>	<b>\$281</b>	<b>\$292</b>
	Projected Revenue:	\$299,108	\$299,108	\$311,446	\$355,048	\$404,755	\$446,444	\$464,302
<b>Economy (Res)</b>	# of Permits:			150	150	150	150	
	Permit Price:			<b>\$35</b>	<b>\$35</b>	<b>\$37</b>	<b>\$39</b>	<b>\$42</b>
	Projected Revenue:			\$5,250	\$5,250	\$5,565	\$5,899	\$6,253
<b>Blue</b>	# of Permits:	1,140	1,140	1,140	600	600	600	
	Permit Price:	\$64	\$64	<b>\$64</b>	<b>\$35</b>	<b>\$37</b>	<b>\$39</b>	<b>\$42</b>
	Projected Revenue:	\$72,960	\$72,960	\$72,960	\$21,000	\$22,260	\$23,596	\$25,011
	Permit Refund Factor (-3% )	\$944,667	\$944,667	\$988,924	\$1,132,250	\$1,212,387	\$1,286,049	\$1,337,949
<b>Other Permits</b>	Projected Revenue (16% of total):	\$151,147	\$151,147	\$158,228	\$181,160	\$193,982	\$205,768	\$214,072
	<b>Total Projected Revenue</b>	<b>\$1,095,813</b>	<b>\$1,095,813</b>	<b>\$1,147,152</b>	<b>\$1,313,410</b>	<b>\$1,406,369</b>	<b>\$1,491,817</b>	<b>\$1,552,021</b>



## Proposed Changes to Parking System

### FY20 Summary

#### FY20 Changes – **SEEKING INPUT\***

1. Pave Gold lot 35 at Student Health: convert to hourly pay lot

*\* Only includes FY20 proposal involving a capital improvement, any additional proposed changes to the parking system for FY20 will be communicated during the 2018-19 academic year.*

# FY20 Proposals Detailed

## 1. Pave Lot 35 at Student Health: Convert to Hourly Pay Lot

### PTS Goal Alignment:

- Parking Lot Maintenance & Improvement: improve gravel parking lot 35
- Parking Space Availability: increase availability of core campus parking for short-term use
- Promote & Maintain Pedestrian Priority Campus Walkway
- Public Transit & Shuttles: Increase service and convenience of public transit

Overview: This proposal describes a plan for paving gravel parking lot 35 located north of Student Health Center. The paving of this central campus lot initiates a series of improvements to parking and transportation activity in the area, including:

- Enhanced safety and aesthetics of parking areas in the campus core
- Improved ability to access the core for short-term university business, and passenger drop-offs
- Increased service and convenience of public transit (brings transit to the campus core)
- Reduction in unnecessary vehicle traffic entering the campus walkway and therefore prioritization of the campus walkway as a pedestrian only area

### Existing Conditions:

- Lot 35 currently provides 22 Gold permit spaces, 5 reserved spaces, and 1 ADA space.
- The condition of the lot, particularly in the winter, provides a tremendous disservice to parkers, as the ability to effectively clear snow and ice in the heavily sloped and extremely small footprint parking lot is difficult to impossible at times. The winter conditions of the lot present a safety hazard with vehicles sliding and pedestrians slipping. Furthermore, the small lot proves difficult for any larger vehicle to circulate and park without being a hazard and these conditions create an unsightly parking lot located in the very core of campus.
- University Avenue is a west-bound one-way street from Deakin Avenue to Ash Street, with on-street Purple permit parking on one side.
- Vehicles can continue traveling west-bound on University Avenue to enter the campus walkway at the intersection of University Avenue and Ash Street as this walkway entry point is not designed to prohibit or discourage vehicle traffic and in fact is inviting to vehicles due to short-term parking (meters) being located immediately south of the Life Science building. Vehicles frequently enter this area to locate a short-term parking space or drop off a passenger, and many continue on through the campus walkway, adding unnecessary vehicle traffic into the core of campus mixing with pedestrians and bicycles.
- Ash Street is a north-bound one-way street with on-street parking including reserved spaces, service, ADA, and motorcycle parking.
- Idaho Avenue is an east-bound one-way street with on-street Purple permit parking on one side.

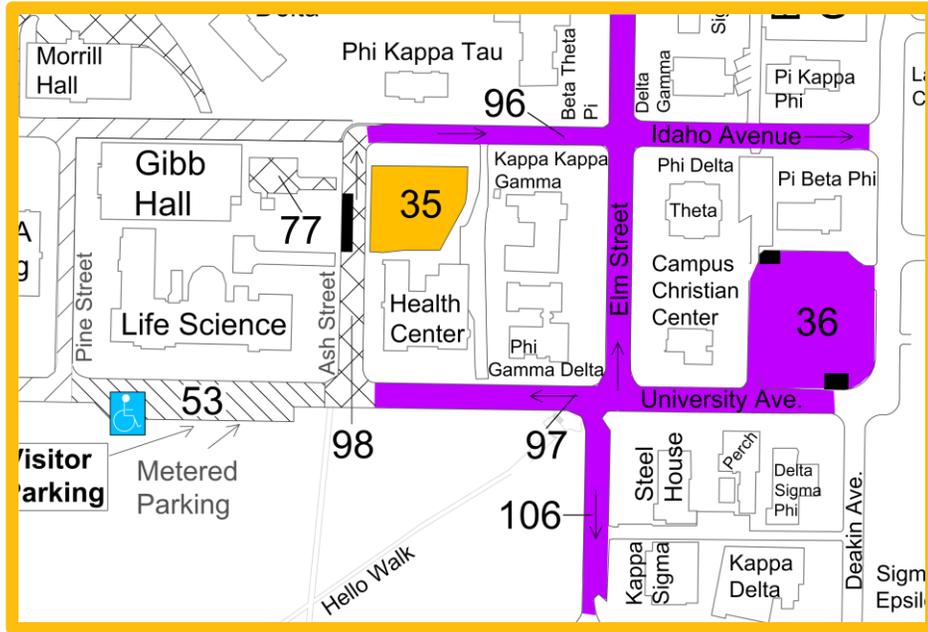
- The parking meters located south of the Life Science building (lot 53) are the only available short-term parking spaces located in the campus core. These nine meters are of high demand.
- The long-term overnight parking on both University and Idaho Avenue eliminates opportunity for curb-to-curb street cleaning (snow and general sweeping), which contributes to narrowed travel lanes and piling of snow and ice in the winter.
- The campus walkway entry point at the intersection of Idaho Avenue and Ash Street is well-designed as opposed to the entry to the south at University Avenue and Ash Street. At Idaho Avenue, the walkway narrows, is lined with trees, and has decorative pavers for surface treatment. This caters to a pedestrian only environment, discouraging vehicles from entering to drop off passengers or otherwise shortcut through the campus walkway.
- Moscow's public transit service (SMART Transit) has stops located on only the periphery of campus currently – at the Intermodal Transit Center (ITC) on the corner of Railroad and Sweet Avenue, on Deakin Avenue at the Pitman Center, and a few stops along 6<sup>th</sup> Street. Service is not provided into the core of campus at this time.

Proposed Actions: (see Lot 35 & Street Changes Map, next page)

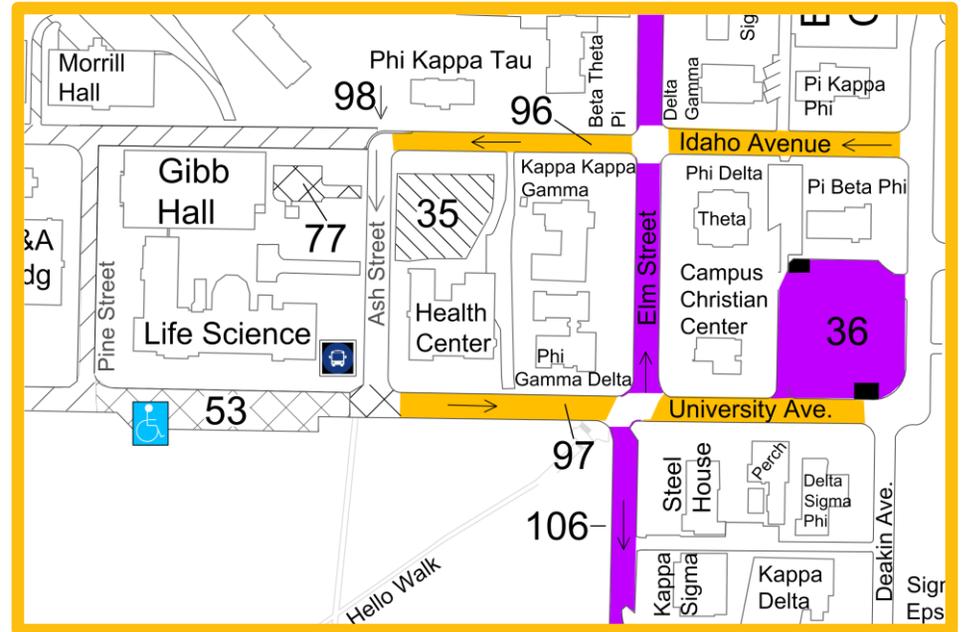
- Pave gravel parking lot 35.
- Convert parking lot 35 to an hourly pay lot, increasing short-term parking in the campus core for all university business needs (loss of 22 Gold permit spaces).
- Relocate Gold permit parking (previously in lot 35) to Idaho and University Avenue where currently residential Purple permit parking is located (loss of 36 Purple permit spaces, overall gain of 14 Gold spaces in area). Will allow for improved street cleaning with vehicles not stored overnight, supporting public transit circulation on these streets.
- Convert all parking meter spaces south of Life Science (lot 53) to special spaces (reserved, service, delivery, ADA), to reduce number of vehicles entering this area attempting to find short-term parking. Special spaces are to be relocated from Ash Street and parking lot 35, leaving no on-street parking spaces on Ash Street (see Lot 35 & Street Changes Map).
- Reverse direction of one-way streets Idaho Avenue, Ash Street and University Avenue. Action supports addition of bus stop on Ash Street placing the bus on the right side of the street and also discourages vehicle entry into campus walkway with drivers facing the narrow pedestrian designed walkway entry point at intersection of Idaho Avenue and Ash Street.
- Add SMART Transit bus stop on Ash Street east of Life Science.
- Add designated vehicle drop-off area on Ash Street behind bus stop.
- Add signage at entry to parking lot 53 indicating access restricted, permit required for entry. Plan for improved campus walkway entry features at this point in the future, further discouraging unnecessary vehicle entry.

# Lot 35 & Street Changes Map

## Existing



## Proposed



**GOLD LOTS:** Gold or Visitor permits only, no other colored permit is valid in gold lots. Gold lots are enforced 6 a.m. to 5 p.m., year-round, unless posted otherwise. No parking is allowed between 2 a.m. and 6 a.m. without a Gold permit or an Overnight permit issued by Parking and Transportation Services.



**PURPLE LOTS:** Purple, Silver or Visitor permits only. Purple lots are for use by designated members of the Greek system who live IN HOUSE. Purple lots are enforced from 6 a.m. to 5 p.m., Monday - Friday during the academic year when the university is open. Overnight parking is allowed.



**BLACK AREAS:** Motorcycle parking only, no motorcycle permit required.



**HATCH:** Flexible parking, visitor parking, pay-to-park areas, meters, and short term parking.



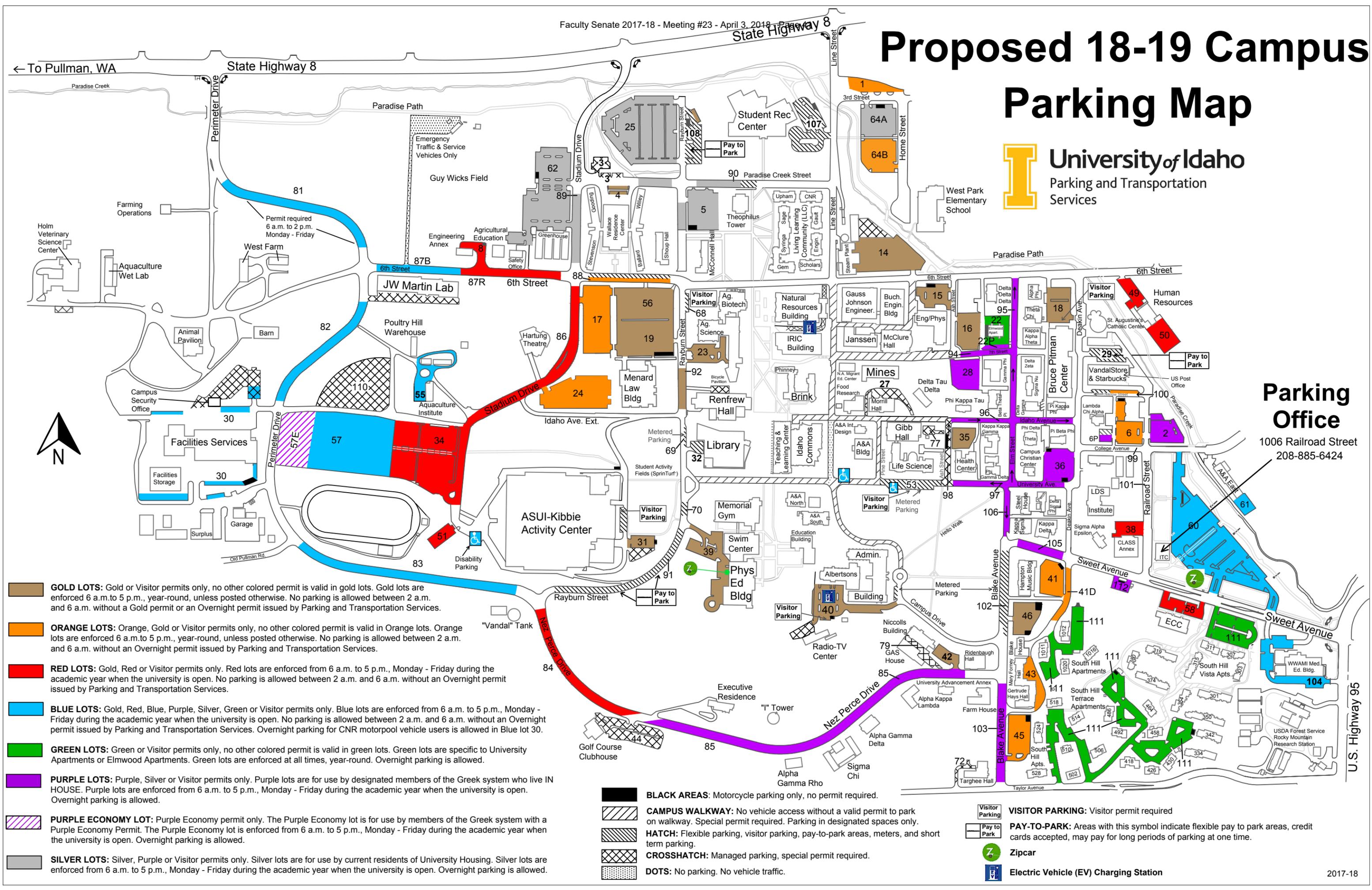
**CROSSHATCH:** Managed parking, special permit required.

# Proposed 18-19 Campus Parking Map



## Parking Office

1006 Railroad Street  
208-885-6424



- GOLD LOTS:** Gold or Visitor permits only, no other colored permit is valid in gold lots. Gold lots are enforced 6 a.m. to 5 p.m., year-round, unless posted otherwise. No parking is allowed between 2 a.m. and 6 a.m. without a Gold permit or an Overnight permit issued by Parking and Transportation Services.
- ORANGE LOTS:** Orange, Gold or Visitor permits only, no other colored permit is valid in Orange lots. Orange lots are enforced 6 a.m. to 5 p.m., year-round, unless posted otherwise. No parking is allowed between 2 a.m. and 6 a.m. without an Overnight permit issued by Parking and Transportation Services.
- RED LOTS:** Gold, Red or Visitor permits only. Red lots are enforced from 6 a.m. to 5 p.m., Monday - Friday during the academic year when the university is open. No parking is allowed between 2 a.m. and 6 a.m. without an Overnight permit issued by Parking and Transportation Services.
- BLUE LOTS:** Gold, Red, Blue, Purple, Silver, Green or Visitor permits only. Blue lots are enforced from 6 a.m. to 5 p.m., Monday - Friday during the academic year when the university is open. No parking is allowed between 2 a.m. and 6 a.m. without an Overnight permit issued by Parking and Transportation Services. Overnight parking for CNR motorpool vehicle users is allowed in Blue lot 30.
- GREEN LOTS:** Green or Visitor permits only, no other colored permit is valid in green lots. Green lots are specific to University Apartments or Elmwood Apartments. Green lots are enforced at all times, year-round. Overnight parking is allowed.
- PURPLE LOTS:** Purple, Silver or Visitor permits only. Purple lots are for use by designated members of the Greek system who live IN HOUSE. Purple lots are enforced from 6 a.m. to 5 p.m., Monday - Friday during the academic year when the university is open. Overnight parking is allowed.
- PURPLE ECONOMY LOT:** Purple Economy permit only. The Purple Economy lot is for use by members of the Greek system with a Purple Economy Permit. The Purple Economy lot is enforced from 6 a.m. to 5 p.m., Monday - Friday during the academic year when the university is open. Overnight parking is allowed.
- SILVER LOTS:** Silver, Purple or Visitor permits only. Silver lots are for use by current residents of University Housing. Silver lots are enforced from 6 a.m. to 5 p.m., Monday - Friday during the academic year when the university is open. Overnight parking is allowed.

- BLACK AREAS:** Motorcycle parking only, no permit required.
- CAMPUS WALKWAY:** No vehicle access without a valid permit to park on walkway. Special permit required. Parking in designated spaces only.
- HATCH:** Flexible parking, visitor parking, pay-to-park areas, meters, and short term parking.
- CROSSHATCH:** Managed parking, special permit required.
- DOTS:** No parking. No vehicle traffic.

- VISITOR PARKING:** Visitor permit required
- PAY-TO-PARK:** Areas with this symbol indicate flexible pay to park areas, credit cards accepted, may pay for long periods of parking at one time.
- Zipcar**
- Electric Vehicle (EV) Charging Station**

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #22**

**3:30 p.m. - Tuesday, March 27, 2018  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #21, March 6, 2018 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

**VI. Committee Reports.**

**Research Council (vote)**

- **FS-18-051: FSH 1640.72** – Research Council (Harris)

**Faculty Affairs (discussion)**

- **FS-18-050: FSH 3050** Position Description Policy & Form and **FSH 3320** Annual Evaluation Policy (Ytreberg)

**VII. Special Orders.**

- National College Health Assessment FYI (Lambeth)
- **FS-18-052: APM 50.16** – Criminal Background Check FYI (Foisy)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #21  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #21, Tuesday, March 6, 2018**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Foster, Ellison, Grieb, Howard, Hrdlicka, Jeffrey, Johnson, Kern (Coeur d'Alene), Leonor, Morrison, Nicotra, Panttaja, Schwarzlaender, Seamon, Tibbals, Watson, Wiencek (w/o vote), Zhao. **Absent:** Baird, Mahoney, Morgan, Vella. **Guests:** 8

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. A motion (Panttaja/Foster) to approve the minutes was made. The minutes were approved unanimously.

**Chair's Report:**

- March 30 is the deadline for sabbatical leave applications for 2019-20 academic year.
- April 15 is the deadline for nominations for honorary degrees for the December 2019 commencement.
- Senators are encouraged to respond to the faculty advising survey circulated by Vice Provost Hendricks
- Faculty are encouraged to make shared leave donations. Director of Human Resources Brandi Terwilliger circulated an email to all employees regarding the procedure for such donations.

**Provost's Report:** The provost updated senate on the issue of college mergers and reorganizations. He and President Staben have now discussed the report prepared by the deans. The president called his executive team together to discuss how to proceed. The provost has considered the comments and thoughts that have been forwarded to him and consulted with a number of different constituencies about the process. He plans to distribute a memo to campus in a week to 10 days to clarify the next steps. The most significant comment he has received is that the reorganization process should never be driven by financial concerns. Another key recommendation was to take enough time to facilitate reasoned decision-making and to expand the campus constituencies involved in the conversation. The provost plans to convene a campus-wide committee that is inclusive and informed to discuss the issue. There is no need to bring this conversation to conclusion until January of 2019. He expects the committee to address how we can best serve students by making it easier for them to navigate the university and by clustering programs with common themes together. The provost acknowledged that some of the potential reorganizations discussed by the deans were very sensitive. He has concluded that one possible reorganization, in particular, would not serve the university well and that is a merger between the College of Natural Resources (CNR) and the College of Agriculture and Life Sciences (CALs). Both are strong colleges with national reputations and well-defined constituencies. A merger raises the unacceptable risk of diluting the impact of each of these colleges. More likely candidates for reorganization include the College of Science (COS), the College of Letters Arts and Social Sciences (CLASS) and the College of Art and Architecture (CAA). The provost thanked the deans for taking on this difficult task of considering the merger and reorganization issues. He commented that even though we started by asking the wrong questions, better questions have been identified through the ensuing conversations. He concluded the comments on mergers and reorganizations by stressing that we must move forward slowly and deliberately.

Regarding the university's finances, the provost reiterated information that has been circulated around campus. The institution has a \$1-2 million recurring deficit created in large measure because of our declining enrollment. He reported that early information regarding enrollment for spring appears to be positive. If the spring numbers stay strong, this would very much help us. However, as a result of actions

by the legislature, the university's bottom line will definitely be hit with a \$2 million decrease the year after next. The legislature appropriated a one-time amount to assist the university in the coming year. The university plans to continue to use one time funds to close the budget gap for FY 2019 and FY 2020, but will need to make permanent adjustments to our budget and budgeting process for FY 2020.

A senator suggested that the focus of the reorganization conversation should not be solely students. He suggested that another focus should be to reduce barriers for researchers in different units to collaborate. We need to expand the opportunity for this cross-college and inter-unit collaboration. The Provost responded that he is going to convene a university-wide committee and he will look to senate leadership for suggestions as to the makeup of the committee. More discussion will need to take place on key facts and the charge of the committee. Another senator asked what would be the projected cost savings of mergers. The provost reiterated his commitment to move away from financial considerations as part of this discussion. He also added that the timing of the conversation was too compressed to come up with a cost savings estimate that would survive scrutiny. A senator asked how the dean vacancy in CLASS would be handled. The provost responded that he anticipated appointing an interim dean when Dean Kersten leaves. If it looks next fall like a merger is not going to move forward, a dean search will be undertaken at that time. He acknowledged that this approach delays the CLASS dean search by 6 months or so. The CAA will stay with an interim dean. He plans to move forward with a search for the next dean of CNR.

**FS-18-038 – FSH 1565 H-2. Graduate Student Appointees.** Dean of the College of Graduate Studies (COGS), Jerry McMurtry, presented changes proposed by Graduate Council to *Faculty-Staff Handbook* § 1565 H. The proposal adds a new non-faculty rank of Graduate Support Assistant (GSA). Such GSAs are graduate students who are undertaking appointments relevant to their program of study, but that do not fit within the categories of Graduate Teaching Assistant (TA) or Graduate Research Assistant (RA). Dean McMurtry gave the example of a graduate student in education leadership serving in a position in the administration of the College of Graduate Studies, or a graduate student who serves in the writing center outside the definition of teaching or research.

A senator asked whether there is a requirement that GSAs have a faculty mentor. McMurtry responded that GSAs must be associated with a faculty member. The senator followed up asking whether there will be differences in compensation between GSAs and TAs. McMurtry explained that compensation of TAs will be based on market compensation rates established by discipline in the Oklahoma State salary survey. The minimum compensation for a GSA of \$11,500 is based on the "general graduate assistant" category in the Oklahoma State survey. He stated that units could pay GSAs at a higher rate, if the unit has the resources. McMurtry explained that the Graduate Council and others had some concerns that the new rank would be manipulated by units to avoid the higher compensation rates for TAs. He explained that COGS must approve these positions and has published standards for GSAs on its website. He also emphasized that the compensation for TAs will come from the central TA funding system and RAs are grant funded, while departments must compensate GSAs from departmental funds. A senator asked whether GSAs must be making progress toward their degree. McMurtry responded yes.

A senator suggested that the provision be amended so that the second to last line of FSH 1565 H-2 read ". . . may receive additional mentoring from faculty and/or staff on or off campus. This was accepted as a friendly amendment. The amended proposal was approved with one abstention.

**Vice Provost for Academic Initiatives Cher Hendricks.** – Vice Provost Hendricks reported that her office has established the Academic Strategic Steering Committee (ASSC). This committee will be part of the process for reviewing new program proposals. Our procedures for program approval were in flux when she arrived at the university. She explained that the State Board of Education (SBOE) requires a market

analysis for all new programs. The university also is committed to the market analysis to ensure that there is student demand/interest in new programs. Hendricks found herself in the position of being the sole person to review market analysis and determine whether a program should move forward. Moreover, proposals were often bounced from place to place in the upper administration while the necessary approvals for aspects of the proposal were obtained. Finally, programs must be part of the university's 3-year plan to be approved. Yet the process for becoming part of the plan was cumbersome and basically required that a completed proposal be developed. Her goal is to obtain broader input in reviewing the market analysis for new programs, to remove unnecessary barriers in the program approval process and to assist units in developing new program proposals and navigating the program approval process. She stressed that the ASSC will be looking at marketability and assisting in program development. The curricular and quality aspects of programs would still have to go through the regular governance process, UCC, Senate, and faculty.

A senator asked who does the market analysis. Hendricks explained that in the past the department had to figure this out. Now the university works with two outside contractors to assist with this analysis -- EMSI and Gray and Assoc. They have been very supportive and have given us access to the data sources so we can now do the market analysis in house. As a result, we can consider advance requests for preliminary analysis. Hendricks hopes that the process will help departments and units tailor proposals to meet demand. For example, if there is weak market demand in our state but there is strong national demand, a program might be offered online instead of live. She also hopes the ASSC will be able to help units and departments develop the assessment and curriculum portions of the proposal. Her goal is to mentor new program proposals for the entire time while they are working through process. All approvals can happen at one time. A chair should know what needs to happen in order to move the proposal forward.

A senator asked what would happen if we want to "get ahead of the curve" in an area in which there is no program or market data? Hendricks indicated that our external market analysis partners help us evaluate these ideas. They can help us "back design" the program even where there is no CIP code. They will work through what careers and markets the program might connect to by considering skill sets, job availability, and other indirect data. The market analysts can also do a "gap" analysis to determine areas where there are no programs and in which we could potentially do well to start a program. She acknowledged that these sorts of proposals are more challenging. She also recognized that there are issues with market analysis of academic program development and that we are not certain how to deal with all the issues. The provost also pointed out that market analysis is not the only consideration. We have a mission and will always have programs that may not be profitable, but that are central to our mission.

**ORP/PERSI Retirement Issues.** Faculty Secretary Liz Brant reported on pending issues regarding the Optional Retirement Plan (ORP) in which faculty and exempt staff participate. She explained that in late October, senate leadership was contacted by faculty and staff leadership at Boise State University (BSU) and other state colleges and universities to see if we would support a plan for faculty to participate in the Public Employee Retirement System of Idaho (PERSI). At the time, UI senate leadership convened a group of faculty and staff (including Brandt, Chair Hrdlicka, Prof. Jack Miller, Vice President Brian Foisy, Cindy Ball and Darren Kearney) to look into how we should respond to this inquiry.

After significant study, the group recommended that we contact the faculty and staff leadership at our sister institutions to discuss the issues. The group concluded that we could only support a plan to reinstitute PERSI for faculty and exempt staff if three conditions were met:

- 1) the ORP remained an option along with PERSI;
- 2) the process is revenue neutral to the University of Idaho; and
- 3) the plan would not increase costs or otherwise disadvantage employees who elect to remain in the ORP.

In addition, the group identified what it determined to be a much more substantial issue regarding the ORP. The group recommended that faculty and staff seek to end the continuing subsidy of PERSI by ORP participants. This subsidy has continued for over 25 years and is scheduled to continue until 2025. Moreover, other faculty and staff at Idaho's 2-year institutions were only required to subsidize PERSI for 14 years. Finally, the group recommended that faculty and staff seek to tie the institutional ORP contribution rate to the institutional contribution rate to PERSI. Currently, the ORP contribution rate is established by statute and cannot be adjusted for inflation without a statutory amendment. In contrast, the PERSI contribution rate is set in regulations which are frequently updated to reflect inflation. When the PERSI subsidy by faculty at 2-year institutions was ended, the legislature also provided that their ORP contribution rate had to be the same as the PERSI contribution rate. There was no such adjustment made for the 4-year institutes.

The day after senate leadership shared the memorandum containing our groups recommendations with leaders at our sister institutions inviting them to participate in a meeting to discuss the issues, our Executive Director of Human Resources Wes Matthews was contacted by the director of human resources at BSU and asked to discuss possible scenarios for re-integrating faculty and staff in PERSI and eliminating the ORP. Moreover, personnel at the SBOE contacted VP Foisy to ask about the "UI Memo". As a result of these contacts, and our continuing communications with Foisy and Matthews, UI senate leadership was concerned that a proposal making PERSI the only retirement option for faculty and staff, and to thereby eliminate the ORP, might be in the works.

A senator commented that his experience is that PERSI may not be compatible with the new system of standard pay for faculty. PERSI does not credit faculty with months of service over the summer. Under the new system, employees must make a higher contribution per month. PERSI has been unable to provide information regarding whether the increased contribution makes up for the loss of service months. Foisy, who was in attendance at the meeting agreed that this was essentially accurate. PERSI has been unwilling to put any analysis of the situation mentioned by the senator in writing. The net effect of the higher contributions over fewer pay periods is not clear.

Another senator indicated that he believes it is viable to implement a system in which employees have a choice between PERSI and the ORP. He believed it would be better to offer both plans. Another senator commented that the treatment of the retirement investment for estate planning when the employee passes away, is different. Funds in the ORP may be inherited by family members, while there may be no inheritable interest under PERSI. He opposed a change that would force all employees into PERSI. Another senator commented that most employers are moving away from defined benefit plans such as PERSI, because they are not affordable. He believes its counter intuitive to move toward such a plan. He asked whether the SBOE had been consulted. Brandt indicated that Foisy had shared the memorandum from the UI group with the Chief Financial Officer at the SBOE. At present, the SBOE seems to be taking a "wait and see" attitude. It is too late to move a legislative proposal forward this year. Senators expressed the desire to communicate their concerns before the proposals to move to a PERSI-only option for retirement gained too much momentum.

Brandt offered that, as a result of the appearance of a momentum and in preparation for the HR meeting, she had prepared the following resolution for senate's consideration:

**Title:** Resolution on PERSI Participation and ORP Subsidy

**Author:** University of Idaho Faculty Senate

WHEREAS University of Idaho employees currently participate in the Optional Retirement Plan (ORP) and have a choice of investing in TIAA or in VALIC;

WHEREAS the ORP options, TIAA and VALIC, are defined contribution plans that have contracts with many other higher education institutions around the country so these plans are very portable for those considering joining the University of Idaho and for University of Idaho employees who leave for other institutions;

WHEREAS many faculty believe that TIAA and VALIC offer individual control and the opportunity for higher returns on retirement investments;

WHEREAS the retirement system known as PERSI and the ORP are two separate retirement systems of the state of Idaho;

WHEREAS since 1990 the legislature of Idaho has directed that a portion of the funds set aside for the retirement of members of the ORP be paid to PERSI even though the ORP participants are not beneficiaries of the PERSI system in their roles as ORP participants;

WHEREAS this subsidy by faculty and exempt staff at Idaho four year institutions of higher education has been required for 28 years and is scheduled to continue until 2025;

WHEREAS similar institutions in Idaho (two year colleges and technical education institutions) were only required to subsidize PERSI for 14 years;

WHEREAS the 4-year institutions in Idaho are not required to contribute as much to the ORP as they are required to contribute to PERSI;

WHEREAS the 2-year institutions and technical education institutions in Idaho are required to contribute equal amounts to PERSI and the ORP on behalf of their employees;

WHEREAS the ORP participants at the 4-year institutions are, in effect, subsidizing PERSI to their direct detriment, and have been required to do so over an extended and unfair length of time;

WHEREAS the required ORP participant subsidy to PERSI results in unfair and unequal treatment of ORP participants;

BE IT RESOLVED THAT THE UNIVERSITY OF IDAHO FACULTY SENATE RECOMMENDS

- a. that the ORP continue to be offered as a retirement plan at University of Idaho;
- b. that if PERSI is offered to University of Idaho employees, it must be offered as an optional plan alongside the ORP;
- c. that any change in the retirement plan options must be revenue neutral to the institution; and
- d. that any change in the retirement plan options must not impose new or additional costs, or other disadvantages, on the ORP, or its participants.

BE IT FURTHER RESOLVED THAT THE UNIVERSITY OF IDAHO FACULTY SENATE FURTHER RECOMMENDS that the leadership of the Faculty Senate work with University of Idaho Staff Council and with the university administration, State Board of Education and sympathetic leaders at other Idaho higher education institutions to seek an immediate legislative change ending the required subsidy of PERSI by University of Idaho employees.

After some further discussion it was moved (Foster/Panttaja) that the resolution be adopted. The resolution passed with one abstention.

**Non-Tenure Track Faculty Task Force.** Chair Hrdlicka reported that senate leadership, together with the Faculty Affairs Committee, and the Provost's Office, is creating a joint task force to look at a number of issues affecting non-tenure track faculty. The taskforce will be chaired by Prof. Dan Eveleth of the College of Business and Economics. The description of the taskforce's responsibilities is as follows:

The desired outcomes of the task force's work are to help the university community:

- Develop a shared understanding of (and commitment to) the roles and expectations of non-tenure track faculty.
- Increase fairness and consistency with respect to practices associated with recruiting, selecting, developing, rewarding, including, and managing non-tenure track faculty.

To achieve these goals the task force is charged with:

- Identifying the current, potentially disparate, beliefs about the roles and expectations of non-tenure-track faculty across the university.
- Developing a comprehensive understanding of the issues and concerns associated with the current state of affairs.
- Identifying sentiment about a future, aspirational state of affairs, and coalescing around a single view of the future that honors the identified sentiment.
- Making policy and practice-related recommendations to Faculty Affairs, Faculty Senate Leadership and the Provost that are designed to achieve the desired outcomes.

The chair explained that the taskforce was formed because of the need to have broader representation across colleges and to include non-tenure track faculty that was not possible on the Faculty Affairs Committee. In addition, he noted the broad scope of the assignment and thanked Dan Eveleth for taking on this challenging, but important topic. He solicited recommendations for taskforce members from senators.

The business of the meeting having been completed, a motion to adjourn (DeAngelis/Ellison) passed unanimously. The meeting was adjourned at 4:57.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

# University of Idaho

## 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]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** Chapter One: 1640.72 Research Council

---

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** \_\_\_\_\_

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** Audrey Harris 02/06/2018  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** 208-885-4054 ajharris@uidaho.edu

**Policy Sponsor:** (If different than originator.) Janet E. Nelson 2/06/2018  
 Name Date  
**Telephone & Email:** 208-885-6689 janetenelson@uidaho.edu

**Reviewed by General Counsel**  Yes  No Name & Date: Casey Inge, 3/22/18

**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.

The current FSH lists the Institutional Review Board (IRB) as a standing subcommittee of the Research Council and we would like to remove this statement. The IRB has not been involved with Research Council and we feel that this relationship is not accurate. Research activities on campus include a wide range of disciplines outside the scope of human subjects.

**II. Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?  
 No impact.

**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.  
 July 1

If not a minor amendment forward to: \_\_\_\_\_

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

*APM*

F&A Appr.: \_\_\_\_\_  
*[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)*

**UI FACULTY-STAFF HANDBOOK**

Chapter I: HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

Section 1640: Committee Directory

---

**UI FACULTY-STAFF HANDBOOK**

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

January 2017

---

**1640.72**

**RESEARCH COUNCIL**

**A. FUNCTION.** The Research Council is the faculty's standing committee that oversees the implementation of discovery, creativity, and research policies [see 5100 and 5200] and resolves disagreements about the interpretation or implementation of those policies. ~~The Institutional Review Board (IRB) is a standing subcommittee of the Research Council. For information on its function, structure, and membership, call the Research Office. [See also 5200 D and E.]~~ [rev. 1-06, 1-09]

**B. STRUCTURE.** One faculty member from each of the colleges, four members appointed by the president to ensure adequate representation from faculty constituencies that are most active in discovery, creativity, and research policies while ensuring that faculty engaged in multidisciplinary activities are represented, and (w/o vote) vice president for research and dean of library services (or the latter's designee). The representatives from the colleges are designated in accordance with procedures determined by their respective faculties. The vice president for research and economic development serves as chair of the Research Council. [ed. 7-97, 9-10 rev. 1-06]

# University of Idaho

## 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]

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

**Chapter & Title:** FSH 3050 – Position Description Policy & Form and FSH 3320 – Annual Evaluation policy

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

**Originator(s):** Marty Ytreberg March 22, 2018  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** 208-885-6908 ytreberg@uidaho.edu

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_  
 Name Date  
**Telephone & Email:** \_\_\_\_\_

**Reviewed by General Counsel** \_\_\_Yes \_\_\_X\_\_\_No Name & Date: \_\_\_\_\_

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

FAC approved March 22, 2018. The changes to the position description (PD) policy and form are to: (i) Eliminate the annual process. The PD will be initially created by the unit administrator(s) when a faculty member is hired (or once policy goes into effect for current faculty) and modified only if substantial changes occur. (ii) Make the PD form electronic. There will no longer be paper forms. (iii) Clean up, clarify and simplify language.

The changes to the Annual Evaluation (AE) policy adds the word “and goals” to FSH 3320 A-1. e to encourage a discussion.

**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]*

*APM*

F&A Appr.: \_\_\_\_\_  
*[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)*

## Faculty Position Description (\*link to FSH 3050)

Date: (\*autodate-retain all versions, effective date) \_\_\_\_\_

Faculty Name: \_\_\_\_\_ Employee V#: \_\_\_\_\_

Rank: \_\_\_\_\_ Administrative Title (if applicable): \_\_\_\_\_

Unit(s): \_\_\_\_\_

Responsibility Areas <span style="color: red;">(*link to FSH 1565 C)</span>	PD% <span style="color: red;">(*autofill into pie chart)</span>
Teaching and Advising	
Scholarship and Creative Activities	
Outreach and Extension	
University Service and Leadership	
<b>Total</b>	<b>100%</b>



Brief\* description of expectations\*\* that must be consistent with the unit(s) context statement and that encompasses the range of expected activities.

\*limit box to 250 characters, or consult with FAC

\*\* propose on form a checkbox used for instance when faculty go on full leave for extenuating circumstances, when box checked of no responsibility to equal 0% responsibility for specified time.

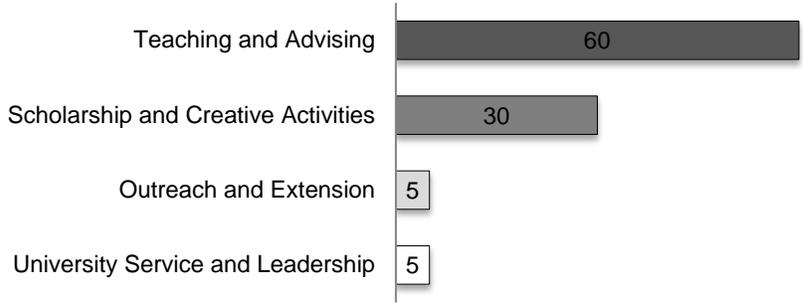
**Include several checkboxes (replace following signatures on current form):** Faculty Member signature box, confirm button that also assigns date, same for unit administrator, include UAs for those on joint appointments, interdisciplinary/center activities, and college dean.

- 
- Note to include or weave into online form:
- Position descriptions are one component of the independent process for promotion and tenure ~~process~~. See FSH 3520 and 3560 for details on the promotion and tenure process.
  - ~~Instructors will provide syllabi to their unit offices at the beginning of each term for courses for which they are responsible. Each syllabus should include expected learning outcomes for the course and should describe an example of how at least one learning outcome is assessed.~~ Note: Is this still needed for NWCCU? Check with Dale Pietrzak, if so where best to include other than PD form, and what language is needed.
  - ~~\*\*\*If the joint appt./interdisciplinary box is checked, the unit administrator is responsible to solicit comments from, and discuss with, the interdisciplinary/center administrators listed whether the interdisciplinary/center activities as stated are accurate. All solicited comments are to be attached to this form. (FSH 3050 B-2, 3520 E-1, G-3, G-4 c, 3560 C, and E-2d, and 3320 A-1 d).~~

# FACULTY POSITION DESCRIPTION<sup>1</sup>

ENTER CALENDAR YEAR for review period:

Faculty Name: Title/Rank: Unit(s):	V Number: Administrative Title: (if applicable) FTE:
--	---



**Overall description of responsibilities and goals by category<sup>2</sup>:**

**Faculty Member:** I agree that this is a reasonable description of my responsibilities to the University of Idaho for the forthcoming calendar year.

\_\_\_\_\_  
Signature of Faculty Member Date

Interdisciplinary/Center Activities: Attach narrative.<sup>3</sup>

**Unit Administrator(s):** I agree that this position description is a reasonable reflection of the stated expectations for progress towards tenure, promotion and/or continued satisfactory performance.

\_\_\_\_\_  
Signature of Unit Administrator Date

\_\_\_\_\_  
Signature of Additional Unit Administrator Date  
(e.g. joint appointments [if applicable])

\_\_\_\_\_  
Signature of Additional Unit Administrator Date  
(e.g. joint appointments [if applicable])

**College Dean:** I agree that this position description is a reasonable reflection of the stated expectations for progress towards tenure, promotion and/or continued satisfactory performance.

\_\_\_\_\_  
Signature of Dean Date

<sup>1</sup> FSH 3050

<sup>2</sup> See FSH 1565 for faculty responsibilities. Also, instructors will provide syllabi to their unit offices at the beginning of each term for courses for which they are responsible. Each syllabus should include expected learning outcomes for the course and should describe an example of how at least one learning outcome is assessed.

<sup>3</sup> If the above box is checked, the unit administrator is responsible to solicit comments from, and discuss with, the interdisciplinary/center administrators listed whether the interdisciplinary/center activities as stated are accurate. All solicited comments are to be attached to this form. (FSH 3050 B-2, 3520 E-1, G-3, G-4 c, 3560 C, and E-2d, and 3320 A-1 d).

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

January 2017

3050  
POSITION DESCRIPTIONS

*PREAMBLE: This section describes the creation and use of position descriptions that define responsibilities for faculty. This section was original to the 1979 Handbook; it has been editorially revised at intervals. In July 1998 the year covered by a position description was changed from an academic year to a calendar year. In July 2001 section B underwent some clarifying changes while the form itself underwent extensive revisions. In July 2007 the form underwent substantial revisions to address enforcement and accountability issues in the UI promotion and tenure process as well as to align the form with the Strategic Action Plan. In 2009 the form was revised to better integrate faculty interdisciplinary activities (including ensuring communication among all parties and eliminating the need to obtain multiple signatures) and FSH 3140 was incorporated into this policy. In January 2015 assessment language was added to the form. In 2016 a pilot form was introduced that reduced the amount of detail requested from faculty, streamlining the process and ratified in January 2017 with minor edits. Further information may be obtained from the Provost's Office (208-885-6448). [rev. 7-98, 7-01, 7-07, 7-09, 1-15, 1-17ed. 12-06]*

**A. GENERAL.** The position description establishes the expectations for each faculty member's specific responsibilities in the ~~four~~ major responsibility areas identified in FSH 1565 C, Teaching and Advising, Scholarship and Creative Activities, Outreach and Extension, and University Service and Leadership. Expectations must be consistent with the unit(s) context statement. Faculty should ensure that the description fully encompasses the range of their expected activities ~~be careful when preparing their position description to ensure they describe their goals and expectations in all responsibility areas.~~ The position description serves as a reference for a faculty member's a variety of important functions; in particular, it constitutes the essential frame of reference in annual performance evaluation of faculty members [see 3320], and consideration of faculty members is one component of the independent process for tenure and promotion [see 3520 and 3560]. [rev. 7-98, 1-17, ed. 7-00, 7-02, 7-09, 1-12]

**B. PERFORMANCE EXPECTATIONS.** ~~Expectations designated for individual faculty members to achieve tenure or promotion in rank or satisfactory performance evaluation must be compatible with the criteria of the department or other unit concerned. Each faculty member is to be advised of these expectations in writing by the departmental or unit administrator at the time of appointment. [7-09 original text from 3140 A]~~

~~**B-1.** Expectations are specified in the current faculty position description and are the basis for the annual performance evaluation. Expectations must not be greater than those that can be reasonably supported in the department or unit by providing sufficient time and resources. [rev. 7-09 partial text from 3140 B-1, 4 & 5]~~

~~**B-2.** Except by written agreement between the faculty member and the appropriate administrator, expectations for individual faculty members are in effect for a period of one calendar year. [7-09 original text from 3140 B-2]~~

**BC. PROCEDURE.**

~~**CB-1.** The calendar year A position description shall be provided to each faculty member by the unit administrator within a reasonable period of time after the faculty member begins employment. The faculty member, and the unit administrator(s), and/or center director, must approve the position description, is recorded on the form appended to this section with a due date established by the provost. [rev. 7-98, 1-08, 7-09, ed. 7-01]~~

~~**C-2.** The form should be filled out in collaboration with the unit administrator. Faculty members involved in interdisciplinary activities should check the box on the position description form and attach a narrative explaining their activities and listing units and members involved. For faculty involved in interdisciplinary activities or with centers, the unit administrator is to solicit comments regarding the position description and discuss it with all interdisciplinary/center administrator(s) listed on the faculty member's narrative attached to the form. The form is then to be signed by the faculty member, approved by the unit administrator, and dean, and sent to the Provost's Office. [rev. 7-01, 7-02, 1-08, 7-09]~~

~~**BC-32.** The position description shall remain in effect unless revised to reflect substantial changes in expectations. Such a change may include the assumption of administrative responsibilities, a change in teaching~~

load, an increase in research responsibilities, leave or sabbatical, etc. The faculty member and the unit administrator(s), and/or center director, must approve the revised position description. Any change in duties or responsibilities that represents a significant departure from the position description is permitted only with the written consent of the faculty member and administrator involved. A revised position description should be filed in this event. [7-09—original text from 3140 B-3]

~~C-4. When the personnel activity report form (PAR) (see APM 45.09) is completed, the unit administrator should compare the data obtained for each faculty member with the corresponding position description. Perfect agreement between the position description and the record of actual performance is not necessarily expected, but it is desirable that any discrepancy between them be as small as is feasible. [ed. 7-01, 7-09]~~

(Form follows on the next pages.)

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

??

3050  
POSITION DESCRIPTIONS

*PREAMBLE: This section describes the creation and use of position descriptions that define responsibilities for faculty. This section was original to the 1979 Handbook; it has been editorially revised at intervals. In July 1998 the year covered by a position description was changed from an academic year to a calendar year. In July 2001 section B underwent some clarifying changes while the form itself underwent extensive revisions. In July 2007 the form underwent substantial revisions to address enforcement and accountability issues in the UI promotion and tenure process as well as to align the form with the Strategic Action Plan. In 2009 the form was revised to better integrate faculty interdisciplinary activities (including ensuring communication among all parties and eliminating the need to obtain multiple signatures) and FSH 3140 was incorporated into this policy. In January 2015 assessment language was added to the form. In 2016 a pilot form was introduced that reduced the amount of detail requested from faculty, streamlining the process and ratified in January 2017 with minor edits. Further information may be obtained from the Provost's Office (208-885-6448). [rev. 7-98, 7-01, 7-07, 7-09, 1-15, 1-17ed. 12-06]*

**A. GENERAL.** The position description establishes the expectations for each faculty member in the major responsibility areas identified in FSH 1565 C, Teaching and Advising, Scholarship and Creative Activities, Outreach and Extension, and University Service and Leadership. Expectations must be consistent with the unit(s) context statement. Faculty should ensure that the description fully encompasses the range of their expected activities. The position description serves as a reference for a faculty member's annual performance evaluation [see 3320], and is one component of the independent process for tenure and promotion [see 3520 and 3560]. *[rev. 7-98, 1-17, ed. 7-00, 7-02, 7-09, 1-12]*

**B. PROCEDURE.**

**B-1.** A position description shall be provided to each faculty member by the unit administrator within a reasonable period of time after the faculty member begins employment. The faculty member, and the unit administrator(s), and/or center director, must approve the position description. *[rev. 7-98, 1-08, 7-09, ed. 7-01]*

**B-2.** The position description shall remain in effect unless revised to reflect substantial changes in expectations. Such a change may include the assumption of administrative responsibilities, a change in teaching load, an increase in research responsibilities, leave or sabbatical, etc. The faculty member and the unit administrator(s), and/or center director, must approve the revised position description.

(Form follows on the next pages.)

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

November 2017

3320

**ANNUAL PERFORMANCE EVALUATIONS 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 I 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 I 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. In July 2014 changes were incorporated to ensure all faculty go through a review by their peers. In January 2017 a temporary fix to this policy was put in place to allow for a pilot narrative evaluation process for 2016 and ensure that existing policy would apply. In November 2017 an emergency revision (rewrite of the faculty section, not the administrator section) to this policy was put in place to address the new narrative evaluation process so as to be effective before the next evaluation process. Further information may be obtained from the Provost's Office (208-885-6448. [ed. 7-03, rev. 7-07, 1-08, 7-09, 7-10, 7-14, 1-17])*

**CONTENTS:**

- A. Annual Performance Evaluation for Faculty Members
- B. Faculty Performance that does not Meet Expectations
- C. Performance Evaluation of Academic Administrators
- D. Sequence of Evaluation of Faculty Members and Administrators.

**A. ANNUAL PERFORMANCE EVALUATION 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 unit administrator. The provost is responsible for preparing supplementary instructions each year, including the schedule for completion of the annual performance evaluation. Personnel on international assignment see FSH 3380 C. [rev. 7-03, 7-09, 7-14, ed. 7-10, 1-17]

**a. Forms.** The Annual Performance Evaluation Form is available below. The form may not be altered without following the appropriate governance process (see FSH 1460). The unit administrator is responsible for ensuring that each faculty member uses the proper form together with the supplementary instructions as provided by the Provost Office. [rev. 7-01, 1-17]

**b.** Performance expectations are described below. The narrative in the evaluation form shall provide evidence to support the evaluation. [ed. 7-10]

**i. Performance that Meets or Exceeds Expectations** is at least satisfactory performance during the review period of a faculty member relative to the position description.

**ii. Performance that does not Meet Expectations** denotes performance during the review period that is less than expected of a faculty member relative to the position description and means improvement is necessary. An evaluation of not meeting expectations in one or more responsibility areas triggers procedures outlined in FSH 3320 B below.

**c. Annual Report of Efforts and Accomplishments by Faculty Member.** Each faculty member shall provide his or her unit administrator with the following materials in preparation for the annual performance evaluation:

- (1) Current Curriculum Vitae
- (2) UI Faculty Position Description for Annual Performance Review

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations of Faculty Members  
 and Performance Evaluation of Academic Administrators

---

(3) Written detailed summary report of faculty activity for the period of the annual performance review that compares accomplishments to expectations in the Position Description for the review period. This report may be in the form of a self-evaluation using the annual evaluation form included in this policy.

*[rev. 7-09]*

(4) Other materials necessary to document efforts and accomplishments for the review period. *[add. 7-01, ed. 7-10]*

**d. Evaluation of Faculty by Unit Administrators.** Unit administrators evaluate the faculty members in their unit. The performance of each faculty member during the review period is judged on the basis of the position description(s) in effect during that period. In the case of a faculty member holding joint appointments and/or involved in interdisciplinary activities, as described in the position description, in two or more academic or administrative units, it is the responsibility of the administrator in the faculty member's primary academic discipline to solicit and consider relevant information on job performance from other administrators with responsibility for the faculty member's work. [See also 3080 E-3.] *[rev. 7-09, ed. 7-10]*

Whether a faculty member's performance meets expectations is determined by comparing the faculty member's performance to the position description for the review period. For each area of responsibility, the unit administrator shall describe the basis for her/his evaluation of the faculty member's performance in the narrative on the form. After the unit administrator has completed the narrative evaluation for all faculty for the review period, the unit administrator shall provide the following items to each reviewed individual as they become available: *[rev. 7-03, 7-09]*

(1) a copy of the individual's annual evaluation form *[rev. 7-09]*

(2) if requested, comparative information to help assess performance evaluation

The unit administrator shall also include comments and recommendations for the faculty member's progress toward tenure, promotion or continued satisfactory performance in the appropriate place on the annual evaluation form.

**e. Conference.** It is strongly recommended that the unit administrator meet with each faculty member. The unit administrator shall provide each faculty member with the opportunity to meet to discuss the unit administrator's evaluation. (Suitable alternate arrangements shall be made for off-campus personnel.) The purpose of this meeting is to review and discuss the administrator's evaluation and the faculty member's detailed report of activities. The unit administrator should explain the narrative providing a formative assessment on progress towards tenure, promotion, and/or continued satisfactory performance. The faculty member and the unit administrator should work to identify strategies and goals to help the faculty member improve performance. The evaluation may be modified as a result of the discussion. At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator. If the faculty member wishes to respond to the contents of the review, he/she shall be permitted to append a response to the unit administrator's evaluation. A copy of the administrator's final evaluation shall be given to the faculty member. *[ren. and rev. 7-01, rev. 7-09, ed. 7-10]*

**f. College-Level Action.** Copies of the performance evaluation materials forwarded by the unit administrator to the appropriate dean(s), for evaluation at the college(s) level, shall include: *[rev. 7-09]*

(1) the evaluation form with the complete narrative and the comments and recommendations on progress towards tenure, promotion, and/or continued satisfactory performance, and *[rev. 7-09]*

(2) any comments provided by interdisciplinary/center administrators or from those administrators of faculty holding joint appointments provided pursuant to subsection A-1. d., above. *[rev. 7-09]*

**g.** If the unit administrator fails to include the required narrative and comments/recommendations the college shall return the materials to the unit administrator. *[add. 7-09, rev. 7-10]*

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations of Faculty Members  
and Performance Evaluation of Academic Administrators

---

**h.** If the faculty member has attached a response to the evaluation, the response shall be provided to the dean with the annual evaluation form. The dean shall arrange a meeting with the unit administrator and the faculty member to attempt to resolve the relevant issues.

**i.** If the college dean disagrees with the unit administrator's evaluation, the dean shall attach a narrative stating the reasons for the disagreement. A copy of the dean's narrative shall be provided to the faculty member. The faculty member may respond to the dean's evaluation before the evaluation is forwarded to the provost. The faculty member, unit administrator, and dean are encouraged to resolve the disagreement before forwarding the evaluation to the provost. If the matter remains unresolved at the college level, the provost shall be notified of the disagreement.

**j.** The college shall forward all evaluation material at the unit and college level, including the dean's narrative and faculty responses, if any, to the provost for permanent filing. *[ren. and rev. 7-01, rev. 12-06, 7-09, 7-10]*

**A-2. Relationship to Promotion and Tenure Process.** The faculty annual performance evaluation is an administrative review. Annual evaluations are one component of the independent promotion and tenure process. See FSH 3520 and FSH 3560 for details on the promotion and tenure process.

**B. FACULTY PERFORMANCE THAT DOES NOT MEET EXPECTATIONS.** *[add. 7-10]*

**B-1.** If the unit administrator determines that a faculty member is not meeting expectations, the unit administrator should consider the reasons for and explanations of the performance. (see FSH 3190). *[ed. 7-09, rev. 7-10]*

The unit administrator, in consultation with the faculty member, should address the possible causes of the problem, should suggest appropriate resources and encourage the employee to seek such help. Faculty members and unit administrators may obtain referral information and advice from the Ombuds, Human Resources, or the Provost's Office. *[ed. 12-06, 7-09, 7-14, rev. 7-16]*

**B-2. PROVOST INVOLVEMENT.** In the event of an overall evaluation of "does not meet expectations" where the faculty member's performance is so far below expectations that it is ~~it is~~ not acceptable in relation to the position description, the provost may, in consultation with the dean and unit administrator, determine that further review of the faculty member's performance is required pursuant to FSH 3320 B-5 below. *[ren. and ed. 7-09, rev. 7-16]*

**B-3. FIRST OCCURRENCE.** In the event that a faculty member has not met expectations overall or within one or more areas of responsibility, the unit administrator shall offer to meet with the faculty member. At this meeting, the faculty member and the unit administrator shall review the faculty member's Position Description and examine strategies that would permit the faculty member to improve performance. A mentoring committee shall be formed upon the request of either the faculty member or the unit administrator. The committee shall be composed of two or more faculty members agreed upon by the unit administrator and faculty member. *[rev. 7-09, 7-10]*

**B-4. TWO OCCURENCES WITHIN THREE YEARS.** In the event of two annual evaluations within three years concluding that the faculty member has not met expectations overall or within one or more areas of responsibility the unit administrator shall arrange a meeting of the faculty member, the unit administrator and the college dean *[ed. 12-06, rev. 7-10]*

The intent of the meeting is to review:

**a.** the current position description and revise it if necessary to address the issues identified during the discussion. *[ed. 7-09]*

**b.** the strategies implemented in the previous year(s) and to identify why the strategies did not result in the faculty member meeting expectations. The parties should re-examine strategies that would support improved performance by the faculty member. *[ed. 7-09]*

## UI FACULTY-STAFF HANDBOOK

### Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF Section 3320: Annual Performance Evaluations of Faculty Members and Performance Evaluation of Academic Administrators

---

**B-5. THREE OCCURENCES WITHIN FIVE YEARS.** In the event of three annual evaluations of “does not meet expectations” within a five-year period, either overall or within one or more areas of responsibility, the dean shall initiate a formal peer review. *[rev. 7-09, ren. 7-10]*

**a. Composition of the Review Committee.** The Review Committee shall consist of at least four (4) members, appointed as follows:

- (1) The faculty member may submit to the unit administrator a list of the names of three faculty members from within the unit and at least one faculty member from outside of the unit. If the faculty member is tenured or on the tenure track, faculty on the committee should be tenured faculty unless no tenured faculty are available. The unit administrator shall appoint the committee, including at least two names from the faculty member’s list.
- (2) The committee members shall select a chair.

**b. Report and Timing.** The committee report includes the review and possible recommendation(s), and shall be completed within sixty days of the annual evaluation.

**c. The Review.** The purpose of the review is to assess the level of performance of the faculty member, the reasonableness of the previous evaluations, and the appropriateness of the strategies put in place to assist the faculty member.

The faculty member and the unit administrator shall provide the following materials for the review period to the committee:

- (1) Updated Curriculum Vitae of the faculty member,
- (2) Position Descriptions,
- (3) Annual evaluation materials submitted by the faculty member,
- (4) Annual Evaluations of the faculty member by the unit administrator and the dean,
- (5) Student and peer evaluations (if any) of teaching,
- (6) A summary of the strategies put in place to assist the faculty member,
- (7) A self-assessment summary of each area of the faculty member’s responsibility and what the faculty member has learned and achieved during the review period, including contributions to the department, university, state, nation, and field (about 2 pages).

The faculty member may submit any additional information he or she desires, and the committee may request additional materials as it deems necessary.

**d. Responses to Committee Report.** The committee chair shall submit the report to the faculty member, unit administrator, and dean. Each recipient shall have fifteen days from the report’s date to submit written responses to the review committee. The committee chair shall send the report and all responses to the provost.

**e. Provost.** The provost shall be responsible for determining the appropriate resolution, which may include: *[rev. 7-09]*

- (1) continuing the status quo;
- (2) mentoring to address area(s) of concern;
- (3) termination for cause;
- (4) consideration of other recommended resolution(s). *[1-4 add. 7-09]*

**B-6. Non-Tenured Faculty.** Pursuant to Regent’s policy, non-tenured faculty do not have an expectation of contract renewal beyond that stated in FSH 3900 B-2, absent a specific written multi-year contract. The process set forth in FSH 3320 B does not require the University to renew a non-tenured faculty contract. The process set forth in FSH 3320 B shall not be required for a non-tenured faculty member who has been given notice of non-renewal.

## C. PERFORMANCE EVALUATION OF ACADEMIC ADMINISTRATORS. *[ed. 7-09, ren. 7-10]*

## UI FACULTY-STAFF HANDBOOK

### Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF Section 3320: Annual Performance Evaluations of Faculty Members and Performance Evaluation of Academic Administrators

---

**C-1. EVALUATION BY FACULTY MEMBERS.** Opportunity is provided for an annual performance evaluation of college deans, assistant and associate deans, and administrators of academic departments and other intracollege units by the faculty members of the respective units. The provost sends each faculty member an appropriate number of copies of the form, “Annual Faculty Evaluation of Academic Administrators” [form 2 appended to this section] to be used for evaluation of the unit or center administrator, one to be used for evaluation of the dean, and one to be used for evaluation of each assistant or associate dean in the college. [*ren. & ed. 7-10, 10-10*]

**C-2. EVALUATION OF UNIT AND CENTER ADMINISTRATORS AND ASSISTANT AND ASSOCIATE DEANS.** The review and evaluation of unit and center administrators, and assistant and associate deans, require consideration of their responsibilities as faculty members and as administrators as defined by percentage allocations in the Annual Position Description. All administrators are entitled to a review and evaluation of their performance as faculty members. Further, all administrators are entitled to a review of their performance as administrators. (Forms to be used in the evaluation of administrators are found in Form 1 and 2. [*rev. 7-99, ed. 3-07, rev. & ren. 7-10 (incorporated 1420 E-6 into this entire section C-2 through C-4)*])

#### **1. Evaluation as a Faculty Member.**

**a. Annual Evaluation.** The annual evaluation of an administrator’s performance as a faculty member shall be conducted by the dean of the college in accordance with the provisions of *FSH 3320 A* above.

**b. Third Year Review.** If the administrator is untenured, there shall be a third-year review in accordance with the procedures outlined in *FSH 3520 G-4*.

#### **2. Evaluation as an Administrator.**

**a. Annual Evaluation.** The dean shall conduct an annual evaluation of each administrator’s performance in accordance with the responsibilities specified in *FSH 1420 E-1* and in the Annual Position Description. The dean and administrator will negotiate the administrator’s Annual Position Description on the basis of the unit’s needs, and make it available to the faculty for annual evaluation purposes. The administrator will present his or her annual goals for the unit at the beginning of the review year and report on his/her effectiveness in meeting last year’s goals. Annual goals should be based on the unit action plan, needs of the unit, and discussion with the dean. The dean will make a conscientious effort to solicit input from unit faculty through evaluation form 2. [*rev. 7-99, ed. 6-09, 10-10*]

Unit faculty must send completed copies of form 2 directly to the dean. The dean furnishes the administrator a summary of the faculty evaluations in such a way that the confidentiality of individual evaluations is preserved. The dean may arrange a conference with the administrator to discuss the summary. After these steps have been completed, the dean shall destroy the individual faculty members’ evaluations and shall file the written summary in the dean’s office. The dean then submits a summary of conclusions and recommendations resulting from the review to the provost, who in turn makes his or her review and forwards recommendations to the president. The dean will then provide feedback to faculty who have submitted form 2, as appropriate. [*ed. 10-10*]

**C-3. EVALUATION OF DEANS.** The provost shall conduct an annual evaluation of each dean’s performance in accordance with the dean’s responsibilities specified in *FSH 1420 D-2* and in the Annual Position Description. The provost and dean will negotiate the Annual Position Description for the dean on the basis of the college’s needs and make it available to the faculty for annual evaluation purposes. The dean will present his or her annual goals for the college at the beginning of the review year and report on his or her effectiveness in meeting last year’s goals. Annual goals should be based on the college’s action plan, needs of the college, and discussion with the provost. The provost will make a conscientious effort to solicit input from college faculty through evaluation form 2. [*ed. 10-10*]

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations of Faculty Members  
 and Performance Evaluation of Academic Administrators

---

College faculty will send completed copies of form 2 directly to the provost. The provost will summarize the faculty responses and share that summary with the dean. In preparing and conveying that summary, the provost has the responsibility to ensure that faculty comments are confidential. This includes, but is not limited to, avoiding the use of any phrases that can identify the faculty member making the comments. The provost may arrange a conference with the dean to discuss the summary. After these steps have been completed, the provost shall destroy individual faculty members' evaluations and file the written summary in the Office of Academic Affairs. The provost must then submit a summary of conclusions and recommendations resulting from the review to the president. The provost will then provide feedback to faculty who have submitted form 2, as appropriate. *[ed. 10-10]*

**C-4. PERIODIC REVIEW OF ADMINISTRATORS.** Each administrator is formally reviewed at least six months before the end of each appointment term, or, if there is not a fixed appointment term, at least every five years. The Provost appoints an ad hoc review committee to include faculty, department chairs, and experienced administrators of other units. The periodic review will be conducted at the request of the Provost and Executive Vice President and in accordance with the mechanisms of formal review, which must provide for the following:

1. Opportunity for the dean, center administrator, or unit administrator to prepare a report/portfolio summarizing his or her administrative achievements for the period, including annual reviews; *[rev. and ren. 7-99]*
2. Opportunity for all faculty and staff of the college/unit to participate in the review;
3. Solicitation of input by the committee from appropriate constituencies of the college/unit. Confidentiality of all individual evaluations will be ensured; *[add. 7-99]*
4. Preparation by the review committee of a written report summarizing the findings and recommendations of the review, which will be forwarded to the Provost and the dean/center or unit administrator; *[ed. and ren. 7-99]*
5. The provost will submit the written report along with any additional comments and recommendations to the president and provide appropriate feedback to the administrator. *[rev. and ren. 7-99]*

**a. Additional Review.** The provost and/or college dean may initiate a review at any time he or she determines a review is needed. The dean shall submit to the provost a summary of conclusions and recommendations resulting from this additional review. If the review is conducted by the provost, he or she shall submit a summary of conclusions and recommendations to the president.

The faculty of the unit may also initiate, by majority vote, a formal review (as outlined above) of the unit administrator. The tenured faculty of a college may also initiate, by majority vote, a formal review (as outlined above) of the college dean.

**D. SEQUENCE OF EVALUATION OF FACULTY MEMBERS AND ADMINISTRATORS.** The provost prepares the schedule for completion of steps in the performance evaluation and salary determination process each year. The schedule will ensure that faculty members' evaluations of unit or center administrators and assistant and associate deans have been received by the dean before the administrators' recommendations on salary, promotion, and tenure are made known to the faculty and, similarly, that faculty members' evaluations of deans have been received by the provost before the deans' recommendations on salary, promotion, and tenure are made known to the faculty. Likewise, the summaries of faculty evaluations of unit or center administrators, assistant and associate deans, and deans will be communicated to the persons evaluated after their recommendations on faculty salary, promotion, and tenure have been transmitted to the provost. *[ren. & rev. 7-10]*

(Forms on next few pages)

# NATIONAL COLLEGE HEALTH ASSESSMENT

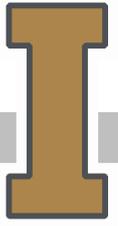
GREG LAMBETH, PH.D.  
DIRECTOR  
ASSOCIATE PROFESSOR  
COUNSELING & TESTING CENTER

MARCH 30, 2018



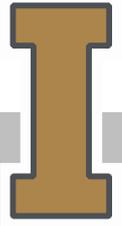
## 4 IMPORTANT TAKEAWAYS

1. Severity of mental health issues is increasing at the University of Idaho
2. Self-harming, suicidal ideation and suicide attempts have also shown increases
3. Counseling Center clients have consistently higher acuity of mental health symptoms
4. Demand for clinical services at the CTC has been steadily increasing in the past decade



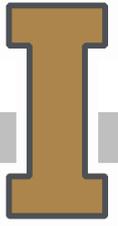
# NATIONAL COLLEGE HEALTH ASSESSMENT FALL 2017

University of Idaho  
N= 982  
Response Rate=28.1%



# AREAS SURVEYED

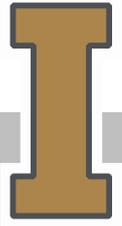
1. **General Health of College Students**
2. **Disease and Injury Prevention**
3. **Academic Impacts**
4. **Violence, Abusive Relationships and Personal Safety**
5. **Tobacco, Alcohol and Marijuana Use**
6. **Sexual Behavior**
7. **Nutrition and Exercise**
8. **Mental Health**
9. **Sleep**
10. **Demographics and Student Characteristics**



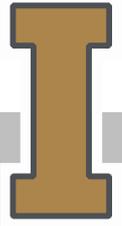
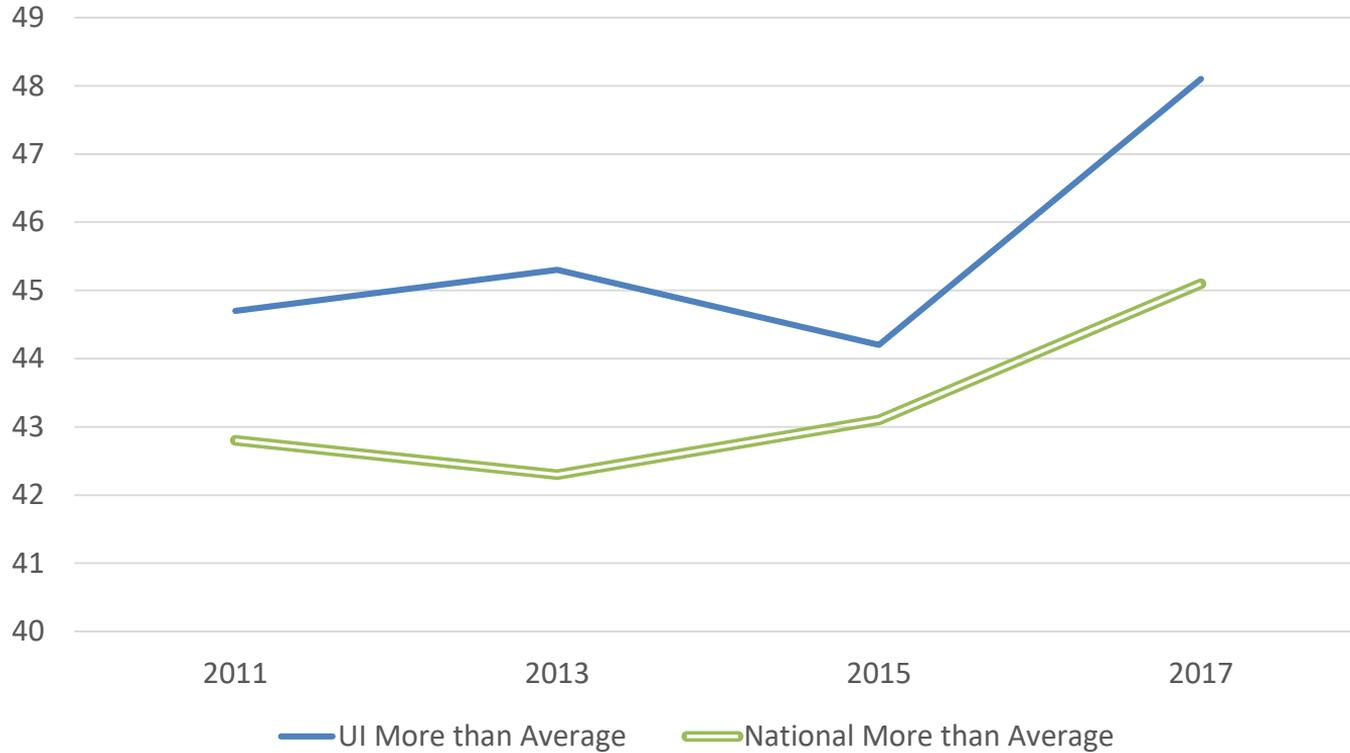
Faculty Senate 2017-18 - Meeting #22 - March 27, 2018 - Page 26

# DIAGNOSED OR TREATED BY A PROFESSIONAL (LAST 12 MONTHS)

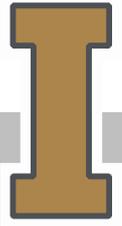
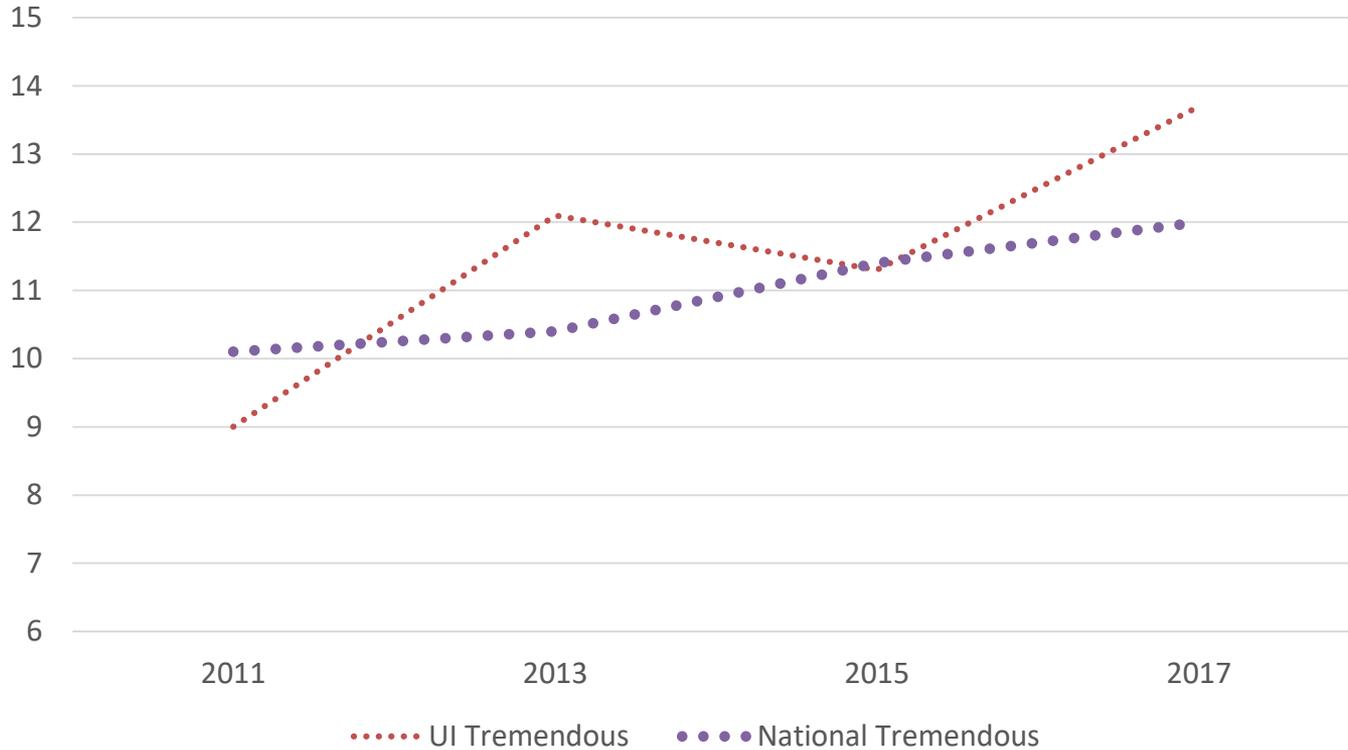
<b>Anxiety</b>	<b>20%</b>
<b>Depression</b>	<b>18%</b>
<b>Panic Attacks</b>	<b>12%</b>
<b>ADHD</b>	<b>5%</b>
<b>Insomnia</b>	<b>6%</b>
<b>Other Sleep Disorders</b>	<b>4%</b>
<b>Bipolar Disorder</b>	<b>2%</b>
<b>Other Mental Health</b>	<b>3.5%</b>
<b>OCD</b>	<b>3%</b>
<b>Substance abuse or addiction</b>	<b>2%</b>
<b>Bulimia</b>	<b>1%</b>
<b>Anorexia</b>	<b>1.7%</b>



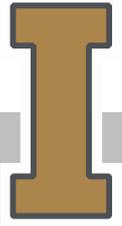
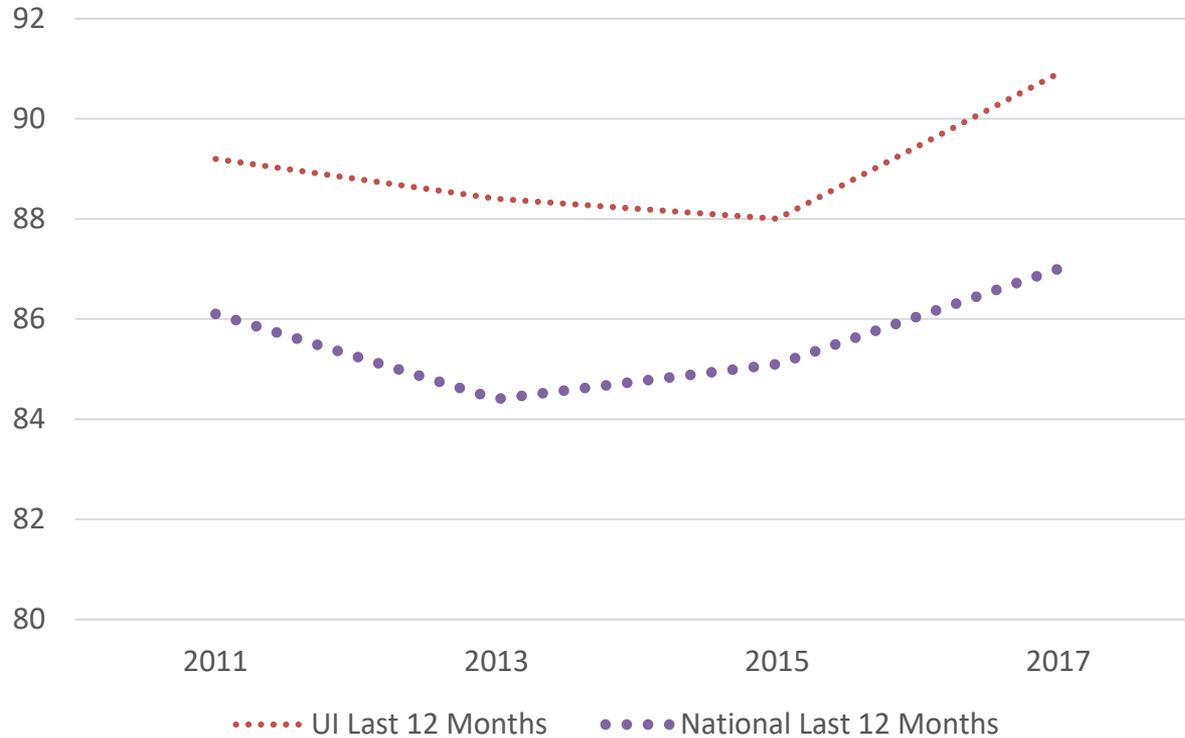
# Overall Stress Level



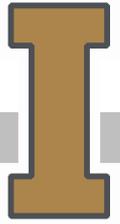
# Overall Stress Level



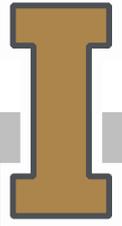
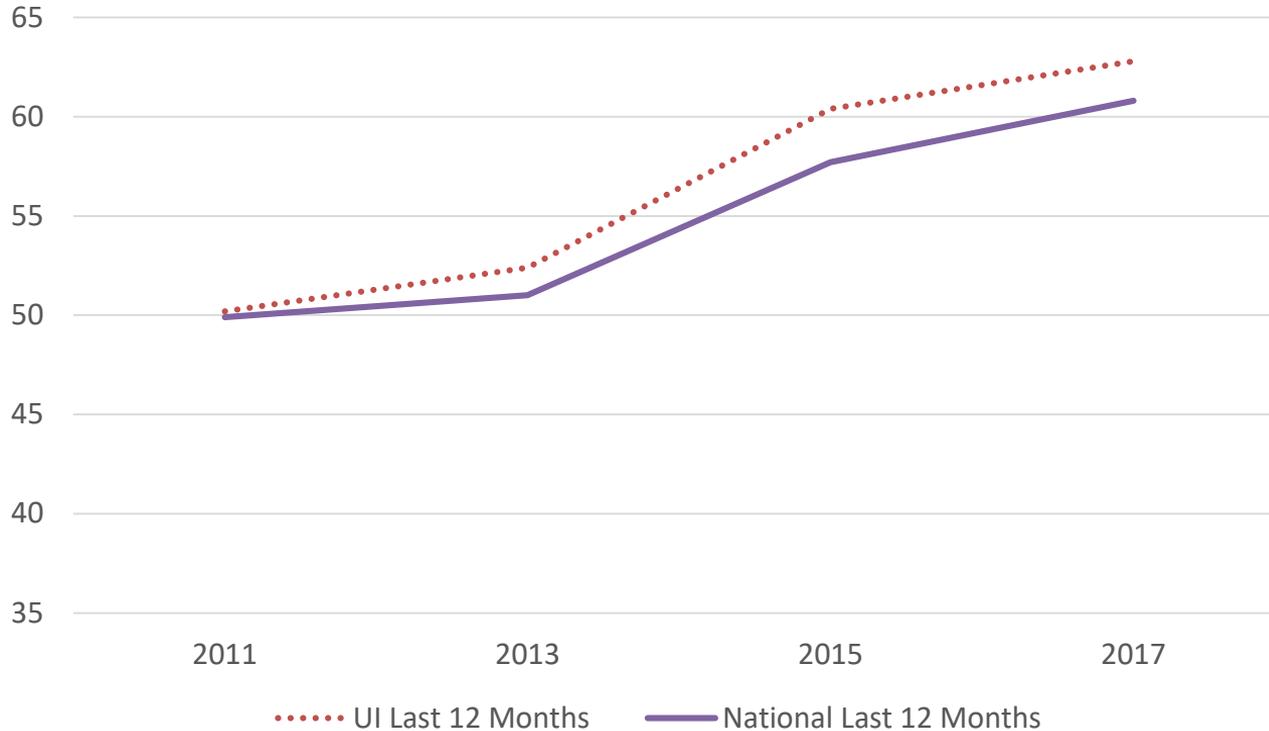
## Felt overwhelmed by all you had to do



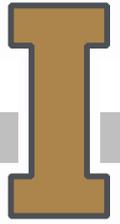
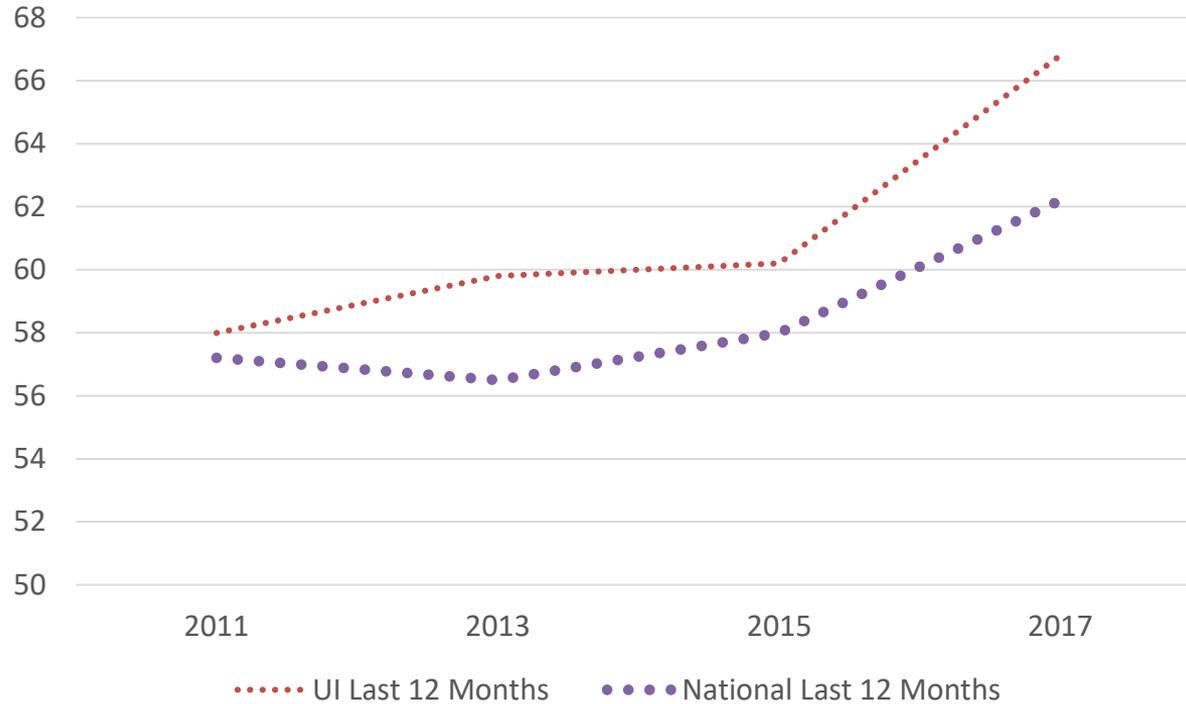
## Felt so depressed that it was difficult to function



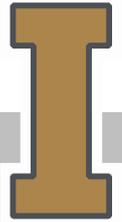
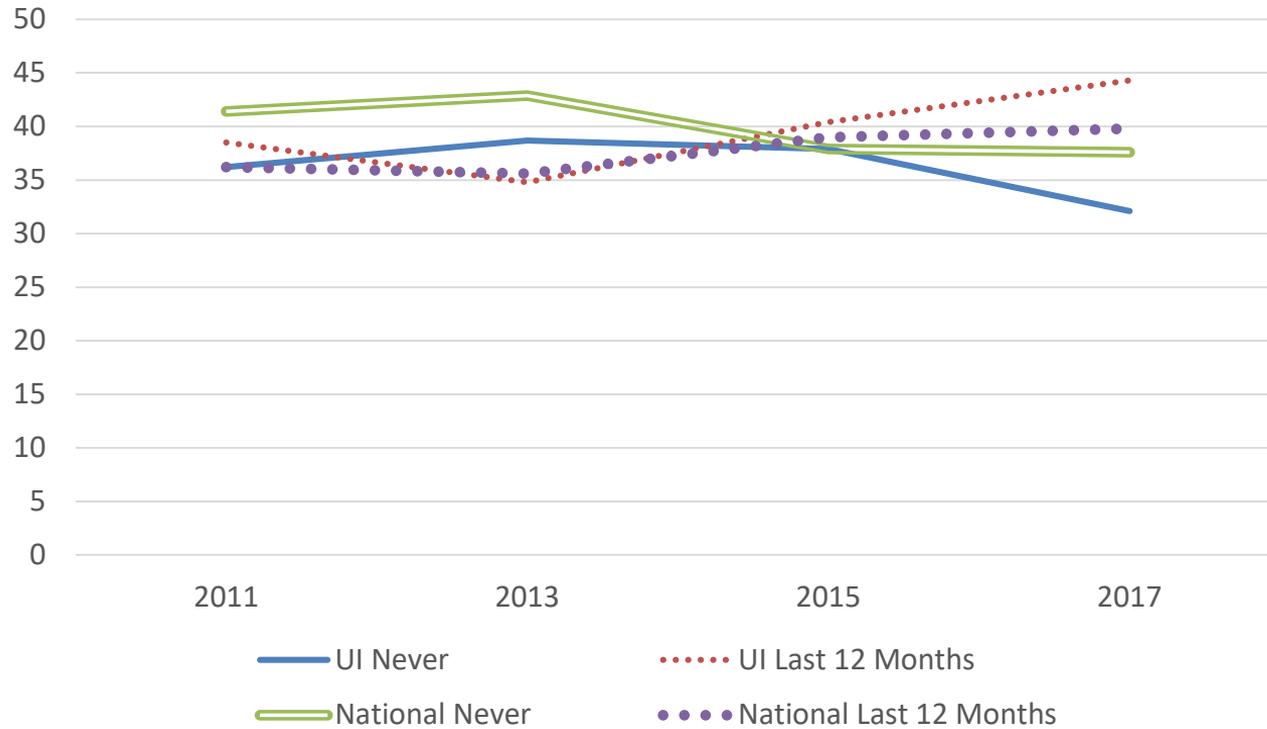
## Felt overwhelming anxiety



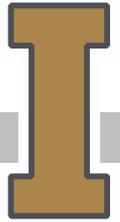
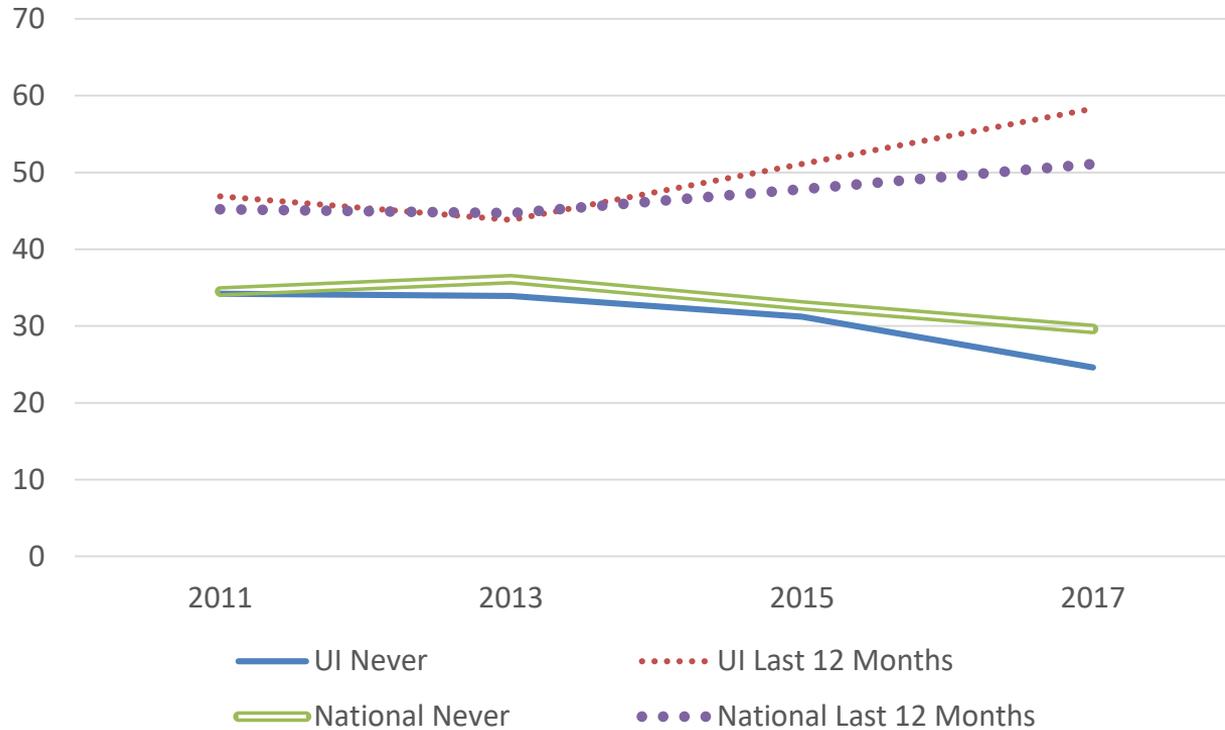
## Felt very lonely



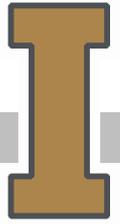
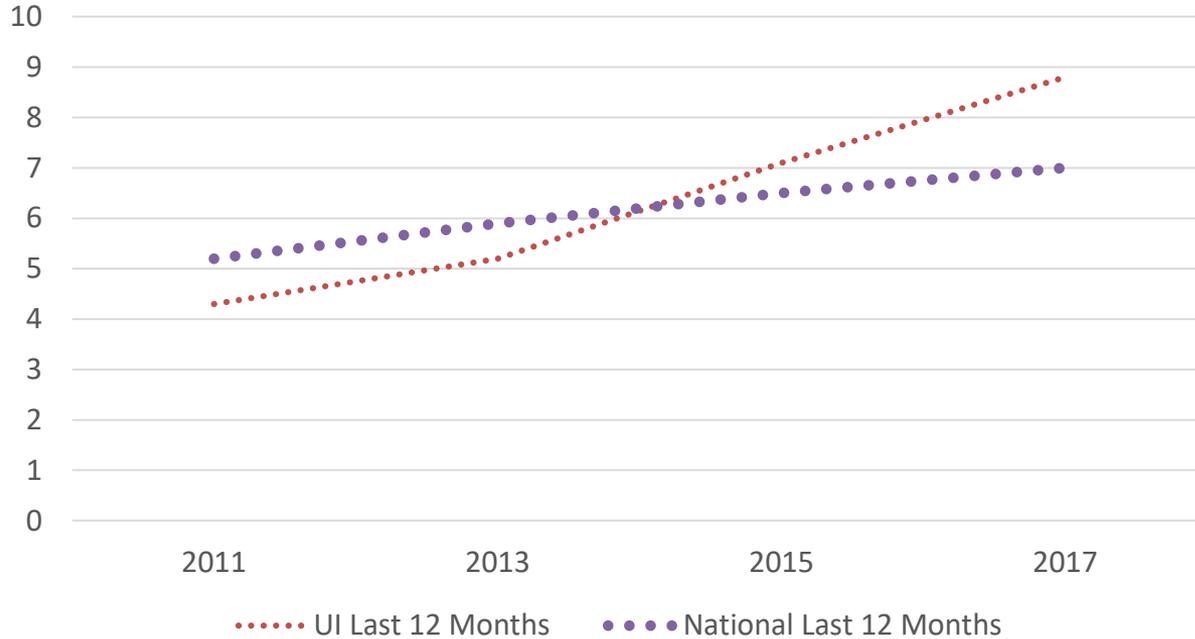
## Felt overwhelming anger



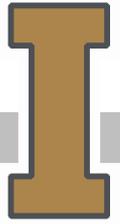
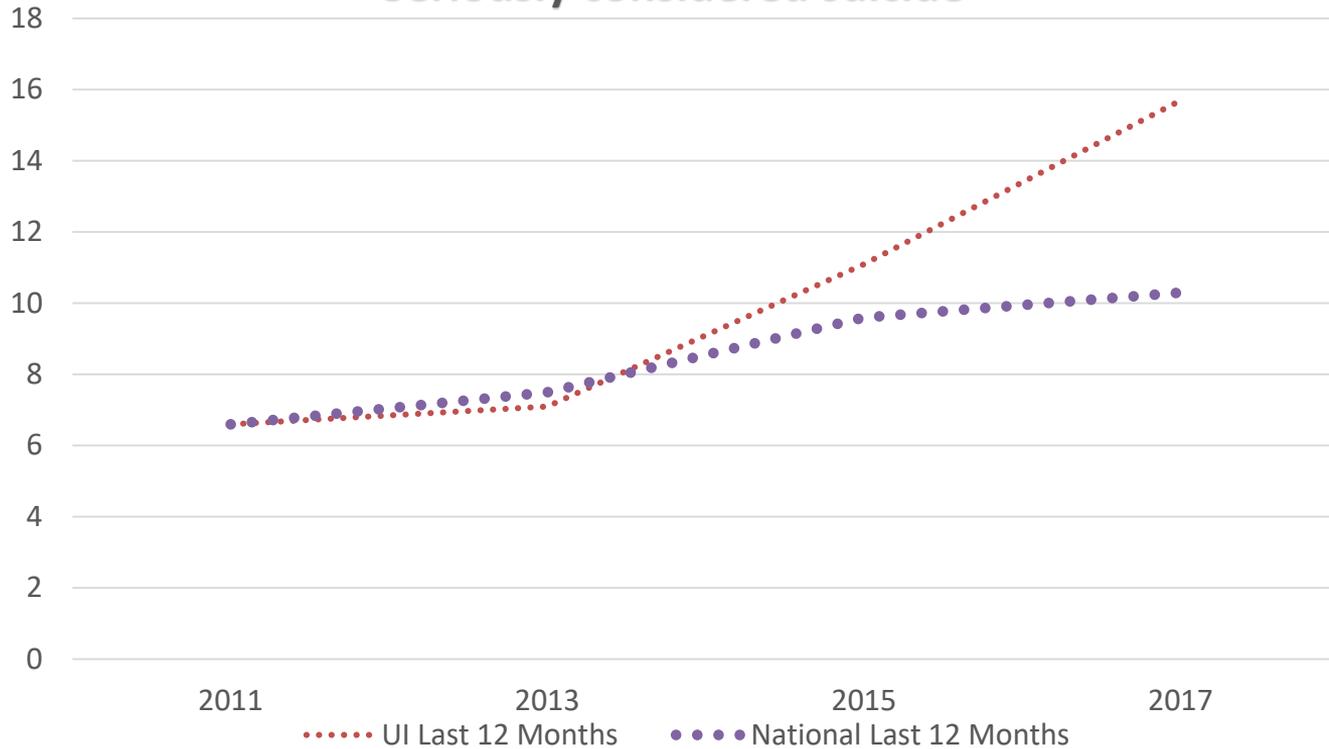
## Felt things were hopeless



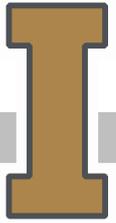
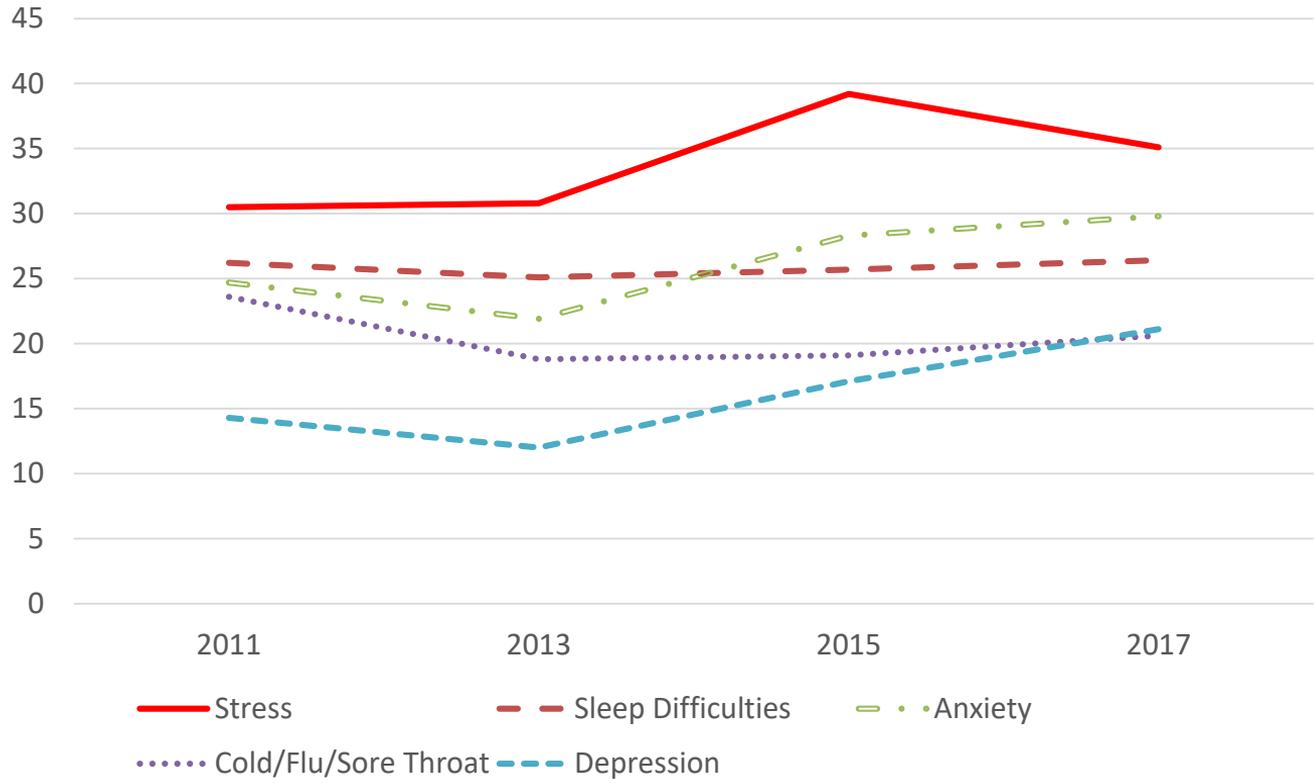
## Intentionally cut, burned, bruised, or otherwise injured yourself



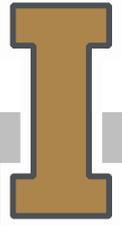
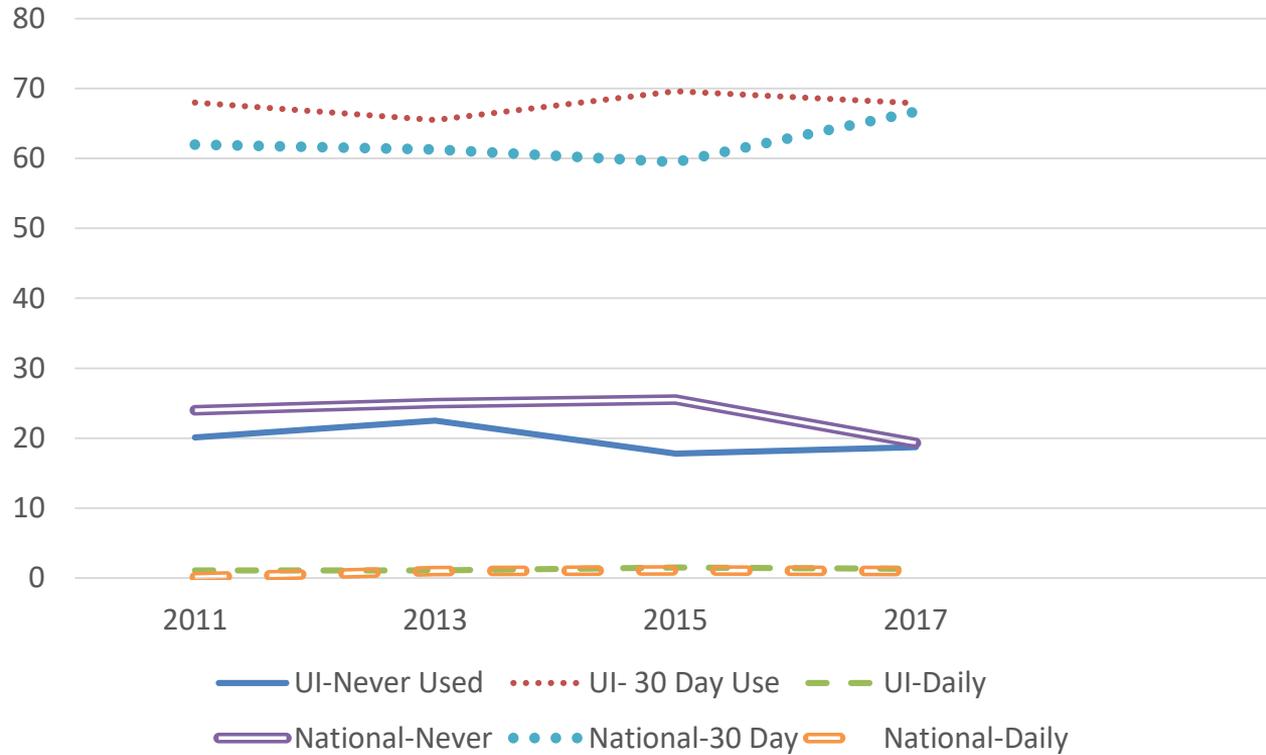
## Seriously considered suicide



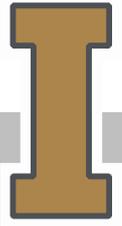
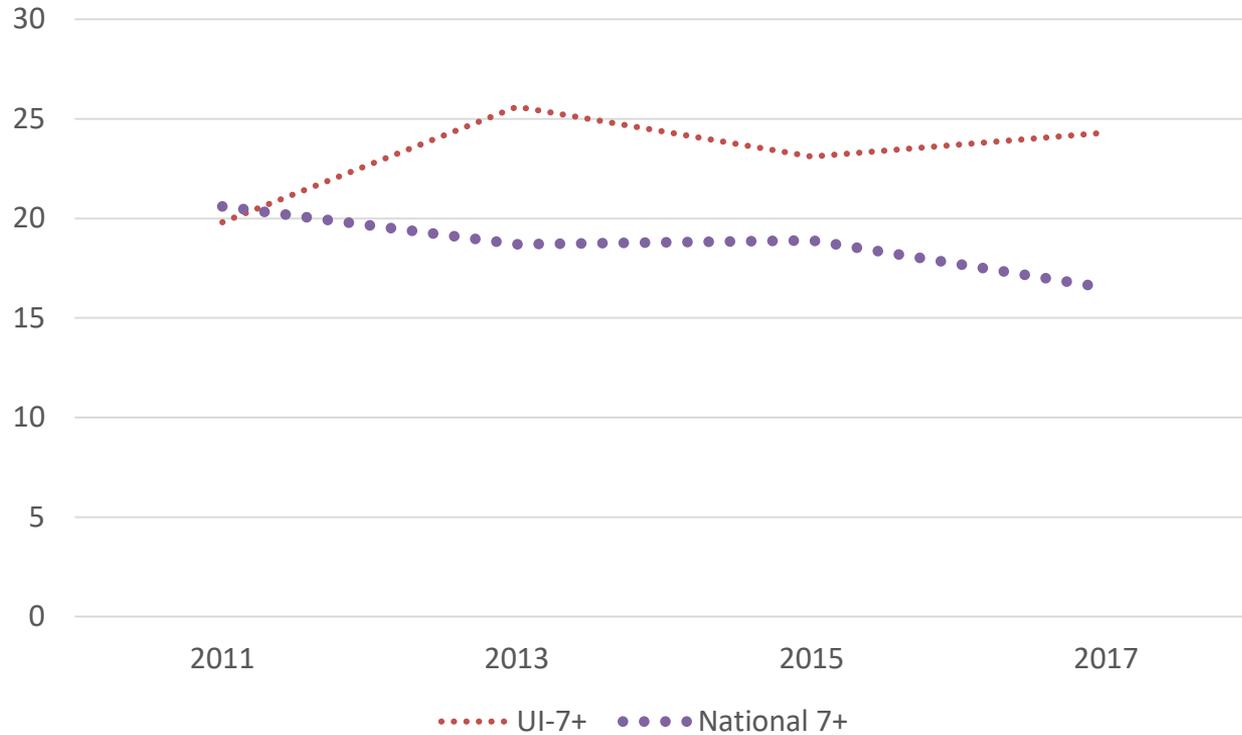
# Academic Impacts



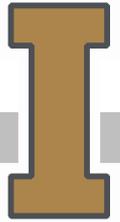
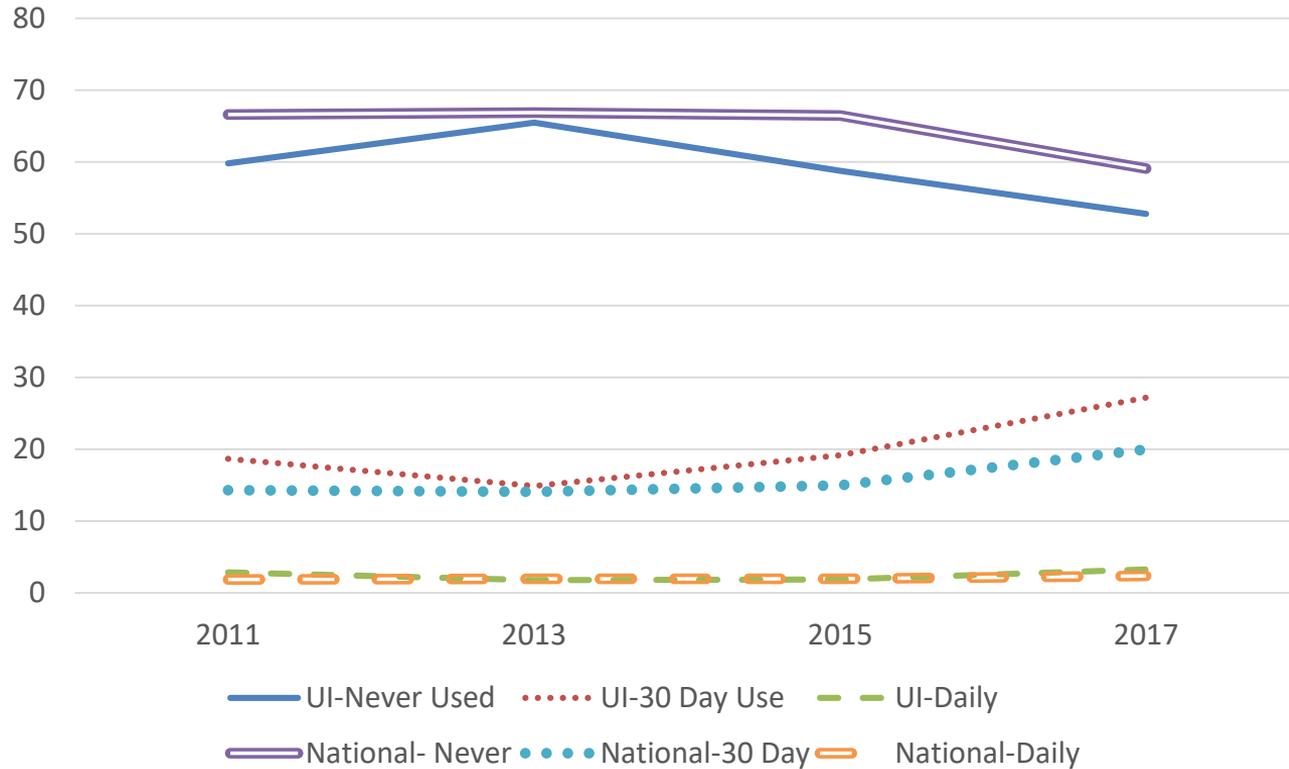
# Alcohol Use



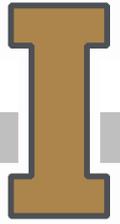
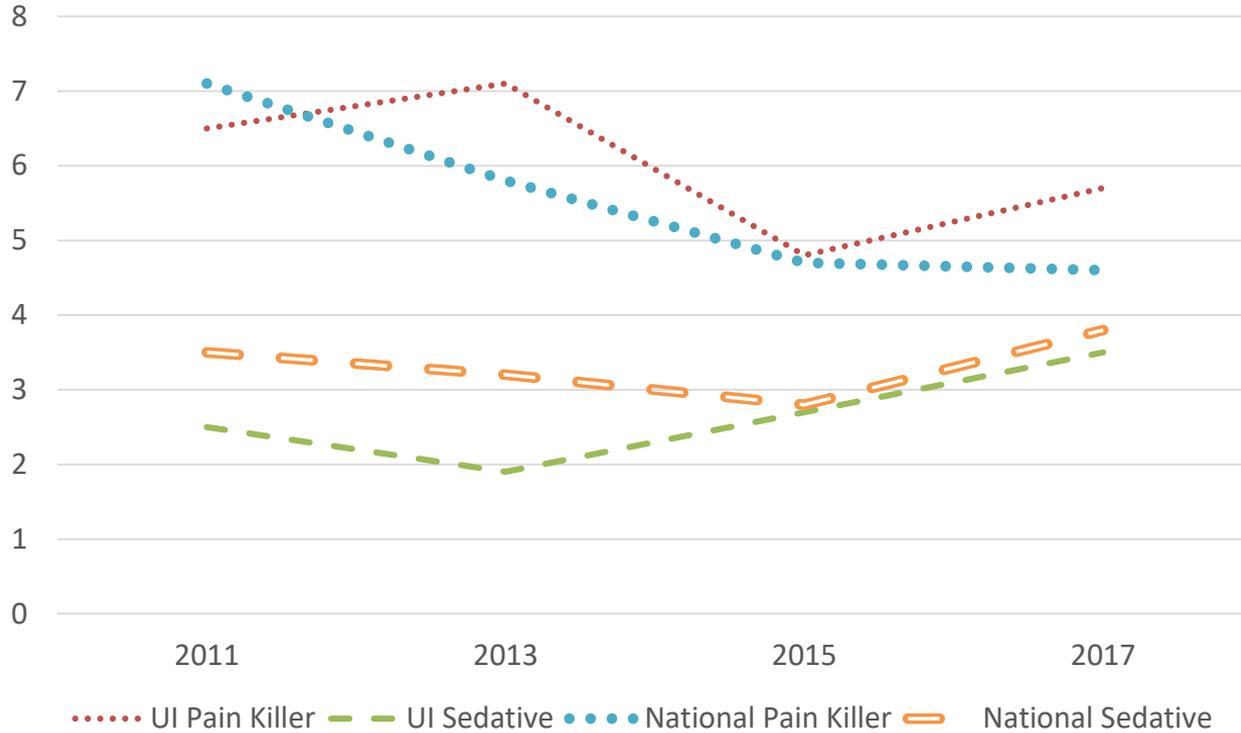
## # of Drinks Last Time Partied



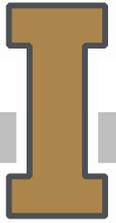
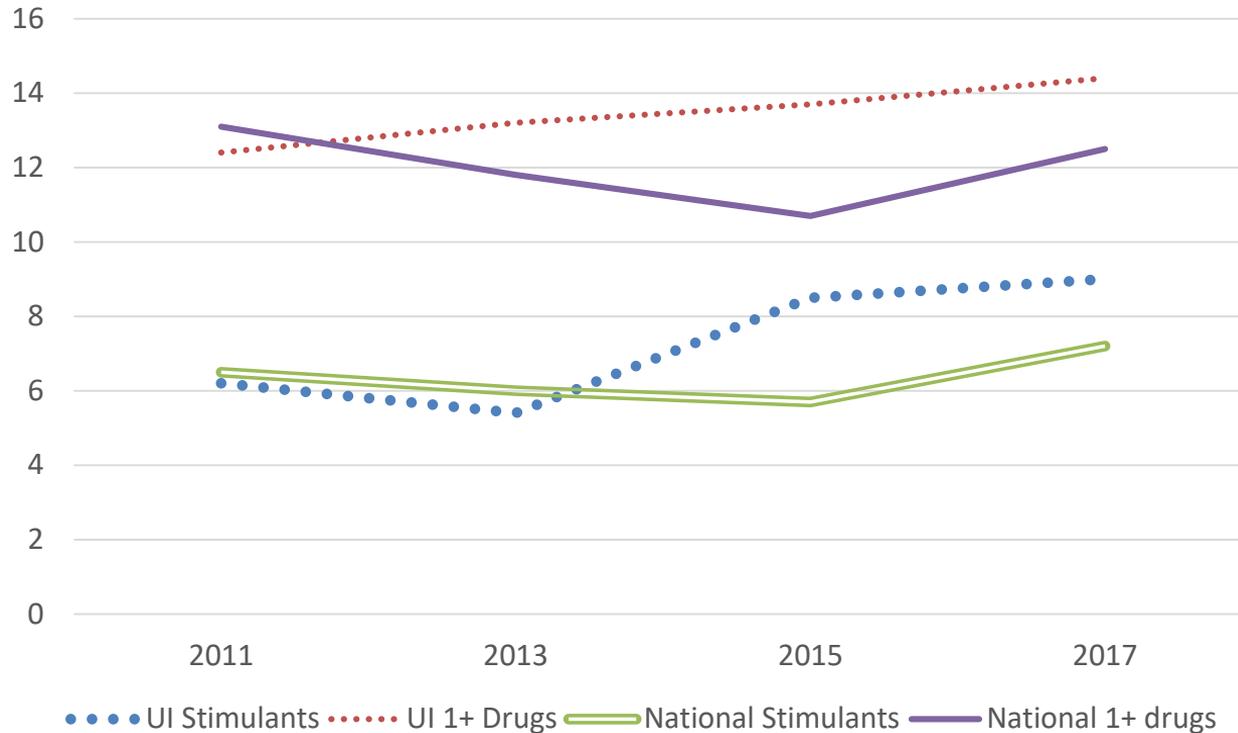
# Marijuana Use



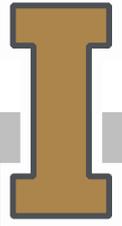
# Prescription Drug Use



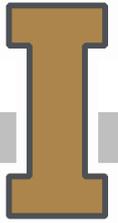
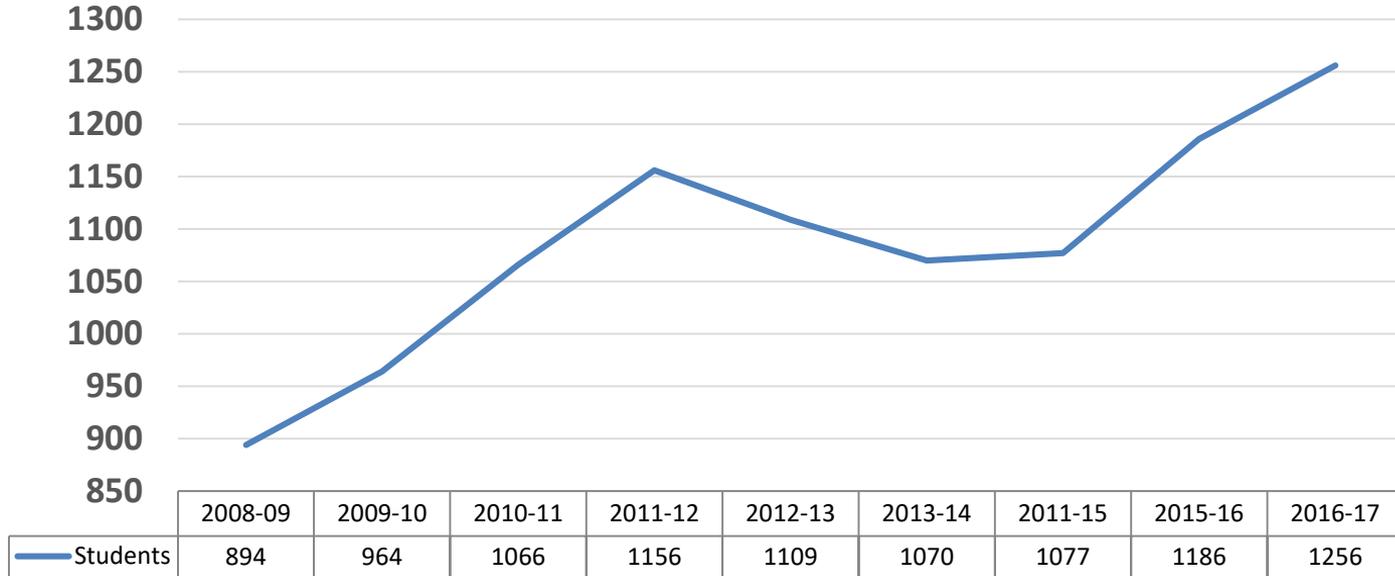
## Prescription Drugs Use



UNIVERSITY OF IDAHO  
COUNSELING AND TESTING CENTER  
CLINICAL DATA COMPARISON  
2010-2017

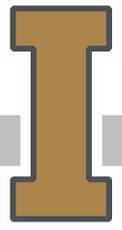
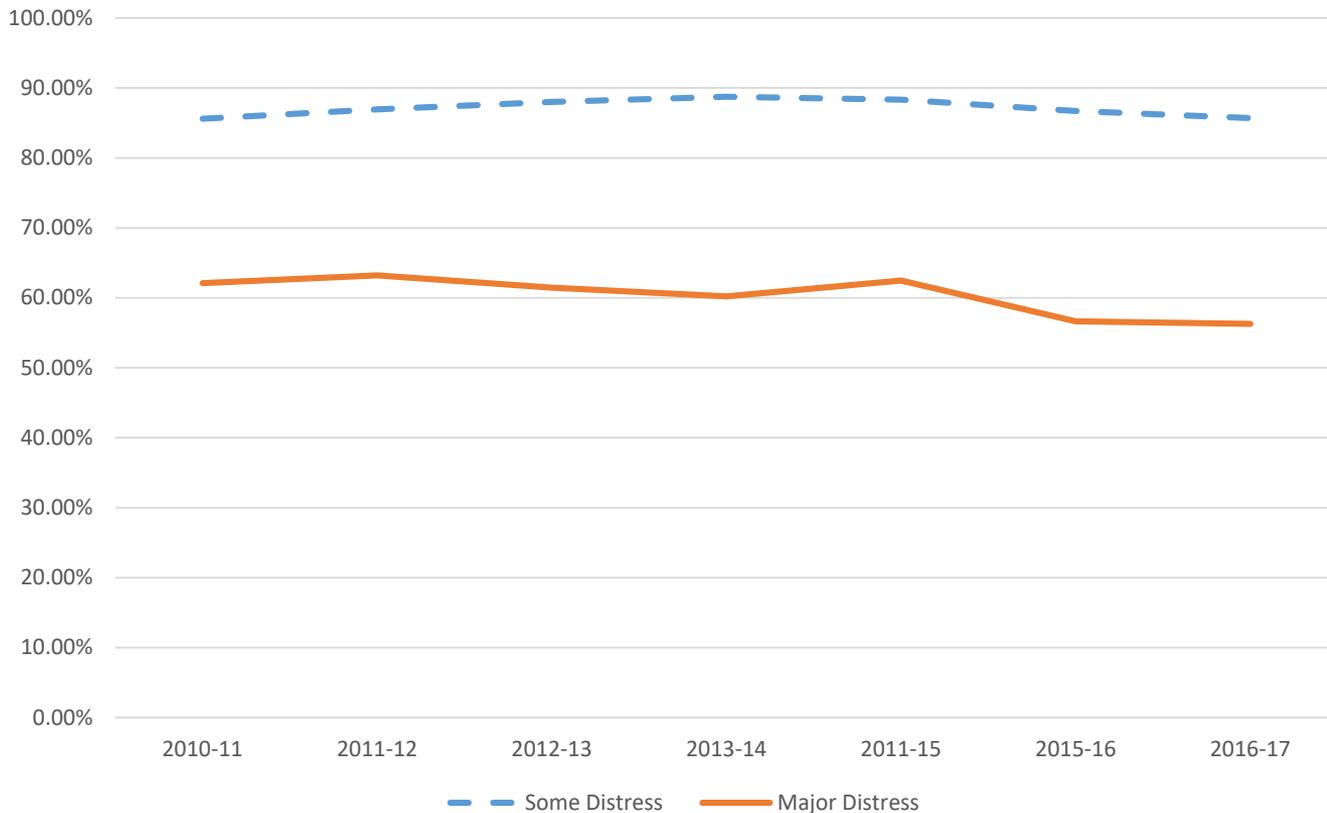


## Number of Unique Clients Seen at CTC

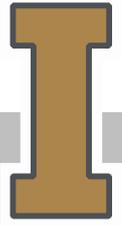
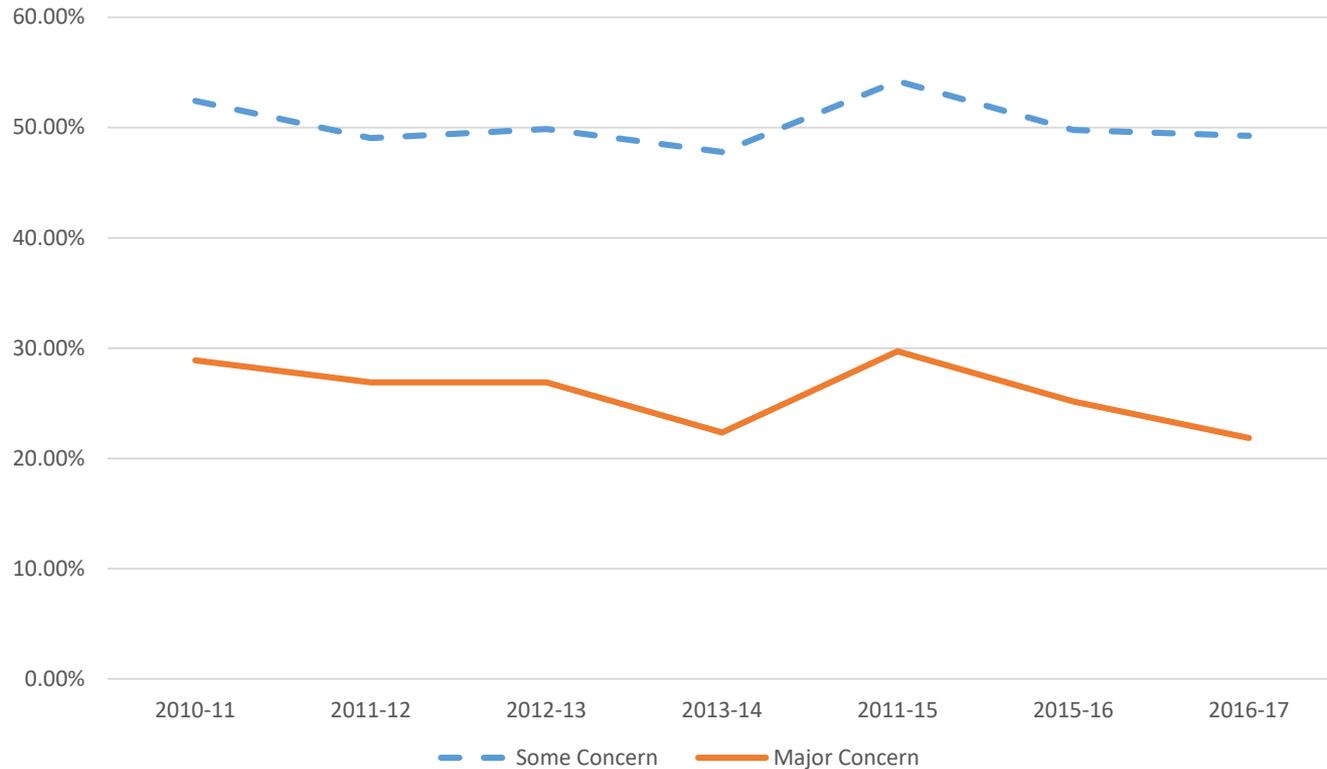


# Percentage of Clients Reporting Academic Distress

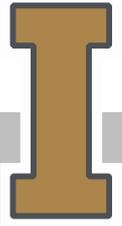
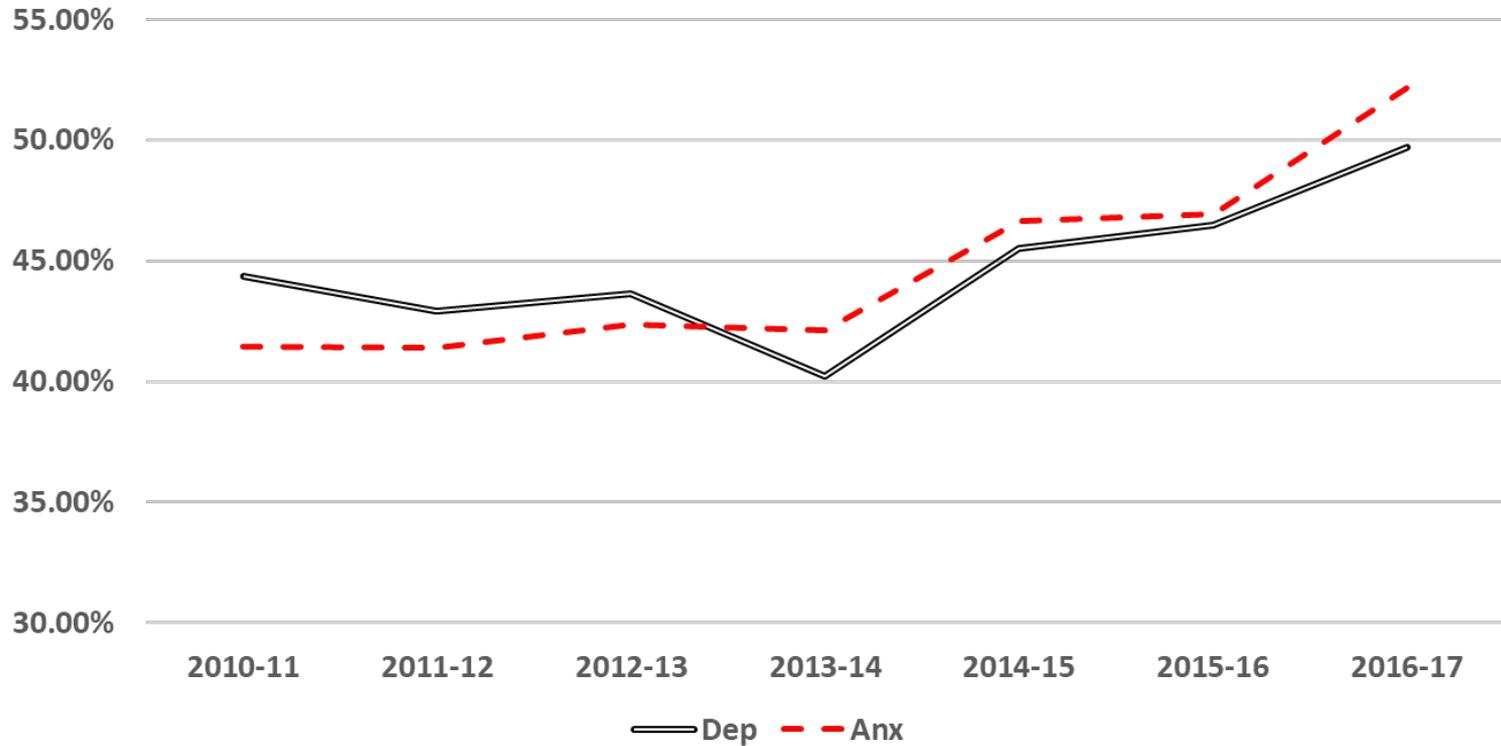
Faculty Senate 2017-18 - Meeting #22 - March 27, 2018 - Page 45



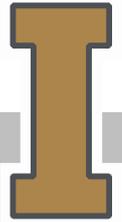
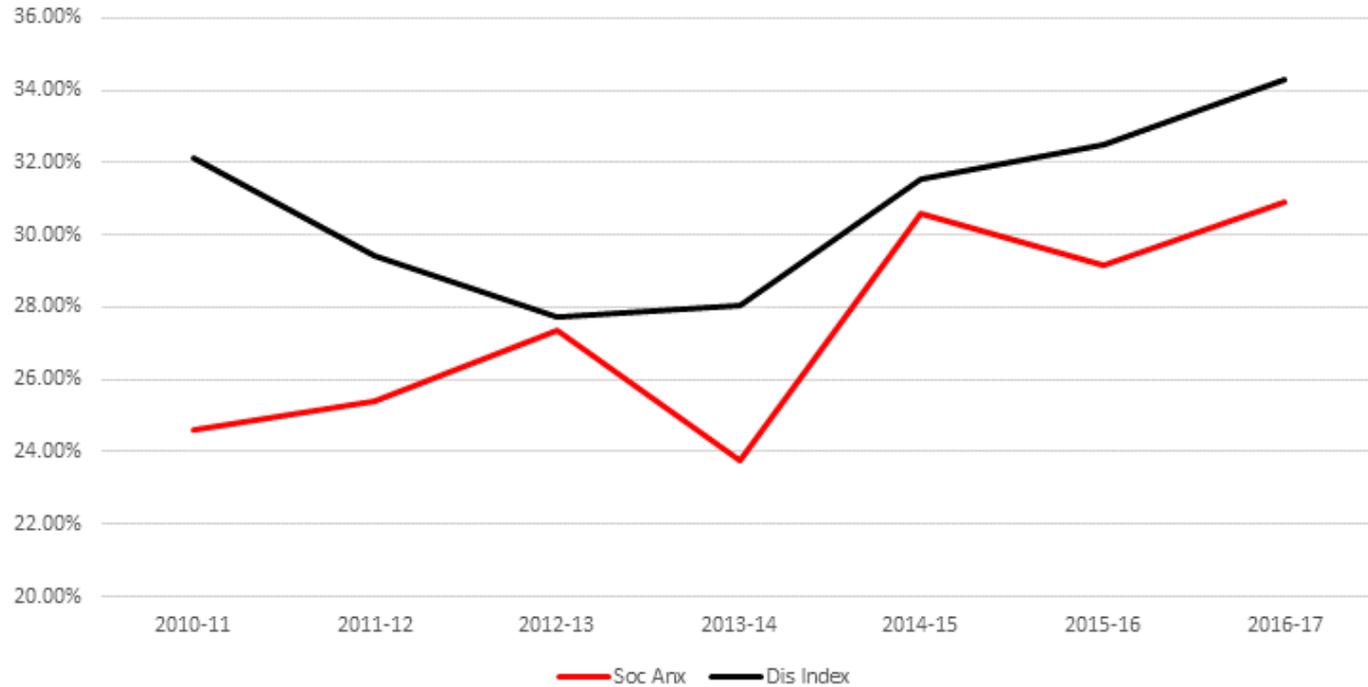
## Percentage of Clients Reporting Staying in School as a concern



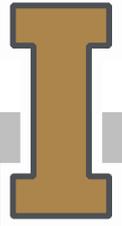
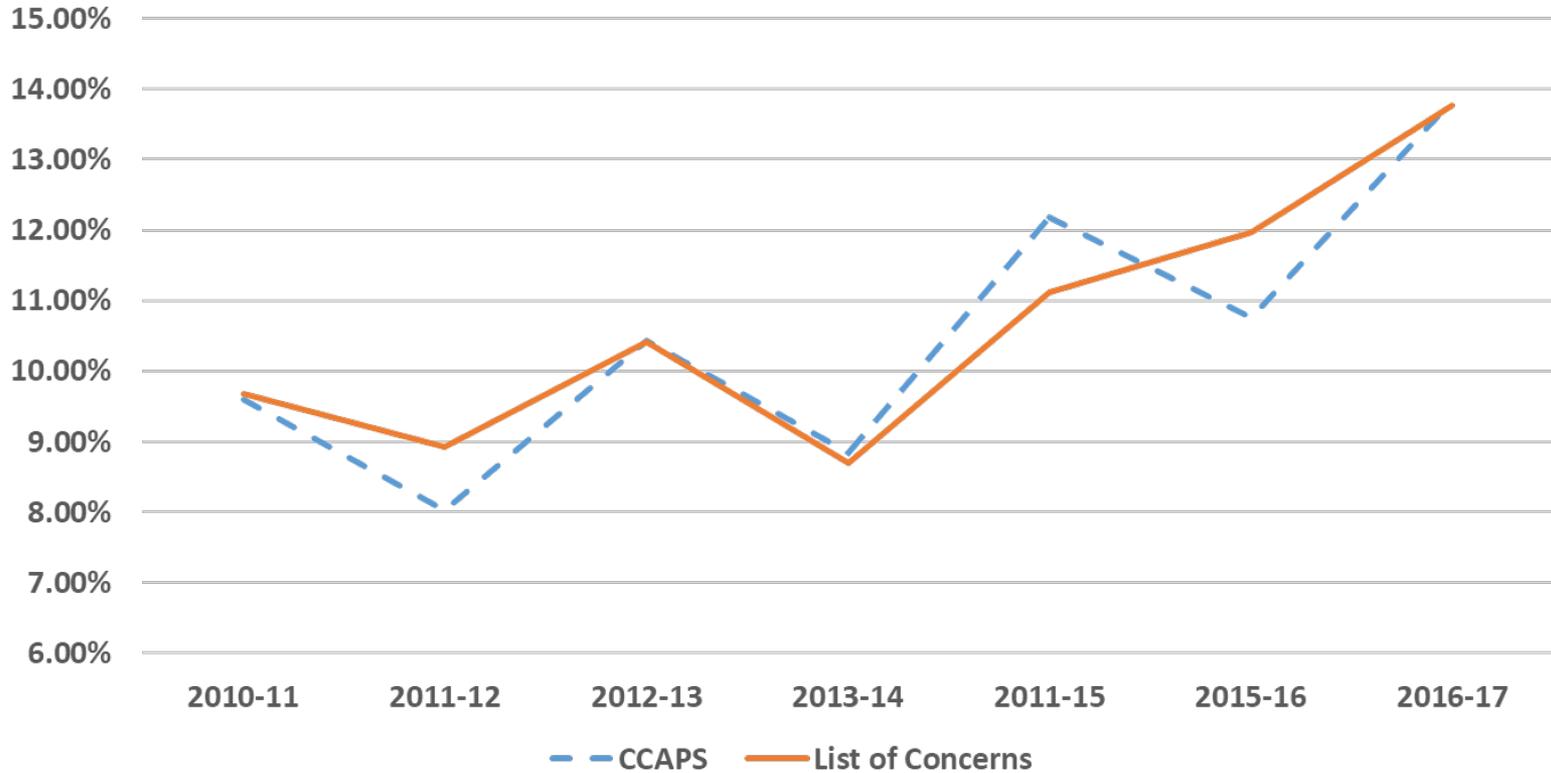
## Clinically Significant Depression & Anxiety at CTC



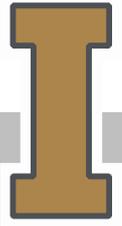
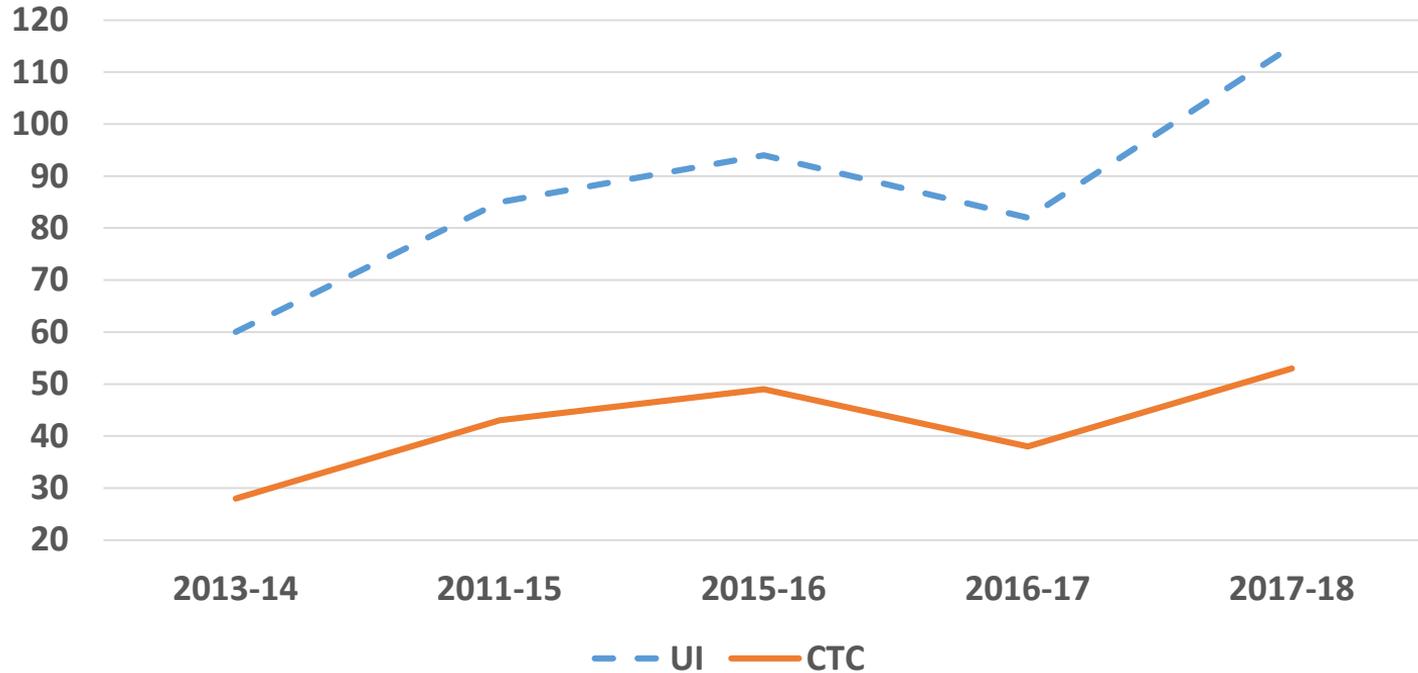
## Percentage of Clients Reporting Significant Social Anxiety and Overall Distress



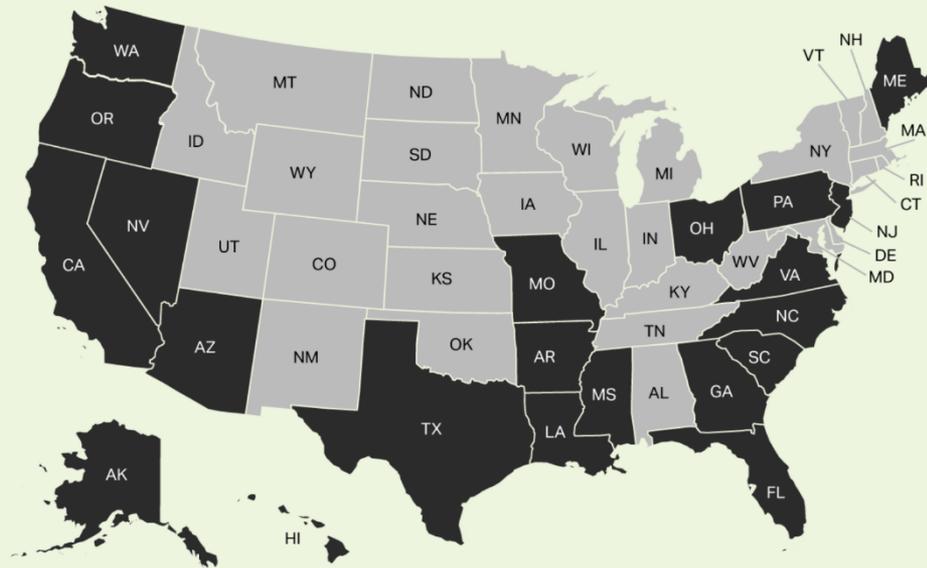
# Clinically Significant Suicidal Thoughts at CTC



## Medical Withdrawals



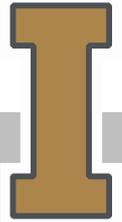
Improved\* Unchanged Declined



\*No states had statistically significant improvements.

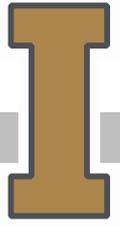
GALLUP-SHARECARE WELL-BEING INDEX

The 21 U.S. states that saw their well-being drop in 2017 shattered the previous record set in 2009 amidst the Great Recession, when 15 states had lower well-being than the year before. The large



# THANK YOU ...

Questions  
Comments  
Observations  
Next Steps ...



# University of Idaho

## 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]

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

**Chapter & Title:** \_\_\_\_\_

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
Minor Amendment

**Chapter & Title:** APM 50.16 Criminal Background Checks

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** \_\_\_\_\_  
(Please see FSH 1460 C) Brandi Terwilliger June 28, 2017  
Name Date  
**Telephone & Email:** 885-3008 brandit@uidaho.edu

**Policy Sponsor:** (If different than originator.) Brian Foisy March 6, 2018 *[Signature]* 3-7-18  
Name Date  
**Telephone & Email:** 885-6174 brianfoisy@uidaho.edu

**Reviewed by General Counsel**  Yes  No Name & Date: Debra Ellers/General Counsel 6/26/17 and Kim Ryter February 2018 and March 6, 2018.

- 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.  
Requesting a CBC be completed for all employees that have contact with minors. Currently some of the larger units on campus already complete a CBC for all employees hired regardless of employment type. Further recommending changes to allow for a break in service of one year that would not require a CBC be re-completed as long as a CBC is on-file with appropriate results for the position the employee is considered for. This is anticipated to reduce the number of background checks currently requested under the 13 month rule. Further clarification regarding disqualifications based on convictions has been made to meet concerns of general counsel. Highlighted summary of changes is attached, although this is a substantial rewrite that is not redlined, the intent of the changes are in the summary.
- II. **Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?  
We anticipate a fairly stable number of background checks to be completed in comparison with the current numbers even in light of the proposed changes. It is possible that the removal of the 13 month requirement will actually reduce/ the amount of background checks necessary even with the language inclusion for every employee who has contact with minors. This is due to the current department requirements and recommendations that CBCs be completed for those employees.
- 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.  
ASAP

If not a minor amendment forward to: \_\_\_\_\_

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

*APM*

F&A Appr.: \_\_\_\_\_  
[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)

## **50.16 - Criminal Background Check Procedures**

Updated: February 20, 2018

**A. General.** Criminal background checks confirm an individual's fitness relative to the requirements of their employment or volunteer service at the University of Idaho (UI).

UI requires criminal background checks for all non-student positions, graduate student appointees, postdoctoral scholars, and temporary help positions (T1, T4, etc.). UI also requires criminal background checks for student positions (ST/SF/SI), interns, and volunteers if the work will involve contact with minors or the hiring authority determines the work to be security-sensitive. This list is not intended to be exhaustive. Questions on background check requirements should be directed to Human Resources (HR). *[rev. 3-18]*

The requirements of this procedure also apply to existing employees being considered for changes in position, transfers, and promotions. However, if an existing employee has a previous background check on file with UI, and that background check is applicable to the change in position, transfer, or promotion, a new background check will not be required. A background check is not required for general faculty promotions in rank pursuant to FSH 3560 where the faculty promotion does not involve an internal or external search. *[rev. 11-12, 12-14, 3-18]*

Non-compliance with this procedure will be communicated to the Office of General Counsel and the appropriate vice president.

**B. Procedures for Criminal Background Checks.** The UI will conduct criminal background checks on the recommended candidate(s) for all positions listed in Section A. Hiring authorities must request criminal background checks for student positions (ST/SF/SI), interns, and volunteers if the work will involve contact with minors or the hiring authority determines the work to be security-sensitive. Security-sensitive work may involve access to restricted facilities, resources, finances, data, confidential information, or research (as determined by the hiring authority). *[rev. 3-18]*

**B-1. Required Notification of Criminal Background Checks.** All advertisements, notices, and postings for positions listed in Section A must state: "This position is subject to the successful completion of a criminal background check." No candidate for a position listed in Section A shall commence employment until a satisfactory criminal background check has been received by HR. Any offers associated with

these positions must be made contingent on a satisfactory criminal background check. *[rev. 3-18]*

For student (ST/SF/SI), intern, and volunteer positions for which a search was not necessary or was waived, the hiring authority will provide the candidate/volunteer with written notice of the criminal background check requirement prior to offering the position. The candidate/volunteer can only be offered the position contingent on a satisfactory criminal background check. The candidate/volunteer must not begin work or begin the new responsibilities until a satisfactory criminal background check has been received by HR. *[add. 10-07, ed. 11-12, rev. 3-18]*

**B-2. Required Authorization for Criminal Background Check.** If a search runs through the UI online recruitment system, the criminal background check is initiated during the hiring proposal process. For hires outside the online recruitment system, the hiring unit must submit a Department Request for Criminal Background Check via the on-line request for background check. The request shall include the following information: candidate name and email address, position title/action number, budget number, and unit. The candidate will receive an email to initiate the background check. The candidate must submit the required personal information at a secure website and electronically sign the Disclosure and Authorization forms. The candidate will then receive a summary of rights under the Fair Credit Reporting Act (FCRA ), and the background check will begin. The third party consumer reporting agency will provide the background check results to HR. HR will review the background check' results to determine whether the candidate meets the criteria for the position. HR will notify the hiring authority of the results of the background check. Costs associated with criminal background checks will be charged to the hiring unit. *[rev. 11-12, 12-14, 3-18]*

**B-3. Contingent Offer of Employment.** If circumstances require that a job offer be made prior to the completion of the background check, the hiring unit must use the approved contingent offer letter template found on the HR website, which includes the following language: "This offer is contingent upon the completion of a satisfactory criminal background investigation and other pre-employment requirements." Although a contingent offer may be made, the employee may not begin work in any capacity, including attending orientations for the unit or University, without a completed satisfactory background investigation and other pre-employment paperwork. *[rev. 3-18]*

**B-4. Prior Criminal Background Check Qualifies.** If a candidate is being rehired or reappointed into the same position, has previously met the background check requirement for that position, and the break in service is less than one year, the background check requirement may be waived at the discretion of the senior HR executive, or designee. *[rev. 10-07, 11-12, 3-18]*

**B-5. Day Care Centers Must Comply with I.C. § 39-1105.** This procedure does not apply to employees or volunteers at day care centers who have direct contact with children. These individuals are subject to the criminal history check procedures set forth in I.C. § 39-1105, which are conducted by the day care centers in conjunction with the appropriate state agencies. *[ed. 3-18]*

**B-6. UI College of Agricultural and Life Sciences Unique Requirements.** The University's College of Agricultural and Life Sciences (CALs) has implemented additional criminal background check procedures for volunteers who have significant contact with minors. Students and volunteers of CALs may be subject to additional screening requirements pursuant to those procedures. *[rev. 10-07, 3-18 ed. 11-12]*

**B-7. J-1 Scholars and Exceptions.** J-1 scholars are visiting temporary workers here by invitation to perform specialized work. The Department of Homeland Security performs background checks on all J-1 scholars. Therefore, these temporary workers are exempt from the requirements of this procedure. Senior HR executive, or designee, may provide exemptions for other employees in similar situations. *[add. 3-18]*

**C. Procedures for Criminal Background Checks for Security Purposes.** If senior HR executive, or designee has reasonable grounds to believe that an employee or volunteer represents an immediate threat to the safety and security of the UI community, HR may conduct a criminal background check through the Idaho State Police or other appropriate agency. The written authorization of the employee to conduct this check will be obtained in most cases. However, in certain circumstances, it may not be possible or feasible to obtain written authorization. In those cases, a limited background check may be performed through the Idaho State Police or other appropriate agency. Any information obtained through this process will be used solely for the purpose of maintaining the safety and security of the UI community, and will be shared strictly on a "need to know" basis. *[ed. 11-12, rev. 3-18]*

## **D. Results of Criminal Background Checks.**

Applicants New to UI: If the criminal background check identifies convictions, with the exception of D-1 below, determinations of fitness for employment will be made by Human Resources in consultation with appropriate hiring authority when applicable based on the nature and details of the conviction, date of the conviction, how the crime relates to the job in question, evidence of rehabilitation, and other relevant factors. *[rev. 3-18]*

Current Employees: When a current employee with convictions is considered for changes in position, transfers, or promotions, the senior HR executive, or designee, in consultation with the appropriate hiring authority, will determine whether to exclude the candidate. *[rev. 3-18]*

If, pursuant to this procedure, a criminal background check is conducted on a current employee and an event is uncovered that was not previously considered, UI may initiate personnel action against the employee. In these cases, the senior HR executive, or designee, in consultation with the Risk Management Officer and other applicable personnel, will determine what action, if any, should be taken. The senior HR executive, or designee may ask the employee for a written explanation of the offense(s). *[rev. 11-12, 3-18]*

**D-1. Disqualifying Employment Convictions.** A record of any of the following convictions will generally result in automatic exclusion of the candidate or termination of a current employee: *[rev. 3-18]*

- i) Conviction of any crime against a child or vulnerable adult (including but not limited to child abuse, abandonment, neglect, and statutory rape);
- ii) Conviction of any crime of violence;
- iii) Conviction of any crime of a sexual nature, including but not limited to lewd conduct, sexual battery, sexual exploitation, rape, and statutory rape;
- iv) Conviction of any crime involving unlawful use or possession of a weapon or firearm. *[ed. 11-12]*

**D-2. "Conviction" Defined.** For purposes of this procedure, the term "conviction" will be interpreted broadly and will include pleas of no contest, deferred adjudications, and similar dispositions. If a criminal history report indicates pending criminal charges that, if a conviction

resulted, would result in exclusion from employment, the candidate will be excluded from employment until final disposition of the charges. *[ed. 3-18]*

## **E. Communication of Results and Employee Rights**

**E-1. Consumer Reporting Agency.** Procedures when the report has been provided by a consumer reporting agency (e.g., Verified Credentials). *[ed. 12-14, 3-18]*

- i) If a determination has been made that a candidate should be excluded, or that adverse action should be taken against a current employee, based on an unsatisfactory criminal background check, HR shall, prior to taking any adverse action against the individual, provide a Pre-Adverse Action Disclosure that (1) notifies the individual in writing of the unsatisfactory result, (2) provides the candidate or employee with a copy of the report, and (3) provides the candidate or employee with a written description of his or her rights under the Fair Credit Reporting Act.
- ii) After the adverse action has been taken, HR will provide the candidate with an Adverse Action Notice, which includes (1) the name, address, and phone number of the consumer reporting agency that supplied the report, (2) a statement that the consumer reporting agency that supplied the report did not make the decision regarding the adverse action and cannot provide the reasons for the adverse action, and (3) a notice of the individual's right to dispute the accuracy or completeness of any information the agency has furnished, and his or her right to an additional free consumer report from the agency upon request within 60 days.
- iii) A candidate or employee who has received an initial unsatisfactory result and who has sought correction of his or her report under the Fair Credit Reporting Act is not eligible for a listed position until the senior HR executive, or designee has confirmed the correction and determined that the result is satisfactory. The UI has no obligation to hold a position open to allow a candidate or employee to correct his or her report. *[ed. 11-12, 3-18]*

**E-2. Government Reporting Agency.** Procedures when the report has been provided by a governmental agency (e.g., Idaho State Police).

- i) If a decision has been made to exclude a candidate, or initiate action against a current employee, based on an unsatisfactory background check, HR shall (1) notify the individual in writing of the unsatisfactory result, and (2) provide the candidate or employee with a copy of the report.

**F. Record Keeping.** Criminal history information collected under this procedure shall be kept electronically with the third party vendor or in accordance with record retention requirements (see APM [Chapter 65](#)). The information will be used solely for the purpose of maintaining the safety and security of the UI community and will be disclosed only as permitted or required by law. *[rev. 10-07, 11-12, 3-18]*

## 50.16 - Criminal Background Check Procedures

~~December 2014~~

Updated: February 20, 2018

**A. General.** Criminal background checks confirm an individual's suitability/fitness relative to the requirements of their employment or volunteer service at the University of Idaho (UI). ~~The~~

UI requires criminal background checks ~~on the successful candidate(s) for each faculty (including temporary faculty) and staff position recruitment, internal or external. Criminal background checks are also required prior to hiring a all non-student positions, graduate student appointees assistant, teaching assistant or research assistant, postdoctoral scholars, and temporary help positions (T1, T4, etc.).~~ UI also requires criminal background checks for ~~non-student hourly employees (temporaries), student workers, positions (ST/SF/SI), interns, and volunteers if their the~~ work will involve significant contact with minors ~~and also recommends checks for individuals considered for positions whereor~~ the hiring authority determines the work to be security-sensitive. ~~UI will conduct criminal~~ This list is not intended to be exhaustive. Questions on background check requirements should be directed to Human Resources (HR). [rev. 3-18]

The requirements of this procedure also apply to existing employees being considered for changes in position, transfers, and promotions. However, if an existing employee has a previous background checks on current employees as check on file with UI, and that background check is applicable to the change in position, transfer, or promotion, a new background check will not be required. A background check is not required for reclassifications and promotions (this does not apply to general faculty promotions in rank pursuant to FSH 3560 where the faculty promotion does not involve an internal or external search. Non-compliance of this policy will be communicated to the Office of General Counsel and the related Vice-President. [rev. 11-12, 12-14]

Non-compliance with this procedure will be communicated to the Office of General Counsel and the appropriate vice president.

**B. Procedures for Criminal Background Checks.** The ~~UI~~ University will conduct criminal background checks on the recommended candidate(s) for all positions listed in Section A. Hiring authorities must request criminal background checks for student positions (ST/SF/SI), interns, and volunteers if the work will involve contact with minors or the hiring authority determines the work to be security-sensitive. Security-sensitive work may

involve access to restricted facilities, resources, finances, data, confidential information, or research (as determined by the hiring authority). [rev. 3-18]

**B-1. Required Notification of Criminal Background Checks.** All advertisements, notices, and postings for positions listed ~~as requiring a background check within Section A~~ must state: "This position is subject to the successful completion of a criminal background check." ~~Successful candidates for these positions will be offered the position contingent on a satisfactory criminal background check.~~ No candidate for a position ~~requiring a background check~~ listed in Section A shall commence employment until a satisfactory criminal background check has been received ~~by HR.~~ Any offers associated with these positions must be made contingent on a satisfactory criminal background check. [rev. 3-18]

For student (ST/SF/SI), intern, and volunteer positions ~~and other positions~~ for which a search was not necessary or was waived, the hiring authority will ~~notify the individual in writing~~ provide the candidate/volunteer with written notice of the criminal ~~history~~ background check requirement prior to offering the position. The candidate/volunteer can only be offered the position contingent on a satisfactory criminal background check. The candidate/volunteer must not begin work or begin the new responsibilities until a satisfactory ~~results are~~ criminal background check has been received by ~~Human Resources.~~ HR. [add. 10-07, ed. 11-12, rev. 3-18]

**B-2. Required Authorization for Criminal Background Check.** If a search ~~is run~~ runs through ~~PeopleAdmin~~ the UI online recruitment system, the criminal background check is initiated during the hiring proposal process. For hires outside ~~of PeopleAdmin,~~ contact HR by email at crimcheck@uidaho.edu to the online recruitment system, the hiring unit must submit a Department Request for Criminal Background Check via the on-line request afor background check ~~on.~~ The request shall include the final following information: candidate(s) ~~and include:~~ candidate(s) name, and email address, position title/~~position~~ action number, budget number, and job vacancy announcement number. ~~HireRight will contact the candidate(s) via unit.~~ The candidate will receive an email to initiate the background check. The candidate ~~submits his or her~~ must submit the required personal information at a secure website and electronically ~~sign~~ sign the Disclosure ~~to Consent form, and Authorization forms.~~ The candidate will then receive a summary of rights under the Fair Credit Reporting Act (FCRA). ~~Once the candidate has submitted his or her personal information and electronically signs the Disclosure), and Consent form,~~

the background check will begin. The third party consumer reporting agency will provide the background check results to HR. ~~Upon receipt of the information pertaining to HR will review~~ the background check; ~~HR determines if the individual results to determine whether the candidate~~ meets the criteria for the position ~~and~~ HR will notify the hiring authority ~~by email of the results of the background check~~. Costs associated with criminal background checks will be charged to the hiring unit. ~~\_- [rev. 11-12, 12-14, 3-18]~~

**B-3. Contingent Offer of Employment.** If circumstances require that a job offer be made ~~quickly to a candidate~~, prior to the completion of the background ~~investigation, the check, the hiring unit must use the approved contingent offer must be in writing and include letter template found on the HR website, which includes~~ the following ~~statement language~~: "This offer is contingent upon the completion of a satisfactory criminal background investigation;" ~~and other pre-employment requirements."~~ Although ~~the a contingent offer~~ may be made, the employee may not begin work in any capacity, including attending ~~New Employee Orientation, orientations~~ for the ~~unit or~~ University, ~~without a completed satisfactory background investigation; and other pre-employment paperwork.~~ ~~[rev. 3-18]~~

**B-4. Prior Criminal Background Check Qualifies.** If ~~the a~~ candidate ~~is being rehired or reappointed into the same position, has had a criminal background investigation completed by the UI within the last 13 months previously met the background check requirement for that position, and the results are satisfactory for the position for which s/he break in service is applying, a subsequent investigation less than one year, the background check requirement~~ may be waived at the discretion of the ~~senior Executive Director for HR executive, or designee~~ ~~human Resources or designee.~~ ~~\_- [rev. 10-07, 11-12, 3-18]~~

**B-5. Day Care Centers Must Comply with I.C. § 39-1105.** This ~~policy procedure~~ does not apply to employees or volunteers at day care centers who have direct contact with children. These individuals are subject to the criminal history check procedures set forth in I.C. § 39-1105, which are conducted by the day care centers in conjunction with the appropriate state agencies. ~~\_- [ed. 3-18]~~

**B-6. UI College of Agricultural and Life Sciences Unique Requirements.** The University's College of Agricultural and Life Sciences (CALs) has implemented ~~its own additional~~ criminal background check procedures for volunteers who have significant contact with minors. Students and volunteers of CALs may be subject

to additional screening requirements pursuant to those procedures.~~that policy~~ [rev. 10-07, 3-18 ed. 11-12]

**B-7. J-1 Scholars and Exceptions.** J-1 scholars are visiting temporary workers here by invitation to perform specialized work. The Department of Homeland Security performs background checks on all J-1 scholars. Therefore, these temporary workers are exempt from the requirements of this procedure. Senior HR executive, or designee, may provide exemptions for other employees in similar situations. [add. 3-18]

### **C. Procedures for Criminal Background Checks for Security Purposes.**

If senior HR executive, or designee~~the Executive Director for Human Resources~~ has reasonable grounds to believe that an employee or volunteer may represent~~represents~~ an immediate threat to the safety and security of the UI University community~~or to the public, s/he or designee~~, HR may conduct a criminal background check through the Idaho State Police or other appropriate agency. The written authorization of the employee to conduct this check will be obtained in most cases;~~however,~~ However, in certain circumstances, it may exist in which obtaining a written authorization is not be possible or feasible, in which case to obtain written authorization. In those cases, a limited background check may be performed through the Idaho State Police or other appropriate agency~~may be done~~. Any information obtained through this process will be used solely for the purpose of maintaining the safety and security of the UI community, and will be shared strictly on a "need to know" basis. [ed. 11-12, rev. 3-18]

### **D. Results of Criminal Background Checks.**

Applicants New to UI: If the criminal background check identifies convictions, with the exception of D-1 below, determinations of suitability~~fitness~~ for employment will be made by Human Resources in consultation with appropriate hiring authority when applicable based on ~~factors that include~~ the nature and details of the conviction, ~~the length of time that has passed since~~date of the conviction, how the crime relates to the job in question, evidence of rehabilitation, and other relevant factors. [rev. 3-18]

Current Employees: When a current employees with convictions are~~is~~ considered for ~~new positions or potentially reclassified or promoted into a security sensitive changes in position, transfers, or promotions,~~ the senior Executive Director for HR executive, Human Resources or designee, in consultation with the appropriate hiring authority, will determine whether to exclude the candidate. [rev. 3-18]

If, pursuant to this procedure, a criminal background check is conducted on a current employee and an event is uncovered that was not previously considered, UI may initiate potential personnel action against the employee. In these cases, the ~~Executive Director for senior HR executive, uman Resources~~ or designee, in consultation with the Risk Management Officer and ~~Unit Manager~~ other applicable personnel, will determine what ~~personnel~~ action, if any, should be taken. The ~~senior Executive Director for HR executive,~~ or designee ~~uman Resources~~ may ask the employee for a written explanation of the offense(s). ~~from the employee.~~ *[rev. 11-12, 3-18]*

**D-1. Disqualifying Employment Convictions.** ~~For positions involving significant contact with minors, a~~ record of any of the following convictions will generally result in automatic exclusion of the candidate or termination of a current employee: *[rev. 3-18]*

- i) Conviction of any crime against a child or vulnerable adult (including but not limited to child abuse, abandonment, neglect, and statutory rape);
- ii) Conviction of any crime of violence;
- iii) Conviction of any crime of a sexual nature, including but not limited to lewd conduct, sexual battery, sexual exploitation, rape, and statutory rape;
- iv) Conviction of any crime involving unlawful use or possession of a weapon or firearm. *[ed. 11-12]*

**D-2. "Convictions" Defined.** For purposes of this ~~policy~~ procedure, the term "conviction" will be interpreted broadly and will include pleas of no contest, deferred adjudications, and similar dispositions. If a criminal history report indicates pending criminal charges that, if a conviction resulted, would result in exclusion from employment, the candidate will be excluded from employment until final disposition of the charges. *[ed. 3-18]*

## **E. Communication of Results and Employee Rights**

**E-1. Consumer Reporting Agency.** Procedures when the report has been provided by a consumer reporting agency (e.g., Verified Credentials). ~~HireRight~~. *[ed. 12-14, 3-18]*

i) If a determination has been made that a candidate should be excluded, or that adverse action should be taken against a current employee, based on an unsatisfactory criminal background check, HR shall, prior to taking any adverse action against the individual, provide a Pre-Adverse Action Disclosure that (1) notifies the individual in writing of the unsatisfactory result, (2) provides the candidate or employee with a copy of the report, and (3) provides the candidate or employee with a written description of his or her rights under the Fair Credit Reporting Act.

ii) After the adverse action has been taken, HR will provide the candidate with an Adverse Action Notice, which includes (1) the name, address, and phone number of the consumer reporting agency that supplied the report; (2) a statement that the consumer reporting agency that supplied the report did not make the decision regarding the adverse action and cannot provide the reasons for the adverse action; and (3) a notice of the individual's right to dispute the accuracy or completeness of any information the agency has furnished, and his or her right to an additional free consumer report from the agency upon request within 60 days.

iii) A candidate or employee who has received an initial unsatisfactory result and who has sought correction of his or her report under the Fair Credit Reporting Act is not eligible for a listed position until the ~~senior Executive Director for HR executive, uman Resources~~ or designee has confirmed the correction and determined that the result is satisfactory. The ~~U~~niversity has no obligation to hold a position open to allow a candidate or employee to correct his or her report. [ed. 11-12, 3-18]

**E-2. Government Reporting Agency.** Procedures when the report has been provided by a governmental agency (e.g., Idaho State Police) ~~are as follows:-)~~.

i) If a decision has been made to exclude a candidate, or initiate action against a current employee, based on an unsatisfactory background check, HR shall (1) notify the individual in writing of the unsatisfactory result, and (2) provide the candidate or employee with a copy of the report.

**F. Record Keeping.** Criminal history information collected under this ~~policy~~procedure shall be kept electronically with the third party vendor or in accordance with record retention requirements (see APM Chapter 65). The information will be used solely for the purpose of maintaining the safety and security of the U~~niversity of Idaho~~ community and will be disclosed only as permitted or required by law. *[rev. 10-07, 11-12, 3-18]*

## **Summary of Changes for Criminal Background Check Procedures – APM 50.16 – March 6, 2018**

**The policy has been substantially re-written and does not show a redlined version. Below is a summary of changes we are trying to accomplish, although the proposed policy has been reorganized and rewritten to be easier to understand.**

### **A. General:**

- Requesting a criminal background check (CBC) be completed for all employees including temporary help; student employees (ST, SF) and volunteers if their work involves contact with minors or safety-sensitive functions. Questions regarding specific positions could be asked of HR to remove the need to specifically list every position in the APM. Requiring a CBC for all employees is the “norm” amongst Idaho Universities and recommended throughout HR profession. Recommending student and volunteer positions get a CBC if contact with minors or safety sensitive functions. The term “significant” is very confusing to departments and HR has been asked to provide clear guidance on what it means to have significant contact. Removing that terminology.
  - Note: Some departments currently require background checks for all employees. Those departments currently include: Facilities, Auxiliary Services, College of Natural Resources, University Research. Due to the security safety sensitive nature of the ITS positions, the large majority of the ITS positions also receive a CBC.
- Adjusted language to remove need for an employee who is changing positions due to a transfer, promotion, etc. (exception of general faculty) if the employee has previously had one completed with the UI.

### **B-2. Required Authorization for Criminal Background Check:**

- Updated language that referenced specific vendor names. Keeping the information less specific will reduce the need for future updates due to change in vendors.

### **B.4. Prior Criminal Background Check Qualifies**

- Requesting to update the requirements for ongoing employees who may have a break in service that would be no longer than one semester time period. This would generally apply to the temporary faculty that are appointed for specific terms and reappointed each year, which currently triggers a CBC based on the 13 month rule resulting in a large number of CBC requests. The change in the language would still require a CBC if there is a qualified break in service, but would eliminate the need for unnecessary CBC requests and meet the requests of the departments on this particular item.

### **B.7. J-1 Scholars and Exceptions**

- This section was added to document the current process in regard to J-1 Scholars. Due to the background check process with Department of Homeland Security, a UI background check policy is waived. This may also be true of other international employees.

### **D. Results of Criminal Background Checks:**

- Updated language to reflect the process and potential participants in the review if results of a CBC require further discussion and input prior to a final decision.

### **D-1. Disqualifying Employment Convictions:**

- Language changed as a result of concerns from General Counsel surrounding automatic exclusions. The proposed language more accurately reflects the review and assessment process in connection with the conviction, time period and job applied for.

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #21**

**3:30 p.m. - Tuesday, March 6, 2018  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #20, February 27, 2018 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

**VI. Committee Reports.**

**Graduate Council (vote)**

- **FS-18-038 – FSH 1565 H – Graduate Assistants (McMurtry)**

**VII. Special Orders.**

- Academic Strategic Steering Committee (Hendricks)
- PERSI/ORP (Brandt)
- Non-tenure Track Faculty (Brandt)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #14  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #20, Tuesday, February 27, 2018**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Baird, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Foster, Ellison, Grieb, Howard, Hrdlicka (chair), Jeffery, Johnson, Kern (Coeur d'Alene), Leonor, Mahoney, Morgan, Morrison, Nicotra, Panttaja, Schwarzlaender, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote). **Absent:** Zhao (Idaho Falls). **Guests:** 11

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Foster/Anderson) to approve the minutes was made. A senator requested that the first sentence in the second full paragraph after the provost report be amended as follows: "A senator urged that the faculty senate ~~seek to~~ be included in the discussion about reorganization of colleges and departments." Another senator requested that the last two sentences of the same paragraph be amended as follows: "She believes that such mergers would endanger faculty and staff morale and that faculty and staff would leave the university. She encouraged the administration to approach the issues strategically consistent with the strategic plan." The secretary accepted these suggestions as friendly amendments. The amended minutes were approved with one abstention.

**Chair's Report:**

- General Curriculum Report #292 is [available](#). Petitions seeking further review of curriculum changes covered by the report are due to the Chair of Faculty Senate, [hrdlicka@uidaho.edu](mailto:hrdlicka@uidaho.edu), by March 1, 2018.
- General Policy Report # 66 is [available](#). Petitions seeking further review of policy changes covered by the report are due to the Chair of Faculty Senate, [hrdlicka@uidaho.edu](mailto:hrdlicka@uidaho.edu), by March 6, 2018.

**Provost Report:** The Provost apologized that he was not able to attend the meeting last week. He was presenting at a conference dealing with university facilities and risk management issues. Based on the reports he has received from the meeting, he expressed his disappointment at the conversation. He pointed out that he has been raising the issue of college restructuring since the beginning of the semester. He discussed his approach to the issue at length at the February 6, 2017 senate meeting and shared a memo detailing his approach with the university community the following week. His perception is that despite these efforts at communication, many senators seemed surprised that restructuring is being considered and worried that such substantial changes should not be driven by a financial crisis. The provost stressed that our current situation is not a crisis. The university must reduce its base budget by 1-2%. He stressed that the institution has enough time to make strategic changes and avoid across-the-board cuts. He reminded senators that the deans were asked to brainstorm possible ideas to address the university's financial situation. One suggestion offered by the provost for their consideration is that administrative costs might be reduced by considering restructuring. He pointed out that we are at the upper end of the number of colleges for the size of our institution. But, he stressed that there is no pre-existing plan by the administration to reorganize colleges or to undermine faculty voices in this process. He intends to bring the proposals to Faculty Senate and to the university community as a whole. The deans have forwarded their ideas to him. He has not had the opportunity to digest the ideas or to discuss them with the president. If he and the president decide that some of the ideas warrant further development into concrete proposals, he plans to forward them to a university-wide committee and seek input across the campus. He hopes that we do not approach these issues from a defensive posture, but instead consider the good of the institution. He stressed that while the financial situation and open dean's positions may have prompted the current discussion, the best interests of the institution should be the prime consideration.

A senator commented that he did not have the same impression of last week's senate meeting as was conveyed to the provost. Another senator commented that he was reflecting the worries he has heard from the faculty he represents. His intent was to ensure that the university's approach to these issues is on the record. Another senator commented that many of the questions at last week's meeting were seeking additional information to clarify the process and its goals. The provost responded that he had answered such questions during his

presentation two weeks earlier and through his campus-wide letter. He also elaborated that he understands that some of the current doubt and worry arises from faculty experience of past administrative practices. He realizes that faculty and staff have not always been consulted in a meaningful way. He also understands that many demands are being made on faculty and staff who are busy and tired. He pointed to his collaborative approach on issues such as market compensation and program prioritization. He assured senators that one of the things he considers positive is that “we are in this together.” The administration is not using top down approaches, but instead is engaging in a pro-active planning process. He stressed that part of our job as senators is to attempt to stop the rumors.

A senator asked for clarification on the timeline for considering changes? The provost explained that he has not developed a specific timeline because it has not been clear what proposals would be developed by the deans and whether any of the proposals would move forward. He expects to report back to the campus in the next two weeks regarding the recommendations he and the president have regarding the deans’ report. He expects to get input from the deans and from faculty senate leadership and to then convene a university-wide committee to evaluate the proposal(s). He envisions that the university committee would finish its initial work by the end of spring semester so that faculty and staff would not be left with uncertainty over the summer. He acknowledged that the details of any reorganization proposal that emerges from this process may not be fully worked out by the end of the semester. He expects that if we decide to pursue one of the proposals, we will pick it up in the fall and finalize it at that time. Finally, the provost commented that the uneven resource allocations among the different colleges must be corrected. Such a correction could come from mergers or reallocations. In either case, we must provide the resources necessary for the colleges to carry out their responsibilities.

A senator commented the faculty in his college met and developed ideas to address the current financial needs of the university. He asked whether there would be an opportunity to provide additional ideas for consideration in the process described by the provost. The provost thought this was a valuable suggestion and indicated his office would develop an approach for submitting such ideas and would communicate about this to the campus community.

A senator suggested that the Faculty Senate be actively involved in the decision-making process. The provost commented that the reorganization issues being discussed involve a mix of policy and administration. He stated that senate has a lot of control over policy. The president and provost cannot make a unilateral decision to remove policy from the Faculty-Staff Handbook. However, with regard to administrative affairs, the role of the senate is consultative. In the end the decision about restructuring is at the president’s discretion. He stressed that his practice has been, and will continue to be, to consider faculty views and input; if faculty vehemently oppose a course of conduct, it is not going to be effective. The faculty secretary reminded senators that the Faculty-Staff Handbook does not contain specific policy regarding mergers of colleges and reorganization. She also offered her view that the senate cannot take the place of the university-wide committee envisioned by the provost. The senate does not have enough representation of staff and students. It also does not have enough representation from the colleges that may be most affected. A senator requested that students also be included in the process at the appropriate time. The provost pointed out that the State Board of Education (SBOE) has policy with which the university must comply. For example, at the time the College of Art and Architecture was reinstated after having been combined with the College of Letters Arts and Social Sciences, the SBOE made clear that the elimination of the college should have been approved through the SBOE process for approving new programs.

Mike Anderson, pointed out that if a reorganization proposal goes through the program approval process, it would have to come to senate for a vote.

Finally, leaving the topic of college mergers, the provost reported that a search will be initiated before spring break for a new Ombuds. Pursuant to *Faculty-Staff Handbook* 3080, the search committee should be comprised of two staff members, two faculty members designated by senate leadership and two students (one graduate,

one undergraduate). The provost encouraged senators to submit nominations to Brenda Helbling ([bhelbling@uidaho.edu](mailto:bhelbling@uidaho.edu)) in the President's Office who will be coordinating the search.

**Amy Taylor Director of the [Center for Disability Access and Resources](#).** In addition to Director Taylor, Teresa Davi, Testing and Note-taking Coordinator, and Leslie Gwartney, Raven Scholars Coordinator, were also at the meeting. Taylor explained that she is relatively new to the University of Idaho. Since arriving, she has been impressed by the level of support offered by faculty and staff to students with disabilities. She has a broad base of prior experience in K-12 education and the private sector, as well as in higher education. She is also an alum. Taylor explained that the center keeps the medical documentation demonstrating disability and confidentially assigns accommodations to students based on need. The center is the entity within UI designated to ensure that the university is in compliance with Americans with Disability Act rules and with other accessibility standards for students. The center also works to provide equal access to all aspects of the university. They provide testing support, note-taking, C-print captioning services, ASL interpreting services, assistive technology equipment loans, and an assistive technology lab for students. The Raven Scholars Program focuses particularly on supporting students on the autism spectrum. Taylor also commented that the center provides education and outreach to faculty and staff. She hopes to expand and improve these services. Finally, the center provides a link to the larger disability community. They also attend recruitment events for students with disabilities, work with special education teachers and with parents who have heard that UI is a disability-friendly institution. They coordinate with admissions as well as with external advocacy agencies and vocational education organizations.

Since she has joined the university, the center has gone through a relocation and a name change. The new location is in the Pitman Center. This location change has enabled the center to increase the size and improve the quality of its testing environment. It has expanded the number and types of rooms available and is able to provide better on-site support. In addition, the testing facility is more private and secure for students. The main office for the center is on the main floor of Pitman and has provided the center with great visibility. Students and their families coming to the Welcome Center see the office and often stop in to ask about services. The name change is consistent with the movement in education to focus more on access than on disability. The idea is to send a more inclusive message. The center is not just about supporting individual students who will fail without support. Rather, the new name reflects that disability access is a campus-wide issue for which resources should be prioritized.

Leslie Gwartney familiarized senate with the [Raven Scholars Program](#). This is a supportive transition program for students on the autism spectrum. Each student meets weekly with an advisor from the program who assists the student with planning, setting agendas and other needs. The program also sponsors a social support network for participating students with the assistance of students in an advanced psychology class. Teresa Davey explained the testing and note-taking programs. These are stand-alone programs. Note-taking provides a secure way for students to access class notes. The testing program provides a range of different resources including private space, reduced distraction space, and supervision of extended time for exams. The program is committed to maintaining the integrity of exams. Davey commented that the new testing center seems to meet students' needs by reducing stigma (test takers are not visible to by-passers), and because it is a more calm and quiet space. In addition, the new space is significantly more secure.

Taylor noted that the [policies and procedures for faculty](#) on the testing process are available online as is detailed information about the [note-taking program](#).

A senator asked whether the services of the center are available to faculty. Taylor explained that the center could provide interpreters and similar services that assist students in accessing classes and programs. Faculty who need individual accommodation should contact Human Resources.

A senator asked whether the center provides services that may assist students so they no longer need accommodation. Taylor explained that disability support has moved away from a medical model that focuses

on treating and curing disabilities. The approach now is focused on social justice issues – how do we support disabled students. The center only provides necessary support. The process of assigning accommodations considers the student's needs and is reevaluated if the student's symptoms change. In addition, students are offered supportive counselling and referred to other services when appropriate such as the Counseling and Testing Center. The faculty member followed up with a different question. He has worked with students to come up with unique accommodations in response to limits at the center (such as the 8-5 work days) and asked whether this was permissible. Taylor responded that if the student is comfortable with the accommodation, then such unique accommodations do not violate any policy or rule. Finally, he requested that faculty be notified when student accommodations involve unusual situations. He gave the example of a student who knits in class. It would be helpful for a faculty member to know whether this was part of the student's accommodation. Taylor commented that these types of notifications may be appropriate. She will consider adding such notifications and thanked the senator saying she appreciated and wanted this type of feedback.

Taylor closed her presentation stating that so far, this spring semester 276 students have been assigned accommodations. The total number of accommodated students this year is 682. Nationally 11% of college students receive accommodations. At UI, 6% of students receive accommodations. Taylor believes there are many unaccommodated disabled students in our student population. She hopes and expects that accommodations will increase as the center builds a positive reputation.

**Brian Foisy, Vice President for Finance and Administration** provided an overview and update regarding university finances. Foisy stressed three major points.

First, the university must address a projected \$2-4 million budget gap, starting FY19. This gap is driven by several different factors. First, the institution has a \$2 million tuition shortfall. The university has had a tuition shortfall in 8 of the last 9 years. Each year the university budgets for tuition are based on expected enrollment. We experience a shortfall when actual tuition income is less than our projected tuition income. The university has not passed this shortfall on to colleges and other units. The strategy has been to absorb the shortfall centrally to keep wind in the instructional sails, while working to increase enrollment. Our enrollment of full time, resident, undergraduate students has been steadily declining. The shortfall in tuition is also influenced by a number of factors in addition to the size of the student body. The mix of students in a given year (in-state vs. out-of-state, dual-credit vs. full-time freshmen, graduate vs. undergraduate, etc.) can cause significant swings in the revenue from tuition. In addition, as significant programmatic events occur, the administration attempts to account for these changes in the enrollment projections. Estimates based on programmatic changes are not always fully realized. For example, we initiated the Navitas program to attract and support international students. It is getting off to a successful start, but its enrollment is lower than anticipated because of the current political climate. Foisy stressed that the news is not all bad. It appears that the decline in full-time undergraduate resident students may be bottoming out. Our spring semester enrollment this year has shown a significant increase. However, we have reached a point where we must address the shortfall. Going forward, expected tuition revenues will be budgeted more conservatively so that the problem is not perpetuated.

In addition to the tuition shortfall, the legislature is in the process of indirectly reducing our budget. This is because it is reducing health benefit funding for state agencies including the university. Many of these agencies have a surplus so the reduction is not going to result in a reduction of benefits. However, this reduction will create a budget shortfall for the university of approximately \$1.5 million. The state has authorized a one-time, bridging amount of \$1.3 million to assist in managing this shortfall. However, this funding will likely not continue past 2019.

Finally, the legislature also made the decision to stop holding the various education institutions harmless against declining enrollment. In recent years, the state has not reduced its allocation of resources based on the "enrollment workload adjustment" (EWA) (the calculation used to appropriate resources based on enrollment)

even where enrollment declined. Rather it has only used the EWA to increase resources in response to enrollment increases. The change in this policy will cost the university approximately \$355,000.

Together these budget issues, the structural tuition shortfall, unfunded insurance obligation, and decreased EWA allocation, are projected to result in the estimated \$2-4 million budget shortfall.

Foisy's second point was that the current shortfall is not a crisis – the sky is not falling. The total shortfall amounts to 1-2% of the university's budget. In addition, there is about \$25 million in general education carryforward budgets across the university. A significant proportion of this carryforward funding is already encumbered or committed. If we do not address the issue through a planning process, then we might need to ask departments to return carryforward funds to balance the budget. Eventually the university would be in a crisis situation.

Foisy's final point was that although there is some urgency to begin the planning process, we have time for reasoned conversation. This year the structural shortfall in tuition revenues has been covered by carryforward funds in the provost and enrollment management areas. However, the university must begin the planning for how to respond to this situation now so that we have time to implement solutions for FY19 and FY20. For FY19, it is already too late to implement some solutions and the possible approaches to balance the budget will be limited. We have much more flexibility to determine how we can balance the budget after FY19. These solutions should be in place by March 2019.

Foisy is assembling a university-wide committee comprised of department chairs, associate deans, deans and other administrators, to recommend budget practices that will be sustainable in the long run. Our current practice of allowing units to carry forward unspent general education funds, without considering whether the institution has collected enough money to meet budgeted expenses, is not sustainable. The institution needs to develop new budget practices that consider both expenses and revenues, before authorizing carryforward of unspent general education funds. We need a process to identify monies appropriately and to encourage responsible management for the good of the entire institution. Foisy also stated that as a service-based organization there are few ways to address budget challenges without looking at salaries and benefits. The university must look to unspent resources and open positions, because there isn't any flex in other aspects of the budget.

A senator commented that he recently spent three hours discussing these issues with senior colleagues. He urged senators to communicate what we are hearing to our constituents to help dispel misconceptions.

A senator asked whether the only realistic base budget solution is attrition of vacancies. Foisy responded that such an approach probably would not be utilized extensively for FY19. However, he suggested that beyond FY19, some kind of attrition-based solution is probably going to be required. He emphasized that the issues have not yet been discussed by the committee. He is hopeful that natural attrition and strategic implementation of new budget processes, will alleviate the need for elimination of positions. Foisy also commented that the university has some unfortunate experience where units were quick to offer up their base operational budget to preserve all faculty and staff lines. This approach is not sustainable as it leaves the unit with no operating funds.

A senator thanked Foisy for the detailed report. He pointed out that some of the general education carryforward funds are salary savings made possible because of grant funding. He asked how feedback and ideas could be communicated to the committee. Foisy responded that, in addition to himself, there are three key finance staff supporting this effort -- Budget Director Trina Mahoney, Controller Linda Campos and Academic Budget Officer Kim Salisbury. He encouraged senators to contact any of them with feedback and ideas.

A senator asked whether our external auditor should have identified the structural tuition shortfall. Foisy responded that this isn't the sort of issue that an auditor would address. There is nothing inherently wrong with using reserves as long as they don't go below zero. Nonetheless, the problem has been the subject of comment by external auditors and rating agencies. They have told the university that we have no additional debt capacity, at our current strong rating, if our enrollment does not increase. This is because by spending our reserves, we are decreasing our ability to continue servicing our debt. Another senator asked whether the university is required to have a minimum reserve of 5%. Foisy explained that the SBOE has officially added a minimum reserve requirement to board policy. The SBOE does not take into consideration where the reserve funds are held within the institution. The university can look to the total unrestricted funds to calculate its reserve. Based on a conservative estimate of our unrestricted funds, the university has a 5.02% reserve balance.

**Report of the Committee on Committees.** Miranda Anderson, Chair of the Committee and Vice Chair of Senate presented the report. The Committee on Committees recommends that the structure of the Americans with Disabilities Committee be changed to update the titles of some committee members and to add the Director of the Counselling and Testing Center or designee to the list of committee members. The proposal coming as a seconded motion was approved unanimously.

Prior to adjournment a senator requested an update on the Public Safety Office. The provost reported that the position of the director is open and anticipated to be filled and that some restructuring was taking place. He assured senators that the office is not being eliminated.

The provost then took the opportunity to congratulate the Lionel Hampton School of Music on another successful Jazz Festival.

**Adjournment:** The business of the meeting having been completed, the meeting was adjourned (Panttaja Anderson) at 5:07.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate



## 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]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** Chapter one: FSH 1565 H.

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** \_\_\_\_\_

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** Jerry McMurtry 1/18/2018  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** 885-6245 mcmurtry@uidaho.edu

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_  
 Name Date  
**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.  
 The new support category allows for the support of graduate students who are not aligned directly with the responsibilities of a teaching or research assistant. The addition of the term "graduate" in front of the title is simply to more clearly define the persons involved and differentiate from undergraduate assistants. Graduate Council approved on Oct. 18, 2017.
- II. Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?  
 n/a
- 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]

*APM*

F&A Appr.: \_\_\_\_\_  
 [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)

## FSH1565 - ACADEMIC RANKS AND RESPONSIBILITIES

**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. In July 2013 definitions for research and teaching assistants were more clearly defined. In January 2014 the time necessary to qualify for Emeritus status was redefined and in July 2014 the cap on non-tenure track faculty appointments in a unit was adjusted and promotion processes clarified and revised. 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, 7-13, 7-14]

**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:** The general nature of the following graduate assistantships is defined as an apprenticeship experience that consists of a work obligation partnered with educational and developmental activities, all of which are integrated with the graduate degree program of the student. All graduate assistants must be individually mentored by a faculty advisor and may receive additional mentoring from other faculty and/or staff on campus. All graduate assistant positions (H-2. a, b, c) are limited to twenty hours per week of work. All graduate student appointees must be academically qualified and registered. [See also 3080 D-2-a.]

**a. Graduate Teaching Assistant.** Graduate Teaching Assistants perform duties related to the instructional efforts of the unit in which they are employed under the supervision of a member of the university faculty, associated faculty, or temporary faculty (see FSH 1565 D, F, and G). These duties, which must be associated with academic credit instruction and constitute at least 50 percent of a Teaching Assistant's effort, may include, but not be limited to: primary teaching responsibilities; grading assignments; assisting with the delivery of instruction through technology; and providing other assistance related to instruction. [ed. 1-10, rev. 7-13]

**b. Graduate Research Assistant.** Graduate Research Assistants develop competence in performing professional-level work in support of research, scholarship, or creative activity. These positions can only have duties within the scope of work permitted by the funding source. [ed. 1-10, rev. 7-13]

**c. Graduate Support Assistant.** Graduate Support Assistants perform a wide-range of duties and can have varying responsibilities in academic and non-academic campus departments and programs. The specific duties depend on the needs of the office or project and on the qualifications and experiences of the Graduate Support Assistant. Graduate Support Assistants may provide academic and/or non-academic instruction, and/or assist with research, or provide other support functions. The duties must be directly related to the Graduate Support Assistant's program of study. The College of Graduate Studies shall periodically publish standards governing the permissible scope of Graduate Support Assistant appointments on its website.

**Commented [BE(1)]:** If these Support Assistants can provide academic instruction, why aren't they TA's? This seems to be open for confusion and potential abuse.

**Commented [BE(2)]:** Same question. If they are assisting with research why aren't they RAs?

# Potential Issues w/ Rejoining PERSI

- What would be the terms of rejoining PERSI? We did not support PERSI as the only retirement option.
  - Would PERSI be the only retirement option and all would rejoin?
  - Would employees have a choice to rejoin?
  - If there is a choice would it be for all ORP members or just for new employees?
- Would offering an option for PERSI participation be revenue neutral to UI? We believe any change must be revenue neutral.
- Would favorable rates with ORP providers (TIAA & VALIC) be jeopardized if participants can leave for PERSI?

# Ending ORP Subsidy of PERSI

	<b>ORP Four Year Colleges (IC 33-107A)</b>	<b>PERSI for General members (IDAPA 59.01.03.026)</b>	<b>ORP Community Colleges &amp; Tech Ed (IC 33-107B)</b>
<b>Institutional contribution</b>	9.35%*	11.32%	11.32% * (started as 7.81% but increased on 7-1-11 to equal the PERSI rate)
<b>PERSI Subsidy Phase I</b>	3.83% from 07-01-1990 to 07-01-2007	0	3.83% from 07-01-1997 to 07-01- 2011
<b>PERSI Subsidy Phase II</b>	1.49% after 07-01-2007 to 07-01-2025	0	0
<b>Participant contribution</b>	6.97%	6.79%	6.97%
<b>Total 2018 retirement contrib./employee</b>	17.81%	18.11%	18.29%
<b>Total 2018 direct benefit to employee</b>	16.32% (17.81% - 1.49%)	18.11%	18.29%

\*Idaho Code 33-107A and 33-107B state that the contribution is less at least .5% for a total disability plan. The amount of the total disability reduction varies from institution to institution. At UI the reduction is .8%. PERSI participants are eligible for disability through PERSI. I have used the total amount (pension plus disability) on this chart because this total is most comparable to PERSI.

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #20**

**3:30 p.m. - Tuesday, February 27, 2018  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #19, February 20, 2018 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

- Center for Disability Access and Resources (Taylor)
- University Finances (Foisy)

**VI. Committee Reports.**

**Committee on Committees (vote)**

- **FS-18-049: FSH 1640.10** – Americans with Disabilities Act Advisory Committee (Anderson)

**VII. Special Orders.**

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #19  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #19, Tuesday, February 20, 2018**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Baird, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Foster, Ellison, Grieb, Howard, Hrdlicka, Jeffrey, Johnson, Kern (Coeur d'Alene), Leonor, Mahoney, Morgan, Morrison, Nicotra, Panttaja, Schwarzlaender, Seamon, Stevenson (for Wiencek w/o vote), Tibbals, Vella, Watson, Zhao (Idaho Falls). **Absent:** Wiencek, **Guests:** 9

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Morrison/Mahoney) to approve the minutes was made. An editorial correction to the minutes was pointed out by a senator. The corrected minutes were approved with 2 abstentions.

Before the business for the meeting began, a senator pointed out the crowded seating arrangement and asked senate leadership to address the shortage of seating. The chair agreed to look into creating additional seating.

**Chair's Report:**

- The chair reminded senators that the Lionel Hampton Jazz Festival will be underway on campus on February 23 and 24. Information is available on the [Jazz Festival website](#).
- General Curriculum Report #292 is [available](#). Petitions seeking further review of curriculum changes covered by the report are due to the Chair of Faculty Senate, [hrdlicka@uidaho.edu](mailto:hrdlicka@uidaho.edu), by March 1, 2018.
- General Policy Report # 66 is [available](#). Petitions seeking further review of policy changes covered by the report are due to the Chair of Faculty Senate, [hrdlicka@uidaho.edu](mailto:hrdlicka@uidaho.edu), by March 6, 2018.

**Provost Report:** Vice Provost Jeanne Stevenson attended the meeting on behalf of Provost Wiencek, who was at a conference. She did not have any announcements or communications. Before moving to the business of the meeting, a number of senators had questions for Vice Provost Stevenson.

A senator urged that the faculty senate be included in the discussion about reorganization of colleges and departments. Secretary Brandt informed the senate that the provost had asked the faculty secretary's office to determine what university policy requires regarding college and departmental reorganizations and how such matters had been treated in the past. The university does not have written policies governing such reorganizations. It is not clear whether the senate was consulted the last time the university underwent college reorganizations. The chair added that his understanding is that the provost plans to involve senate and key faculty leaders from the affected colleges in the conversation. A senator commented on some of the discussion in her college and stated that certain combinations would create very large colleges that might swamp other colleges on campus. She believes that such mergers would endanger faculty and staff morale and that faculty and staff would leave the university. She encouraged the administration to approach the issues consistent with the strategic plan. Another senator commented that reorganizations would not only affect faculty, but also would affect staff. He urged that staff be consulted as part of the process.

The chair reminded senators that, at this point, the issue has been delegated to the deans. They have been charged with examining the possibilities and developing proposals. To date, the deans have not reported on any possible proposals and no decisions have been made. Another senator asked whether it would be appropriate to propose policy setting forth the process for faculty consultation, and whether the provost would support such a policy. Brandt commented that she believes the provost would welcome a resolution urging faculty input. She expressed doubt that the process for such considerations had been worked out enough to articulate a formal policy at this time.

A senator asked for accurate information on the goals of the reorganization. Is the university considering college reorganizations to address the current budget gap? If so, he wondered whether such reorganization

would result in cost savings. He urged the provost to articulate the goals of the process more clearly. Vice Provost Stevenson commented that the vice presidents believe the budget shortfall must be addressed so that the university can move forward to accomplish its strategic goals. Chair Hrdlicka stated that Vice President Foisy will be presenting to senate on February 27.

The consensus of senators seemed to be that faculty are nervous, some are upset, and that rumors are rampant. They urged that senate become involved in the reorganization process. Brandt encouraged senators to stay engaged, but to be careful not to fuel rumors.

On a different matter, a senator asked whether the Office of Public Safety was being eliminated. Stevenson did not have information on this office. Brandt replied that senate leadership plans to ask the provost about the status of the office at our meeting on Thursday.

**Faculty Compensation Taskforce Report:** Chair Hrdlicka, who also co-chairs the taskforce, gave the report. He summarized the activities and recommendations of the taskforce, and the administrative implementation of the new market-based compensation process for the recent mid-year salary adjustments. He pointed out that the adjustments had resulted in a distribution of ~\$700k, bringing UI faculty closer to market levels (from 89.6% to 90.8% of market).

Hrdlicka stated that the taskforce has received input that the starting target salary for full professor of 83% of market is too low and that 17 years in rank is too long to reach 100% of market. He explained that the longevity schedule was informed by data. The longevity range for full professors at the University of Idaho is from 0 to more than 35 years. On average, full professors have been in this rank for ~16 years. The approach implemented means that the target salary of full professors who meet expectations, will be 100% of market halfway through their time in rank, based purely on longevity factors. Hrdlicka indicated that he had advocated for the range for full professors to start slightly higher and reach 100% of market rate slightly faster, but this recommendation was not implemented.

Hrdlicka next stated that the taskforce had received several comments regarding the market rate definition for non-tenure track faculty such as instructors, senior instructors, clinical faculty and research faculty. A significant impediment to market rate determination for these faculty is that there is an insufficient number (or even lack of) data points for these ranks in the CUPA-HR and Oklahoma State databases, from which national market data are obtained.

As a stop-gap measure, to enable these faculty members to be considered for mid-year salary increases, the decision was made to define market rates for these ranks as follows: instructors - 65% of the market rate for an associate professor in the corresponding discipline (CIP); senior instructors - 70% of the market rate for an associate professor in the corresponding discipline (CIP); and clinical and research professors - 85% of the market rate for the corresponding tenure-track faculty member in the discipline (CIP). These selections are data-informed and based on current UI practices. Hrdlicka acknowledged that there is concern that these one-size fit all market rate definitions are not sufficiently nuanced and, in some cases, de-motivating. However, he pointed out that the choice confronting the university at the time was to make a data-informed decision, or to exclude non-tenure track faculty from the mid-year salary adjustment process. He also explained that another aspect of the difficulty confronting the taskforce was that the university's standards for clinical and research faculty are ambiguous and faculty in these ranks have a wide range of responsibilities. The suggestion has been made to give discretion to chairs and deans to define where on the spectrum of responsibilities individual non-tenure track faculty fall. The compensation taskforce has added non-tenure track faculty and is in the process of addressing these issues of non-tenure track faculty. Finally, Vice Chair Anderson pointed out that Faculty Senate, Faculty Affairs Committee, and the Provost Office are convening a taskforce to review university policies and definitions for non-tenure track faculty.

Finally, Hrdlicka stated that the current version of the market compensation model does not include a merit component. The mid-year salary adjustment process did not allow for consideration of merit-based salary increases. In consultation with the provost, the taskforce has decided not to parameterize merit within the compensation model (i.e., develop a formula that quantifies merit). However, merit will be a prominent component of future salary considerations. Current deliberations focus on how future available funding dollars are to be allocated between longevity and merit considerations. Prior to the mid-year salary adjustments, faculty salaries were approximately \$10M behind market levels and ~\$5M behind individual targets which only include longevity factors. One proposal is, therefore, to allocate ~50% of future funds toward merit and ~50% to longevity. However, Hrdlicka pointed out that deans and chairs might prefer a different allocation mix and reminded the senate that the taskforce only is an advisory body to the provost.

A senator commented that he appreciated the efforts of the president and provost to address salary issues and that he recognized the difficulties involved in the process. He was concerned that if full professors only start at 83% of market, the university would not be able to hire qualified mid-career faculty members. Hrdlicka explained that the market salary encompasses faculty who have just been promoted to the applicable rank and those that have been in the rank for over 30 years. It is unclear how prescriptive the longevity schedule will be for recruitment of new faculty members, but Hrdlicka reminded the senate that new hires potentially could be brought in above their target salaries on merit grounds.

The senator followed up stating that some faculty were not assigned appropriate CIP codes. His experience was that CIP codes were averaged and some of the codes that were included in the average were not justified. He commented that this is a problem for faculty working in interdisciplinary areas, or in joint appointments. He suggested that CIP codes should be tied to activities and not to degrees. Hrdlicka responded that the question of how to treat faculty who might fall into several different CIP codes is difficult. Department chairs raised equity concerns about having faculty in the same department with different market rates, making substantially different salaries because they were assigned disparate CIP codes. The senator further followed up arguing that the taskforce should have used a publicly accessible database such as Oklahoma State instead of relying primarily on a licensed database such as CUPA-HR. Hrdlicka responded that interested faculty may obtain CUPA-HR reports from the Executive Director of HR, Wes Matthews. Hrdlicka further noted that the provost likely would state that faculty should be assigned the CIP code that a replacement would fall under, if a department was to rehire for the position. Brandt suggested that the problems of appropriate CIP codes should be raised with chairs and deans who often make the initial assignments. In addition, she suggested that moving forward, a process would need to be developed to raise and evaluate these types of issues.

Another senator thanked the taskforce for taking on a difficult process. Although he did not think the process was perfect, he appreciated the work and transparency of the taskforce and of the provost. He also commented that the documents provided to senate were helpful in understanding the process. He expressed the view that more needed to be done to address the issue of compression. He interpreted the data to mean that some faculty were actually worse off now than before the mid-year compensation increase was implemented because of problems with compression. Hrdlicka responded that no faculty members were worse off than before. He moreover pointed out that faculty members who were further away from their target salary received a larger salary increase and that faculty members who already were above 100% of their market rate. Those faculty at 100% or more of their market rate were not eligible for a mid-year salary increase. There only is a compression in the sense that fewer faculty members are very far off their (longevity) target salaries. He also pointed out that the longevity schedule was constructed to minimize compression between ranks in a discipline.

Another senator expressed the view that faculty should not focus on salary to the exclusion of other resources to support faculty work such as increasing the number of high quality graduate teaching assistants. Hrdlicka pointed out that the UBFC process had identified employee compensation as a top priority along with TA compensation. He went on to praise the university's new TA compensation system as a big achievement for the institution that will facilitate the recruitment of high quality graduate students. Several senators verbally

agreed while others strongly nodded in agreement. He also indicated that UBFC proposals soliciting funds to increase the number of TA's likely are forthcoming from COGS Dean Jerry McMurtry.

A senator commented that the market compensation system, for both faculty and staff, is very complex and that focused attention must be paid to fully understand how it works. The chair asked for a show of hands on how many senators had previously seen the F-CTF documents before the senate packet distribution? Noting the few hands raised seemed to suggest that this information was not shared/distributed as broadly as it should have been. Hrdlicka commented that the taskforce had not had the opportunity yet to hold an open forum. The disappointing show of hands indicates that communication could have been better.

**Benefits Advisory Group Report.** Faculty Secretary Brandt, who is a member of the Benefits Advisory Group, gave the report. Brandt reported that Human Resources is working on expanding the voluntary benefits program. Through this program, university employees would have the option to participate in a large group sponsored by one of the institution's benefits contractors and thereby be able to elect a number of additional benefits. Such benefits could include long-term care insurance, pet insurance, legal benefits, large purchase insurance and identity theft insurance. This program would have a single log in for employees. If the program is successful, the existing voluntary benefits program offered through AFLAC may be combined with the new program for common administration. Finally, Brandt reported that the university has been conducting a series of benefits audits. In the coming months, it will be embarking on an audit of eligibility under our health insurance program. Employees may be required to provide more information than normal about family relationships as part of this audit.

**Adjournment:** The business of the meeting having been completed the meeting was adjourned (Morrison/Tibbals) at 4:55.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate



# University of Idaho

## Center for Disability Access and Resources

The University of Idaho is committed to providing equal and integrated access for individuals with disabilities to all the academic, social, cultural, and recreational programs offered.

At the Center for Disability Access and Resources (CDAR), our goal is to provide services and support to ensure students are able to access and participate in the opportunities available at the University of Idaho.

Students are asked to notify CDAR as soon as possible to discuss disability-related concerns and needs. Call (208) 885-6307 or email [cdar@uidaho.edu](mailto:cdar@uidaho.edu).

### Services and Programs

- Campus Accessibility
- Alternate Text
- Assistive Technology
- Classroom Accommodations
- Housing Accommodations
- Sign Language Interpreters
- Testing Accommodations
- Notetaking
- C-Print Captioning
- Raven's Scholars Program for students on the autism spectrum
- Learning Disability & ADHD/ADD Services



#### Center for Disability Access and Resources

Bruce M. Pitman Center, Suite 127  
875 Perimeter Drive MS 4257  
Moscow, ID 83844-4257

**Phone:** 208-885-6307

**Fax:** 208-885-9404

**Email:** [cdar@uidaho.edu](mailto:cdar@uidaho.edu)

**Web:** [www.uidaho.edu/current-student/cdar](http://www.uidaho.edu/current-student/cdar)

## 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]

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

Minor Amendment

**Chapter & Title:** \_\_\_\_\_

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

Minor Amendment

**Chapter & Title:** \_\_\_\_\_

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):**

(Please see FSH 1460 C)

Name

Date

**Telephone & Email:**

**Policy Sponsor:** (If different than originator.)

Name

Date

**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.

**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: \_\_\_\_\_

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]

## UI FACULTY-STAFF HANDBOOK

### CHAPTER ONE:

#### HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

January 2018

1640

#### COMMITTEE DIRECTORY

*PREAMBLE: This section contains statements of the function and structure of each university-level standing committee. The names of persons appointed to serve on each such committee are published at the beginning of each academic year by the Committee on Committees, and copies of this publication are available from the Office of the Faculty Secretary (208-885-6151). This section, dating to the 1979 edition of the Handbook, has been frequently revised as necessitated by the changing mission or membership of existing committees or the deletion of obsolete committees or the addition of new ones.*

#### Subsections

- .02 Academic Hearing Board
- .04 Academic Petitions Committee
- .06 Administrative Hearing Board
- .08 Admissions Committee
- .10 Americans with Disabilities Act Advisory Committee
- .12 Institutional Animal Care and Use Committee
- .14 Institutional Biosafety Committee
- .18 Borah Foundation Committee
- .20 University Budget & Finance Committee
- .22 Campus Planning Advisory Committee
- .24 Classified Position Appeal Board
- .26 Commencement Committee
- .28 Committee on Committees
- .34 Provost Council
- .36 Dismissal Hearings Committee
- .40 Facilities Scheduling Policy Committee
- .41 Faculty and Staff Policy Group
- .42 Faculty Affairs Committee
- .43 Faculty Appeals Hearing Board
- .44 Faculty Senate
- .46 Arts Committee
- .48 Graduate Council
- .50 Grievance Committee for Staff Employees
- .51 Grievance Committee for Student Employees
- .53 Honors Program Committee
- .54 Institutional Review Board
- .55 Information Technology Committee
- .56 Intellectual Property Committee
- .58 Ubuntu
- .60 Library Affairs Committee
- .64 Officer Education Committee
- .66 Parking Committee
- .69 Promotions Review Committee
- .70 Publications Board
- .71 Radiation Safety Committee
- .72 Research Council
- .74 Sabbatical Leave Evaluation Committee
- .76 Safety and Loss-Control Committee
- .77 Scientific Misconduct Committee
- .80 Staff Affairs Committee
- .83 Student Conduct Board
- .84 Student Financial Aid Committee
- .86 Teacher Education Coordinating Committee
- .87 Teaching and Advising Committee
- .89 University Committee for General Education
- .90 General Education Assessment Committee
- .91 University Curriculum Committee
- .92 University Development Council
- .94 University Multi-Campus Communications Committee
- .95 University Security and Compliance Committee

**UI FACULTY-STAFF HANDBOOK**

Chapter I: HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE  
Section 1640: Committee Directory

**1640.10**

**AMERICANS WITH DISABILITIES ACT ADVISORY COMMITTEE**

*[Created 2012, see Ubuntu FSH 1640. 58]*

**A. FUNCTION.**

**A-1.** To advise the Director of ~~Human Rights, Access and Inclusion~~The Office of Civil Rights and Investigations on all matters relating to disability, including universal access and design of university facilities, websites, and programming; accommodation of students, faculty and staff with disabilities; full compliance with the Americans With Disabilities Act as amended, Idaho Human Rights Act, Rehabilitation Act of 1974, and Fair Housing Act; and to discharge such other functions as may be assigned by the Faculty Senate or by the president or the president's designee.

**Commented [AE(1)]:** Updated to reflect changes to office name.

**A-2.** To fulfill the major faculty responsibility for monitoring and advancing UI's commitment to ensuring that its facilities, programs, activities and services are accessible to all persons with learning, sensory, physical and other disabilities, and to serve the needs of these members of the university community. The committee works closely with administrative officers in identifying and ensuring compliance with applicable laws, regulations and best practices, as well as regents' policy.

**A-3.** To submit periodic reports on its activities to the Director of ~~Human Rights, Access and Inclusion~~The Office of Civil Rights and Investigations, who will distribute them to the Faculty Senate along with recommendations for appropriate program or policy changes.

**Commented [AE(2)]:** Updated to reflect changes to office name.

**B. STRUCTURE AND MEMBERSHIP.** Three (one from the library, one academic administrator, and the third should have experience and/or possess knowledge of persons with disabilities) all of whom are selected by the Committee on Committees, ITS Director (or designee), Facilities Director (or designee), Executive Director for Human Resources (or designee), Director of ~~Disability Support Services~~Center for Disability Access and Resources, Director of Housing and Residence life, Director of Counseling and Testing Center (or designee), Director of The Office of Civil Rights and Investigations~~Human Rights, Access and Inclusion~~ (who also serves on Ubuntu), two staff members, two students (undergraduate and graduate), and the following without vote: Parking and Transportation Services, Center on Disabilities and Human Development, Public Safety & Security (or designee), and Office of General Counsel. *[ed. 8-12]*

**Commented [AE(3)]:** Updated to reflect changes to office name.

**Commented [AE(4)]:** Updated to reflect changes to office name.

**Commented [AE(5)]:** Addition of CTC Director as supported by ADA Advisory Committee.

**Commented [AE(6)]:** Updated to reflect changes to office name.

**Commented [AE(7)]:** This position is filled by the Chief Diversity Officer.

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #19**

**3:30 p.m. - Tuesday, February 20, 2018  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

- I. **Call to Order.**
- II. **Minutes.**
  - Minutes of the 2017-18 Faculty Senate Meeting #18, February 13, 2018 (vote)
- III. **Chair's Report.**
- IV. **Provost's Report.**
- V. **Other Announcements and Communications.**
  - F-CTF Report (Hrdlicka)
- VI. **Committee Reports.**
  - **Benefits Advisory Board** (Brandt)
- VII. **Special Orders.**
- VIII. **Unfinished Business and General Orders.**
- IX. **New Business.**
- X. **Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #18  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #18, Tuesday, February 13, 2018**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, Foster, Ellison, Howard, Hrdlicka, Jeffrey, Johnson, Kern (Coeur d'Alene), Leonor, Mahoney, Morgan, Morrison, Nicotra, Schwarzlaender, Seamon, Sisodiya (for Grieb, w/o vote), Tibbals, Vella, Watson. **Absent:** Baird, De Angelis, Grieb, Leonor, Panttaja, Wiencek, Zhao (Idaho Falls). **Guests:** 7

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Vella/Brown) to approve the minutes passed.

**Chair's Report:**

1. The [General Policy Report #65](#) is available. Petitions seeking further consideration of any item in the report are due to the chair of Faculty Senate, [hrdlicka@uidaho.edu](mailto:hrdlicka@uidaho.edu), by February 15, 2018;
2. Sabbatical applications for academic year 2019-20 must be received by the Sabbatical Leave Evaluation Committee by March 30, 2018. More information is available in the [Sabbatical Section of the Provost's web page](#).
3. Nominations for Honorary Degrees for the December 2018 commencement ceremony are due by April 15, 2018. More information is available [here](#).

**Provost Report:** Vice Provost for Faculty Jeanne Stevenson explained that Provost Wiencek is travelling to attend the State Board of Education meeting. She did not have any announcements.

**FS-18-047 (UCC-18-014a)** – Family Consumer Science Restructure. The chair asked for a motion to change the order of the agenda to consider one of the items on the University Curriculum Committee report regarding changes to the major in Child Family and Consumer Sciences. A motion (Seamon/Watson) to change the order of the agenda was approved unanimously. Prof. Beth Price presented the change on behalf of the School of Family and Consumer Sciences. She explained that the major has had three options that have had varying levels of success meeting student needs. As a result of the proposed re-organization, all students in the major will be required to take a series of core classes. They will then be able to choose one of three emphasis areas. The proposal passed unanimously.

**Vice Provost for Academic Initiatives Cher Hendricks.** Vice Provost Hendricks updated senate on a new directive from the State Board of Education (SBOE) regarding general education. The SBOE wishes to implement common course numbers and names for general education courses to facilitate student transfer between Idaho institutions. Some of the changes that will result from this directive are relatively simple to implement. For example, the name of our English 101 course will have to change to English Composition 101. Some of the changes are not simple and will require us to examine the content of certain general education courses to determine whether they should align with the common courses. Hendricks explained that the directive does not require the university to change course names and numbers if the content of our courses is significantly different than that identified by the SBOE. In addition, we are not required to add courses identified in this process that are not currently part of our curriculum. Hendricks indicated that faculty can give feedback to the SBOE about this process, but that the directive is unlikely to change. Required changes need to be part of our 2019-20 catalog.

A senator asked whether this is something that other states are doing. Hendricks responded that many states are implementing similar changes. She added that some have taken a more aggressive approach by developing a common state core curriculum for all higher education institutions. She also explained that the directive affects our 100-200 level general education courses. There is some discussion at the board level about whether all general education courses should be offered at the 100-200 level.

A senator asked if Hendricks could give more background on the reasons for the directive. She indicated that the registrars at the eight Idaho institutions have been working on the transferability of credits within the Idaho higher education system for some time. Detailed articulation agreements exist and are available online. We have requested, but have not been able to see, data regarding the number and nature of problems transfer students experience. We are suggesting that a state-wide website be created where students can report and describe problems they experience when trying to transfer between Idaho institutions.

A senator asked how this directive relates to the UI core requirements. Hendricks explained that the directive does not require the university to change its core requirements, but rather only requires parallel naming and numbering of the courses that are identified as common to most Idaho institutions. Hendricks also explained that concern has been expressed that students will focus on these “transfer courses” to the exclusion of other courses that are part of our core.

**Dean Jerry McMurtry, College of Graduate Studies (COGS).** Dean McMurtry updated senate on the new TA compensation system. The new system reflects a complete reorganization of the way we support TAs across campus along with a significant infusion of resources to provide in-state and out-of-state tuition waivers as well as market compensation to TAs. The new system creates a central fund to support TAs that is comprised of resources made available through the University Budget and Finance Committee (UBFC) process (\$2.3 million), resources from COGS (\$0.9 million), and resources from individual colleges that were previously used to fund TAs (\$2-3 million). The tuition numbers in the proposed TA budget reflect an estimated 4% increase in tuition for the 2018-19 academic year. Under the new system TA compensation will increase from approximately the 9<sup>th</sup> percentile of the national average to near 50<sup>th</sup> percentile, in-state fees will be covered, and resources for out-of-state tuition will be available. Compensation levels are based on the Oklahoma State Salary Survey and applicable CIP codes. In order to establish a baseline for the program, the number of TA packages in 2018-19 will be based on the number of TAs used in 2017-18. 280 TA packages were distributed to colleges in 2017.

Dean McMurtry provided a document to senators that shows by college and, sometimes, department, the prior average TA compensation, the new TA compensation, the value of the compensation package considering both in-state and out-of-state tuition, as well as other information. McMurtry also stated that in the future, TA compensation will be eligible for change in employee compensation (CEC). The Graduate Council is developing ways to evaluate requests for new TAs.

A senator commented that it appears that the TA budget for some colleges is less under the new system than it was under the prior system. McMurtry explained that some units were artificially inflating the hourly rate for TAs to allow students to pay in-state fees. He worked to identify these units and separate out the inflated amount from the actual compensation levels for the TA. No college will see a decrease in the value of the TA compensation packages. A senator from one of the colleges commented that even though their new TA budget appears to be lower, the new proposal will actually result in a substantial increase in compensation to TAs.

A senator asked how the decisions about where to deploy TAs would be made in the new central system. McMurtry responded that deans would make the decisions about where to deploy TAs. It appears that most of the deans have decided to put the money back into existing TA positions. McMurtry has not seen reallocations under the new system so far.

Another senator asked how the need for a TA will be evaluated. McMurtry responded that he hopes to evaluate the allocation every semester, but particularly in fall. If a unit isn't using its TAs, those resources will be re-deployed. A subcommittee of Graduate Council will make decisions regarding such reallocations of funding. A senator commented that it will be important to make sure that counterproductive incentives are not created by such allocations. McMurtry responded that COGS is working to ensure that the university maintains the

quality of TAs. He added that COGS must approve the Employee Personnel Action Form (EPAF) for each TA that is hired.

A senator thanked McMurtry for his efforts and commented that the new system is “a game changer.” Another senator commented that currently we are very short of TAs in some disciplines. He asked whether departments should request new TAs. McMurtry acknowledged that both the College of Science and the College of Letters Arts and Social Sciences are short of TAs to adequately support their responsibilities in the general education curriculum. He indicated that COGS is working to develop proposals for additional monies to support TAs.

A senator asked whether there is an effort to improve the experience of TAs along with increasing their compensation. McMurtry stated that COGS is working to increase the professional development opportunities for TAs. It currently offers a support program for international TAs as well as a “TA boot camp.” The senator followed up by commenting that she had seen some documentation that appeared to impose minimum requirements for TAs. She asked McMurtry if he could explain these requirements. He responded that the university is working to embed new national standards into the TA appointment guidelines. In addition, he added that the goal of the program is to foster academic-year TA appointments. Departments may still offer one-semester TA appointments which are sometimes appropriate. TA awards must be either for one semester or a full academic year. A senator asked about the emphasis on awarding TA appointments to students in terminal degree programs? McMurtry confirmed that this is a preference and is aimed at increasing the number of terminal degree students. Departments may still award TA appointments to students who are not in a terminal degree program. A senator urged other faculty to consider committing to the continuation of TA appointments until a student completes his or her degree. McMurtry commented that some units start by offering a TA appointment and later move the student to an RA appointment.

A senator commented that in his college there is a historic inequity in the allocation of TAs. He asked for clarification on whether and how these historic imbalances would be corrected. McMurtry confirmed that he has observed such imbalances. He stressed that he relied on the current allocation of TAs in order to establish a baseline for the new program. He anticipates that changes in TA allocations will be made in the future and stated that the system will be continuously evaluated. He anticipates that allocation decisions will continue to be made by deans. A senator asked whether steps are being taken to ensure that TA compensation rates keep up with the market. McMurtry commented that TAs will be eligible for CEC. He realizes that this does not necessarily ensure that such salaries will keep up with market conditions. He added that the tuition aspects of the compensation will keep up with increases in tuition. In the end, increases in TA compensation will have to be included in our budgeting process. Finally, McMurtry pointed out that we have a cap on the number of out-of-state tuition waivers we can offer. We did not hit the cap this year, but he believes we will do so in the future. A senator asked whether “foundation dollars” could be used for TA compensation. McMurtry responded that some departments have monies for TAs from gifts. He encouraged units to think about TA compensations as a development priority.

#### **Committee on Committees Report:**

1. **FS-18-042 - FSH 1640.74** - Sabbatical Leave Evaluation Committee. Vice Chair Miranda Anderson presented the report for the Committee on Committees and the Sabbatical Leave Evaluation Committee. Last semester senate approved revisions to the sabbatical leave application policy. The proposal aligns the committee process with the earlier changes. Under the proposal, a committee member would not be required to recuse themselves for a full semester if they are applying for a sabbatical. Rather, the policy now requires that the committee member need only recuse themselves from consideration of their own application. Anderson explained that sabbatical proposals are not in competition with each other. The recusal system caused disruptions while the Committee on Committees located an alternate committee member. The proposal passed unanimously.
2. **FS-18-043 - FSH 1640.54** - Institutional Review Board. Jenn Walker from the Office of Research and Economic Development presented the proposal. The changes in the proposal are minor and bring the Institutional Review Board into compliance with earlier changes in the university’s human participant

review policy (*Faculty-Staff Handbook* 5200) approved by senate earlier in the semester. A senator suggested the abbreviation for the Code of Federal Regulations (CFR) be spelled out. The edited proposal was approved unanimously.

#### **University Curriculum Committee Report.**

1. **FS-18-044 (UCC-18-038a), FS-18-045 (UCC-18-038b) and FS-18-046 (UCC-18-038c):** Catalog Change J-3-c, J-3-f, J-3-g. Rebecca Frost from the Registrar's Office presented the changes. These changes were approved by the University Committee on General Education this year using rubrics for this section of our general education requirement. The changes add two courses to science core offerings, deletes two courses from the diversity core offerings and adds two courses to the international core offerings. The proposal was approved unanimously.
2. **FS-18-048 (UCC-18-014b):** Plant Sciences - new Crop Management minor. Professor Joe Kuhl presented the proposal. He explained that since the major in crop management was created in 2017, a number of students have expressed interest in a minor. The proposal was approved unanimously.

**Andrew Brewick, Executive Director, Global Student Success Program.** Director Brewick provided an overview of the Global Student Success Program (GSSP). The program is a partnership between UI and Navitas. Their goal is to put the Navitas name in the background. GSSP is a UI program relying on UI courses, and UI faculty. The program includes courses that are the equivalent to the first year of a bachelor's degree program. In addition, it includes courses that focus on helping undergraduate students to be successful in traditional college courses, and that focus on the transition and language skills. For graduate students, the program offers a 12-credit course sequence. The graduate courses are not UI courses and do not count toward a graduate degree. Rather, they are designed to help graduate students to be successful in graduate-level courses. The program has admitted two cohorts of students this year. In the fall, 13 undergraduate and 13 graduate students were admitted representing eight countries. The applicant pool was very encouraging and included students from over 30 countries. In the spring cohort, two undergraduate students and 17 graduate students were admitted. This initial reaction is very encouraging and indicates that the UI program has broad appeal in the global market. The program is currently recruiting its fall 2018 class. They have two recruiters who will be visiting 14 countries in the next three months to recruit students.

Navitas has ten university partners in North America. The goal of Navitas is to form a true partnership. The company wants to facilitate the offering of UI courses, not dilute those offerings. Each course they offered to the GSSP students is approved by the course coordinator who is a department chair. Faculty offering the courses are identified and approved by the chair. These faculty receive the same compensation as a comparable UI faculty member would receive. The course coordinator also monitors the grades in the course to ensure they correspond to UI standards and practices. Brewick pointed out that he reports to both institutions through a joint strategic management board comprised of both UI and Navitas representatives. One issue Brewick wished to clarify is that GSSP is not an English as a Second Language (ESL) Program. While GSSP offers support for language skills, it cooperates closely with UI's ESL program – the American Language and Culture Program (ALCP).

In terms of student recruitment, Navitas has 27 country offices and over 3500 agents throughout the world. A senator asked about the list of countries in the GSSP brochure provided with the senate agenda. Brewick explained that the list is not exclusive, but instead represents those countries identified as most likely prospects for students. Another senator asked about what graduate students are told about graduate support at UI. Brewick responded that students are told they are not eligible for TA or RA appointments while they are in the GSSP. The first cohort contained two students who had some unique qualifications and subsequently were hired as TAs/RAs. However, the program is maintaining a firm line regarding eligibility for TA and RA appointments. Once the students progress out of the GSSP, they may be eligible for such appointments. In addition, all program participants are eligible for jobs on campus. The GSSP makes clear that students must be self-funded.

Brewick also explained that most of the graduate programs they are working on, are non-thesis programs that can be completed in 2 years. A senator asked how the initial GSSP programs were selected. Brewick explained that the programs were identified during the creation and launch of the project as being the most marketable. The GSSP is open to new partnerships with additional programs and are trying to identify those programs that would benefit from GSSP. A senator asked about the specific admission requirement for students from Nigeria (set forth in the brochure). He commented that the requirement was very low compared to normal college admissions expectations. Brewick explained that the students in the GSSP generally have admissions profiles that are borderline for being admitted to a US college. However, he explained that the pathway/cohort model employed in the program has proven successful in bringing these students up to the level necessary to succeed. Because the program is new, it does not have data on student outcomes. However, initial results are promising. In the first cohort of students, 85% persisted from fall semester to spring semester. Those who transitioned away did so for family reasons. Furthermore, in the first cohort of 13 undergrads, 7 were directly admissible to UI. They opted to participate in the GSSP to get the additional support. Brewick added that the delivery model employed by GSSP for a 3-credit course is to provide students with hours of contact time thereby building in tutoring, language, and writing support.

A senator asked whether students participating in the GSSP are eligible for the full range of student benefits, such as use of the Student Recreation Center. Brewick responded that they were eligible for the full range of student benefits and activities.

Another senator asked about the UI cost of the Navitas program, and whether the program is cost effective. Brewick responded that the program uses a revenue share model. Both UI and Navitas get a share of the student tuition. Moving forward, the university will capture all the tuition that is paid. The program is not currently breaking even. Navitas has made a significant investment and hopes to expand the program. Brewick reminded senators that the US has seen a 30% decline in international enrollment. In addition, it appears that visa denials have increased recently. 54% of students in the spring cohort of the GSSP were denied visas. Brewick also added that UI has provided space and paid to have it renovated. Navitas is paying the overhead and salaries. A senator asked how long the UI is committed to the Navitas partnership. Brewick answered that there is a 10-year obligation that can be reviewed in the 5<sup>th</sup> year.

Brewick closed by announcing that the GSSP is sponsoring a speaker series. The program has identified faculty colleagues around campus and asked them to share their experiences. He encouraged faculty to contact him if they are interested in participating. He also indicated his desire to secure a senator to serve on the GSSP Academic Advisory Committee. The responsibilities of the committee include evaluating the progress of the program, evaluating new program partnerships, and keeping the GSSP apprised of policy and curriculum changes at UI. Concern was expressed that senators might not be in a position to commit the additional time to the committee. Brewick was encouraged to consider to seek committee members from the faculty in general.

**Adjournment:** The meeting was adjourned (Morrison/Tibbals) at 4:55.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

## Faculty Compensation Task Force – Summary May 2017

**Origin:** The Faculty Compensation Task Force (F-CTF) was established by Faculty Senate in the second half of 2016.

**Charge:** The F-CTF will work with the Division of Finance and the Human Resources (HR) department to develop and implement a market-based approach for faculty compensation at the University of Idaho.

**Structure:** The F-CTF is comprised of 17 members, 13 voting and 4 ex officio members, as follows: one faculty member from each academic college and one from faculty-at-large (10); Faculty Secretary; Vice President of Finance; Executive Director of Human Resources; Vice Provost for Academic Affairs (ex officio); Director of Institutional Effectiveness and Accreditation (ex officio); a representative from the Provost's office (ex officio); a staff member from Provost's office providing administrative support (ex officio). The F-CTF is co-chaired by Patrick Hrdlicka (Department of Chemistry; vice chair of Faculty Senate) and Wesley Matthews (Executive Director of Human Resources).

**Status:** The F-CTF met 13 times during October 2016 – May 2017 to define UI's institutional peer group, identify and select suitable salary databases, and establish guiding principles. The F-CTF has made the following preliminary recommendations regarding the development and implementation of a market-based compensation model for faculty at the University of Idaho:

1. Use a market group that encompasses all U.S. public and private doctorate-granting institutions, i.e., R1, R2 and R3 institutions according to the Carnegie classification.
2. Define UI's initial overall salary goal as the market average of the above-mentioned group.
3. Annually reevaluate and adjust, if appropriate, the market group definition and UI's overall salary goals as the institution moves closer to attaining its aspirational R1 Carnegie goal.
4. In cooperation with the provost, deans, chairs and faculty members, HR will assign every faculty member a 6-digit CIP code and periodically reevaluate the assignments as appropriate. For a definition of CIP codes, see: <https://nces.ed.gov/ipeds/cipcode/browse.aspx?y=55>
5. In cooperation with the provost, deans, chairs and faculty members, HR will assign a corresponding market rate using CUPA-HR as the primary data source and the Oklahoma State University survey as a secondary data source. Whenever feasible the market rate should be based on 6-digit CIP code salary data.
6. Longevity shall be defined as years in rank plus total years at UI.
7. The longevity component of the compensation model should avoid salary compression between ranks at the time of promotion.
8. Only faculty members who "meet expectations" on annual evaluations should be eligible for progression in the longevity component.
9. The target salary of assistant professors should be described as: Incoming/early-in-rank salary very close to their market average (~95%); shallow salary progression; end-in-rank salary slightly above their market average (~105%). Percentage numbers given are for illustrative purposes only.
10. The target salary of associate professors should be described as: Incoming/early-in-rank salary very close to their market average (~95%); shallow salary progression; end-in-rank salary slightly above their market average (~105%). Percentage numbers given are for illustrative purposes only.
11. The target salary of full professors should be described as: Incoming/early-in-rank salary close to their market average (~90%); moderate salary progression; end-in-rank salary somewhat above their market average (~110%). Percentage numbers given are for illustrative purposes only.
12. The salary progression of assistant professors should be constant throughout rank.

13. The salary progression of associate professors should be steeper until approximate rank midpoint, then shallower.
14. The salary progression of full professors should be steeper until approximate rank midpoint, then shallower.
15. Assuming an equitable merit system, there should be a merit component to the compensation model.
16. Promotion raises should remain in place.
17. Promotion raises should be adjusted relative to current levels to reflect the predicted increases in target salary according to the compensation model, with a minimum promotion raise of no less than the current levels.
18. In the immediate future, funds available for salary increases should be distributed to progressively adjust the actual/target ratio. In other words, provide increases for most faculty, but give larger relative salary adjustments to those with lowest actual/target salary ratios.
19. Faculty members should not see salary decreases even if market rates dictate this.

**Going forward:** The F-CTF has not yet discussed how clinical faculty and instructor salaries will be integrated into this compensation model. The F-CTF will reconvene at the beginning of the upcoming fall semester to determine this and to provide input on a draft compensation model that will be developed by HR this summer. The first version of the compensation model (to be used for mid-year CEC adjustments) will, in all likelihood, only include a longevity component. The F-CTF will initiate deliberations to determine how to add a merit component to the compensation model later in the fall of 2017.

## TARGET RATE METHODOLOGY FOR FACULTY VERSION 1.0

---

Target salary is the minimum salary a faculty member should receive provided they have minimally met expectations for the position that they occupy. Thus, target salary is determined by fixed measures such as the CIP (Classification of Instructional Program) code of a given position and time in a particular faculty rank. The overall market-based compensation model for faculty also includes a significant merit-based component that is reflective of a faculty member's performance relative to other faculty in their unit and appropriately normed to the average market salaries in their field. Since merit requires an assessment that is performed annually and is variable over a career, it is not included as a component of target salary. Merit will not factor into this current mid-year raise but will be part of future CEC raise processes.

In developing a target salary based on years in rank, the Provost's office and the Faculty Compensation Taskforce (FCT) considered market realities that constrain the longevity schedule as well as career milestones for tenure track faculty that we wish to support and reward. A key constraint is the size of the promotion raise typically seen in the market versus our current promotion raise methodologies, which will not change as part of this new compensation model. Thus, moving a sixth-year assistant professor salary from 100% of market levels for assistant professors within a specific CIP code to 95% of market levels for an associate professor within a specific CIP code, most closely mimics the salary changes seen upon promotion under our current promotion policy. A similar analysis for the associate to full professor promotion suggests that a full professor should start at 83% of the market level for a full professor.

The FCT and the Provost agree that we must assure that long-term faculty members who meet minimal levels of performance are compensated at the market rate. Thus, target salary at all ranks does reach 100% after an appropriate time in rank. In some positions such as instructors, there is an immediate move to 100% of market but in others, most notably full professors, the attainment of 100% requires a significant number of years of service. Each position type has some underlying attributes that support the proposed longevity tables. The assistant professor progression starts at 90% of the market average. This starting rate is reflective of our current hiring salaries, which are competitive in the market. The salary takes a significant increase to 100% of market at year 3, which is intended to reward those faculty for successful third year reviews. For associate professors, target salary progresses gradually and then plateaus after six years. This timing reflects the first opportunity for an associate professor to be considered for promotion to full professor. Thus, the intent is to motivate associate professors to focus on achieving this promotion as soon as possible as a means to move up to the next level of compensation. For full professors, the salary data includes faculty with a broad range of "years in rank", from newly promoted professors to professors who have been in that rank for 30 or more years. Thus, the average salary for full professors represents a broad range of experience and 17 years was deemed an appropriate timeframe to meet the 100% of market target. As a reminder, the longevity progression does not include merit raises and we fully anticipated that many faculty will experience much faster progression toward (and above) their target salary due to performance-based raises.

The average market rate for instructor and senior instructor positions are currently linked to the tenure-track associate professor rank for a given CIP code (65% and 70% respectively). More work is likely ahead for the FCT for this employee group but the initial analysis suggest a starting target salary below 100% might render the institution at a competitive disadvantage for hiring new instructors. Thus, the initial longevity schedule starts instructors and senior instructors at 100% of their market salary and remain there unless additional compensation for merit is provided.

Non-tenure track faculty such as clinical and research faculty were assigned a market rate that is 85% of the salary of like-rank tenure-track faculty within that CIP code. This ratio (as well as the ratio for instructors and senior instructors) is based on an average of the institution's current practice. The FCT

and the Provost anticipate that we will continue to fine-tune these market rates since there is a broad variability in current compensation philosophies. Faculty senate will also consider alternative career tracks for our faculty, such as full-time but non-tenure track instructional faculty with assistant, associate, full professor ranks.

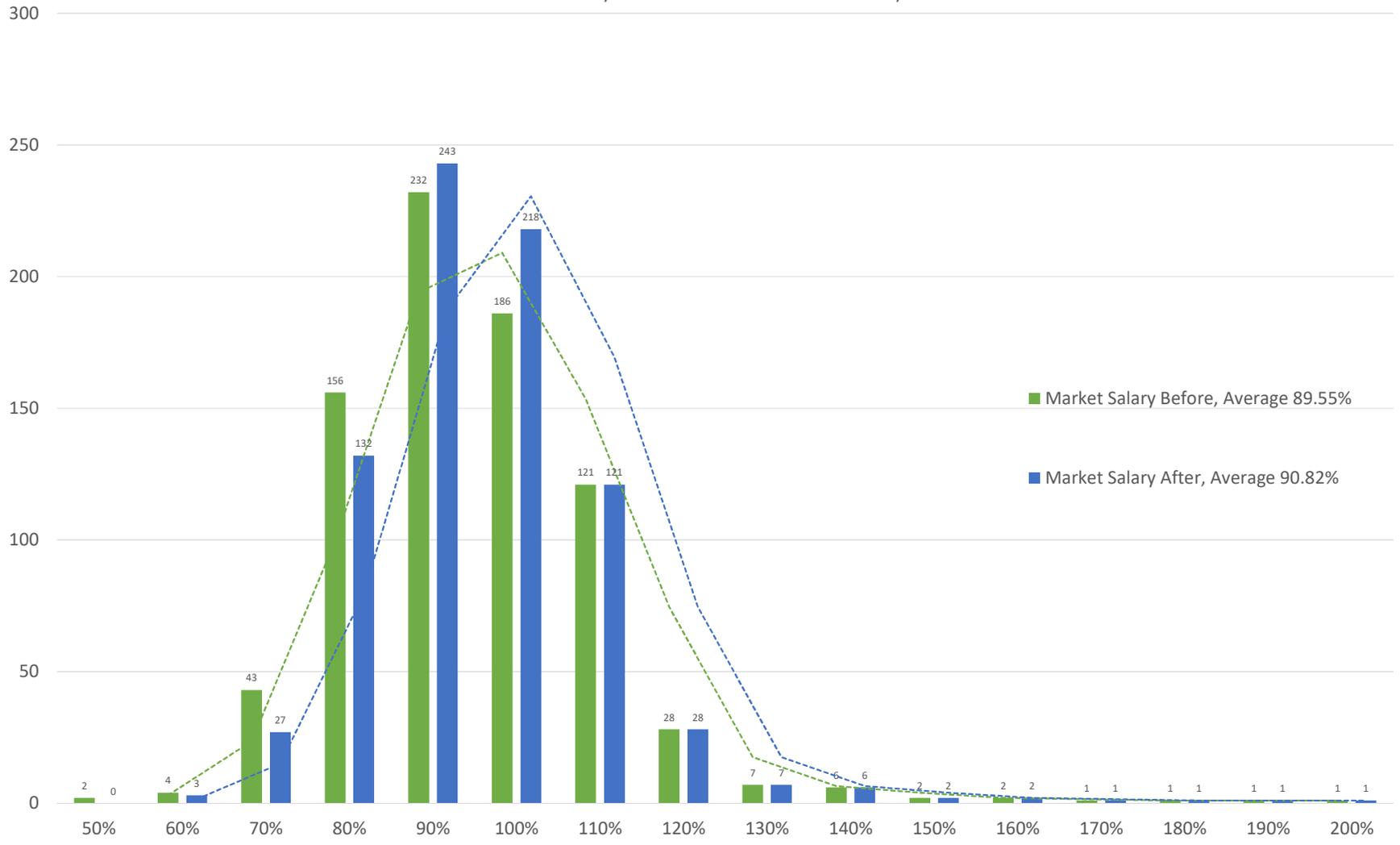
Finally, joint appointments have not been consistently and clearly documented or delineated in the past. Most appointments are “buy-outs” of time from a home department, but a handful of cases involve appointments intended to be shared or joint appointments. Thus, for this initial assessment, we have opted to simply apply market-based salaries on the faculty member’s current home (majority appointment) department’s CIP code. Again, the FCT and the Provost’s office will continue to refine our approach for appointments involving more than one academic department.

In closing, this market-based compensation approach is a work in progress. The Faculty Compensation Taskforce and the Provost’s office have worked diligently to get these faculty data compiled and analyzed so that we can launch this effort for the faculty, to complement the good work of HR in dealing with staff compensation. We have done our best to initiate this process in a fair and transparent manner and will continue to refine and improve it going forward.

## LONGEVITY SCHEDULE

<i>Rank Years Completed</i>	<i>Instructor</i>	<i>Senior Instructor</i>	<i>Assistant Professor</i>	<i>Associate Professor</i>	<i>Professor</i>	<i>Distinguished Professor</i>
0	100.00%	100.00%	90.00%	95.00%	83.00%	83.00%
1	100.00%	100.00%	90.00%	96.00%	84.00%	84.00%
2	100.00%	100.00%	90.00%	97.00%	85.00%	85.00%
3	100.00%	100.00%	100.00%	98.00%	86.00%	86.00%
4	100.00%	100.00%	100.00%	99.00%	87.00%	87.00%
5	100.00%	100.00%	100.00%	100.00%	88.00%	88.00%
6	100.00%	100.00%	100.00%	100.00%	89.00%	89.00%
7	100.00%	100.00%	100.00%	100.00%	90.00%	90.00%
8	100.00%	100.00%	100.00%	100.00%	91.00%	91.00%
9	100.00%	100.00%		100.00%	92.00%	92.00%
10	100.00%	100.00%		100.00%	93.00%	93.00%
11	100.00%	100.00%		100.00%	94.00%	94.00%
12	100.00%	100.00%		100.00%	95.00%	95.00%
13	100.00%	100.00%		100.00%	96.00%	96.00%
14	100.00%	100.00%		100.00%	97.00%	97.00%
15	100.00%	100.00%		100.00%	98.00%	98.00%
16	100.00%	100.00%		100.00%	99.00%	99.00%
17	100.00%	100.00%		100.00%	100.00%	100.00%
18	<b>100% ongoing until end of service for all ranks</b>					

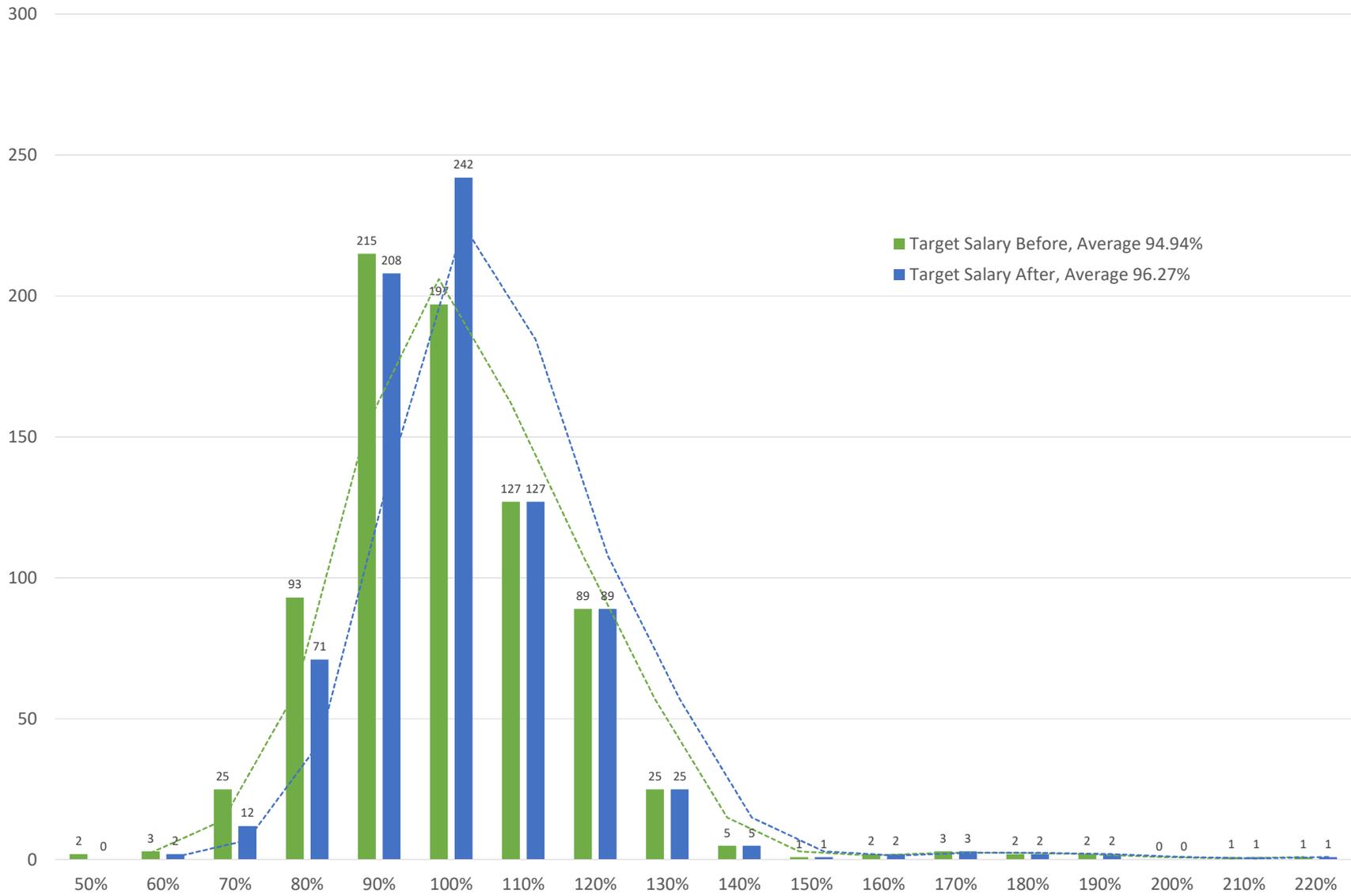
Distribution of Market Salary % Before and After Mid-Year Faculty Increases



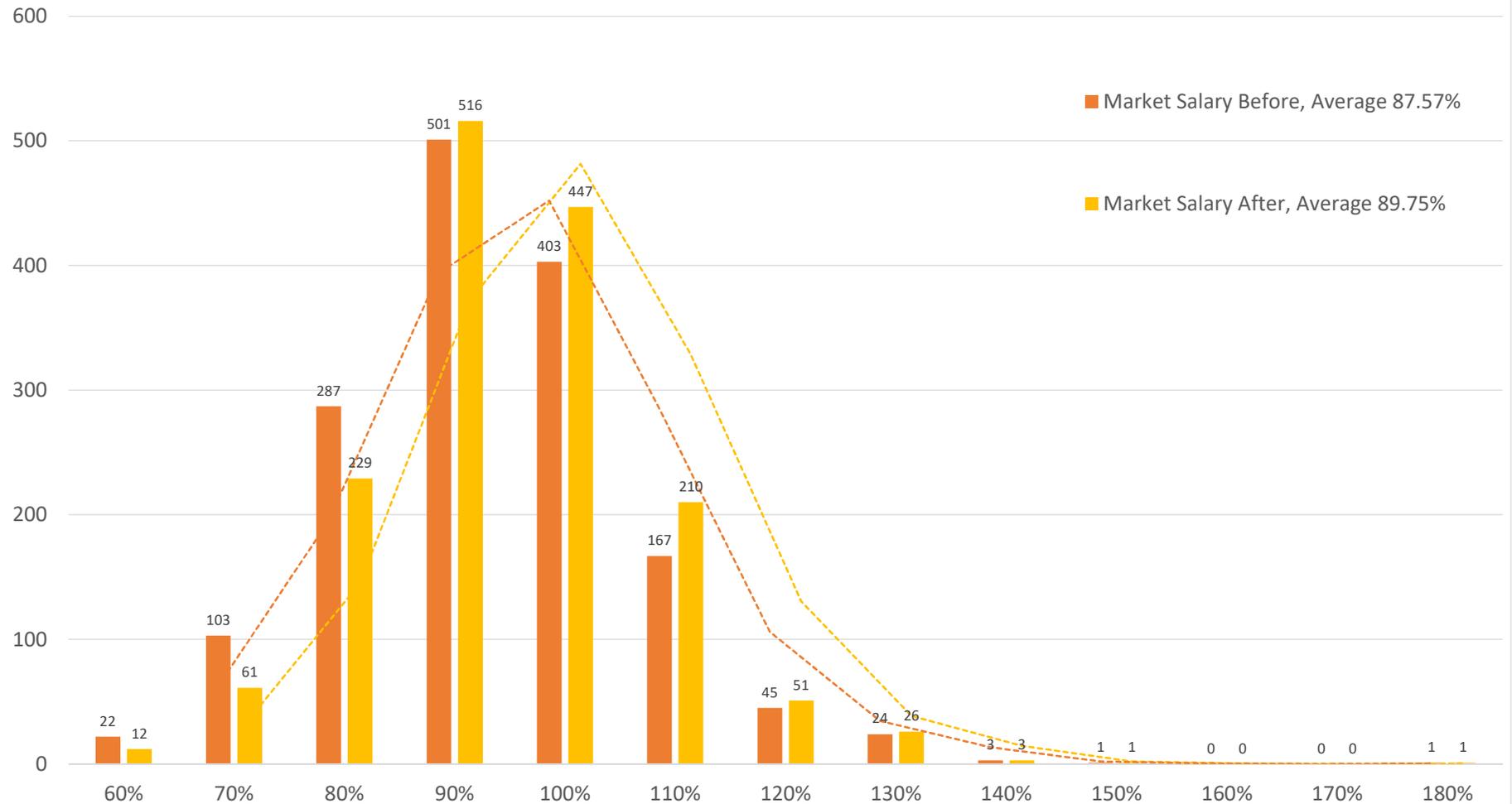
■ Market Salary Before, Average 89.55%

■ Market Salary After, Average 90.82%

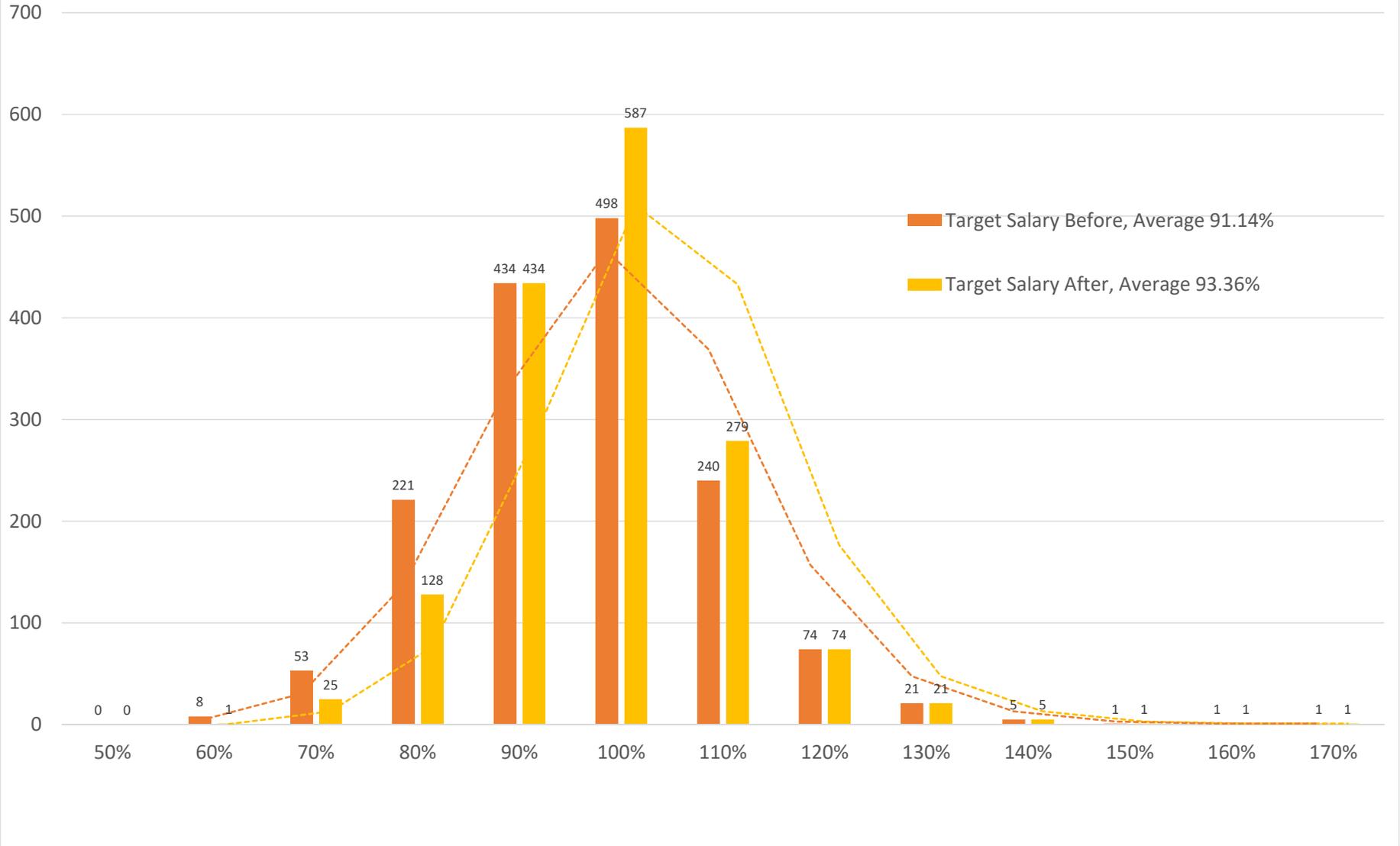
Distribution of Target Salary % Before and After Mid-Year Faculty Increases



Distribution of Market Salary % Before and After Mid-Year Staff Increases



Distribution of Target Salary % Before and After Mid-Year Staff Increases



**REVISED**  
University of Idaho  
2017-2018 FACULTY SENATE AGENDA

**Meeting #18**

**3:30 p.m. - Tuesday, February 13, 2018**  
**Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #17, February 6, 2018 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

- SBOE Directive (Hendricks)
- TA Compensation (McMurtry)

**VI. Committee Reports.**

**Committee on Committees (vote)**

- **FS-18-042 - FSH 1640.74 – Sabbatical Leave Evaluation Committee** (Anderson)
- **FS-18-043 - FSH 1640.54 – Institutional Review Board** (Harris/Walker)

**University Curriculum Committee (vote)**

- **FS-18-044** (UCC-18-038a) – Catalog Change Regulation J-3-c (Frost)
- **FS-18-045** (UCC-18-038b) – Catalog Change Regulation J-3-f (Frost)
- **FS-18-046** (UCC-18-038c) – Catalog Change Regulation J-3-g (Frost)
- **FS-18-047** (UCC-18-014a) – Family Consumer Science Restructure (Price)
- **FS-18-048** (UCC-18-014b) – Plant Sciences – new Crop Management minor (Brown)

**VII. Special Orders.**

- Global Student Success Program (Brewick)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #17  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #17, Tuesday, February 6, 2018**

**Present:** Anderson (Miranda), Arowojolu, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Foster, Ellison, Grieb, Howard, Hrdlicka, Jeffrey, Johnson, Kern (Coeur d'Alene), Leonor, Mahoney, Morgan, Morrison, Panttaja, Seamon, Schwarzlaender, Tibbals, Vella, Wiencek. **Absent:** Anderson (Mike), Baird, Nicotra, Watson, Zhao (Idaho Falls). **Guests:** 7

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. A motion (Johnson/Morrison) to approve the minutes passed.

**Chair's Report.** The chair's report was brief:

- The Spring Career Fair will be held on February 7, 2018 at the ASUI Kibbie Activity Center from 2:00 to 6:00 pm.
- Nominations for Staff Awards are due by Friday, February 9. Information is available on the [Staff Council Website](#).
- Senators should be thinking about their college senate election. The names of new college senators are due to the Faculty Secretary's Office by April 15.

A senator, who was unable to attend the last meeting, asked for an explanation of FS-18-032, a matter on the University Curriculum Committee Report at Meeting # 16 on January 30, 2018. The proposal, approved by Senate, eliminates the Dietetics option from the Food and Nutrition major. Chair Hrdlicka and Vice Chair Anderson explained that the program was shifting to a master's degree because of changed certification requirements in the field. Secretary Brandt will send an email with information and a contact person in Family and Consumer Science program who can answer questions in more detail.

**Provost Report.** The provost thanked the University Level Promotions Committee which met this past weekend. He indicated that after the consideration of candidate applications, the committee had a constructive conversation about the promotion and tenure process.

President Staben will be circulating a memo highlighting the progress on a number of issues that have arisen during the year. The university has had several successes including the mid-year compensation increases and the implementation of the TA compensation process. Our student retention rate has increased and spring enrollment is up a little bit. This increase may relieve some of the financial pressure on the institution.

We also are facing some challenges. Several university-wide committees will be assembled in the near future to provide input and guidance on how to address these challenges. Vice President Foisy will be assembling a committee to examine the university's long term financial issues. In addition, the opportunity to address the structure of the institution's academic programs has arisen. This consideration could include program combinations, and mergers of colleges. The provost has asked the deans to address these structural possibilities and to develop proposals that will not only result in fiscal savings, but that will make the institution stronger. Once the deans develop these proposals, a university-wide committee will be assembled to evaluate them and provide feedback and guidance to the provost. If college mergers are suggested, the provost anticipates that the committee will involve broader representation from the affected colleges. He stressed that no decisions have been made.

The provost next addressed recently announced changes in the university's approach to the Western University Exchange (WUE) program. This program allows qualified students from other states to attend the University of Idaho for 150% of the in-state tuition rate. The university withdrew from the WUE program several years ago and has been selectively participating in the program more recently. The provost explained that even though students in the program are paying 150% of in-state tuition, this amount does not cover the cost of their education. Moreover, some of these students would have paid full out-of-state tuition if they had not qualified for WUE. The Western Interstate Commission for Higher Education (WICHE), the interstate organization that sponsors the WUE program, has asked that the university rejoin the program and fully participate. The decision to fully participate is not only part of the university's effort to be respectful of the WICHE request, but also recognizes that participation has the possibility of building momentum on increasing our enrollment, getting traction with the legislature for university initiatives, and recruiting qualified students from neighboring states. We will be carefully monitoring the program to ensure that there is no negative revenue impact of full participation. We have some indications from our past history as full participants in WUE, but the competitive landscape has changed. In addition we have the freedom to adjust our qualification standards for WUE students to control the number of participants and the negative financial impact.

A senator asked whether we are able to project how many students will participate based on a comparison of 150% of our in-state tuition with the in-state tuition in the student's home state. The provost pointed out that some states' in-state tuition is so low that the WUE program will not be attractive. Wyoming and Montana are examples of such states. On the other hand, we are likely to see an increase of applicants from California who are unable to get admitted to a California institution. Because of the fluidity of admissions, we do not have reliable projections of the number of students we might expect to see. A senator followed up asking how many more students we need to recruit per year in order for the WUE program to break even. The provost responded that the number is not clear because it is highly dependent on the mix of students. If students enroll in programs in which we have existing capacity, the costs to the institution are minimal. If they enroll in programs that are full, increased enrollment could mean that we need to add class sections in which the marginal costs are much higher.

Finally, the senator asked whether the university pays into a WUE fund as a condition of participating, or whether there is a threshold number of students that must be admitted through the program. The provost responded that WUE is basically a tuition discount endorsed by the State of Idaho for WICHE students. We do not get state appropriations for any WUE student above a minimal cap. The SBOE limits how many WUE students the university can count toward its enrollment workload (state funded enrollment) to 290.

A senator asked what the timeline is for the potential college merger discussion. He pointed out that there is increasing chatter and concern among faculty and staff. The provost stated that he has asked the deans to submit their proposals by the end of February. He plans to forward these to a university-wide committee at that time. From a financial perspective, the university needs to find overall savings of 1 to 2 percent in order to stabilize the institutional budget. A senator encouraged the provost to communicate the timeline and process for decisions on the college merger issue as soon as possible to quell rumors. The senator also questioned whether investing resources in a growing university-level administration might be examined. The provost affirmed his willingness to further communicate regarding the merger issues. He also responded that the perceived growth in university-level administration is a red herring. He stressed that positions have been re-organized, but that there has been no new investment of resources in university-level administration.

**Automated Change of Major System.** Associate Registrar Duane Hubbard and Registrar Heather Chermak demonstrated a new automated system for students to change majors and minors. Previously, students were required to complete a paper form that had to be signed by a number of different officials (including

the Department Chair, but not the student's advisor). The Registrar's Office formed a workgroup with the associate deans to automate this process. Using the new system, students will be able to change majors and minors from within VandalWeb. One feature of the system is that students will be required to give a reason for the change of major. A notice will automatically be sent to the college from which the student is exiting and an approval request will be sent to the college associated with the new major or minor. Associate Registrar Hubbard demonstrated the system which is expected to launch by the end of February. Senators asked the following questions:

- *Will students need to have approval of an advisor before they go through with the change? If not, will there be a way to notify the student's current advisor before the change in major can be approved? The senator expressed the concern that improvident changes in majors can derail a student's academic progress and extend the amount of time needed to complete a degree.* Hubbard answered that a new advisor must be assigned by the new college before the change can be approved. The workgroup opted not to send notifications to advisors because it was concerned that the volume of notices would overload advisors. He indicated that it would be possible to activate notifications to the student's current advisor. Hubbard also suggested that the new college can require the student to see an advisor in the new department as a condition of approval. A senator asked who in the college would receive the approval list for changed majors. His concern was that the list might go to a non-academic official who might not appreciate the need for advising. Hubbard responded that each college has designated a person to receive the notifications.
- *What role will centralized advising have in the process of changing majors?* The provost responded that while the structure of central advising is not yet finalized, it could have a significant role. Presumably an advisor in a central system should be able to help a student identify the pros and cons of each major under consideration as well as the consequences of changing majors. Senators expressed the belief that the current system provides an opportunity for face-to-face conversations that might be lost with the automated system. Automating the change process and losing this interaction might be inconsistent with retention. However, another senator pointed out that under the current system, students do not need to have the signature of their advisor to change majors – the current form requires the signature of the department chair.
- *Will students be able to select or request the new advisor under the automated system?* Hubbard responded that the new advisor is assigned by the college, but that the student may request a change after the advisor is assigned.
- *Is it wise to require advisor approval for a change for students earlier in their academic career who are presumably less mature and knowledgeable?* Hubbard responded that such a feature might be added in the future, but is currently not an option. The provost added that a coordinated advising system could address these early changes in majors. Other senators questioned the wisdom of this approach, freshmen and sophomores have less invested in pursuit of a major and the consequences of changing are less substantial. When students change majors later, after they have invested heavily in a particular major, the consequences can be substantial.
- Several senators requested that the registrar activate the system for notifying current advisors of changes in majors. They stressed that the workload is not the question. Rather, it is important for the institution to foster student engagement with advising when they are making consequential changes.

#### **Report of University Curriculum Committee.**

- **FS-18-039 (UCC-18-016): Law – New Natural Resources and Environmental Law Grad Certificate.** Associate Dean Jerrold Long presented the proposal for the College of Law. He pointed out that the proposal was not a joint proposal with the College of Natural Resources as indicated on the

agenda. The proposal is to create a graduate certificate in the natural resources area aimed at non-law students. Long pointed out that non-law professionals are primarily responsible for implementing the natural resource and environmental law. Graduate students in these areas often take law courses in order to bolster their preparation on legal issues. This certificate program would provide a credential for these students. The proposal was approved unanimously.

- **FS-18-040 (UCC-18-036a&b): CALS - New M.S. Plant Pathology.** Senator Caplan reminded senators that the Department of Entomology, Plant Pathology and Nematology was created when the Department of Plant, Soil and Entomological Sciences broke into three departments. The new department is building a graduate program in plant pathology. Senators pointed out that the proposal was ambiguous on whether additional faculty were required to implement the master's degree. They questioned whether the addition of new faculty could be financially viable given the relatively small number of students anticipated in the program. Professor Ed Lewis was able to join the meeting to clarify that the proposal for the master's degree does not require the addition of new faculty. The proposal was approved unanimously.
- **FS-18-041 (UCC-18-031c&d): CLASS - New Communication Major.** Professors Annette Folwell and Todd Thorsteinson presented the proposal for a new communication major. A senator asked about the history of this proposal. Folwell explained that in 2008 a faculty member in the program retired at the time the university was in a budget crisis. The position was not filled and the major was eliminated. At the time there were 140 majors. Another senator asked about the plans to hire two new clinical faculty. Folwell and Thorsteinson explained that if funding and approval for hiring the two new clinical faculty did not go forward, then the new major could not go forward. There is no capacity to add this major based on the existing faculty and current enrollment levels. Another faculty member asked whether the program would be able to obtain office space. Thorsteinson explained that the program is located in the basement and second floor of the Student Health Building. The WWAMI Program is currently located on the third floor, but plans to move to a new facility in the fall of 2018. The department hopes to take over the WWAMI space. The proposal was approved unanimously.

The chair elected to postpone the planned Faculty Compensation Task Force report because of the lack of time.

**Adjournment:** The meeting was adjourned earlier than usual (Mahoney/Panttaja) at 4:46.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate



**IDAHO STATE BOARD OF EDUCATION**

650 W. State Street | P.O. Box 83720 | Boise, Idaho 83720-0037

208-334-2270 | FAX: 208-334-2632

email: [board@osbe.idaho.gov](mailto:board@osbe.idaho.gov)

To: Provosts and Vice Presidents for Instruction  
Statewide General Education Committee

From: Randall Brumfield, Chief Academic Officer

cc: Matt Freeman, Executive Director  
Linda Clark, President, Board of Education  
Dave Hill, Board of Education, Chair, Committee on Instruction, Research, and Student Affairs

Date: January 12, 2018

Re: Charge for Common Course Indexing

**Background**

In order to provide greater transparency and seamlessness within transfer processes the State Board of Education (Board) has directed institutions to develop a common indexing convention for a core set of curricula offered in the General Education Matriculation (GEM) framework. Common course indexing includes three elements: common course number, common course title, and common GEM area designation (also known as a GEM stamp).

The courses in the attached list were identified through consultation with GEM discipline groups, Board workgroups, and independent research conduct by the Office of the State Board of Education (OSBE). These are consistent, though not as comprehensive, as those designated in the common course convention adopted by the Board in 1996. Course numbers and titles provided in the list reflect those most commonly utilized across Idaho public institutions.

The majority of courses on the list have been identified as:

- 1.) Available to students across most, if not all, Idaho public institutions.
- 2.) Designated at 100 or 200 level.
- 3.) Maintaining equivalencies across institutions per the Course Transfer website ([coursetransfer.idaho.gov](http://coursetransfer.idaho.gov)).
- 4.) Designated with a GEM stamp at most institutions.

### **Action**

Institutions are expected to update these courses with common course indexing for inclusion in their course catalog no later than the 2019-20 academic year.

Applicable academic, administrative, and governance processes should commence at the institution level in Spring 2018. Among other reasons this is to ensure that, if needed, instructional units have sufficient opportunity to coordinate with other Idaho public colleges and universities for delivery beginning in Fall 2019. This will also provide General Education review and approval processes to be completed prior to the 2019-20 course catalog publication cycle.

Regular updates will be provided by OSBE to the Board throughout the 2018 calendar year regarding progress on these items. As the Governor's Office and state legislators have expressed significant interest in this initiative, they will be informed periodically.

### **Summary**

Given the increased scrutiny by various stakeholders regarding the seamless articulation of courses and ease of transferability across Idaho's public postsecondary institutions, and offering added clarity towards shared coordination of general education, this action seeks to achieve these outcomes through proactive measures adopted by the Board and institutions. Furthermore, the outcome will assist towards addressing recommendations from the Governor's Task Force on Higher Education and developing system-wide behavior across Idaho public institutions as expected by the Board, Governor, and legislators.

# Teaching Assistant Packages

College/Unit	New Stipend	Previous Avg Stipend	Previous Average	Previous Value	New Package	Package W/OS	% Increase	Increase Out-of-State TA			
CALS		\$13,825	\$13,825	\$30,149	\$24,782	\$42,282	79.25%	40.24%			
AEE	\$15,000				\$24,219	\$41,719					
AVS	\$15,500				\$24,719	\$42,219					
AERS	\$16,000				\$25,219	\$42,719					
FCS	\$15,000				\$24,219	\$41,719					
FS	\$15,000				\$24,219	\$41,719					
EPPN	\$16,000				\$25,219	\$42,719					
PS	\$16,000				\$25,219	\$42,719					
SWS	\$16,000				\$25,219	\$42,719					
CAA	\$11,500	\$7,925	\$7,925	\$24,249	\$20,719	\$38,219	161.44%	57.61%			
CBE	\$12,500	\$8,380	\$8,380	\$24,704	\$21,719	\$39,219	159.18%	58.76%			
CEHHS	\$14,000	\$14,040	\$30,364	\$46,688	\$23,219	\$40,719	23.53%	12.78%			
CLASS	\$14,000	\$11,234	\$11,234	\$27,558	\$23,344	\$40,844	107.80%				
Music	\$13,000				\$22,219	\$39,719					
Theatre	\$13,000				\$22,219	\$39,719					
COE	\$16,500	\$11,605	\$27,929	\$44,253	\$25,719	\$43,219	7.91%	2.34%			
CNR	\$14,000	\$14,776	\$31,100	\$47,424	\$23,219	\$40,719	25.34%	14.14%			
COS		\$18,372	\$34,696	\$51,020	\$26,266	\$43,766	24.30%	14.22%			
Biology	\$20,000				\$29,219	\$46,719					
Chem	\$18,000				\$27,219	\$44,719					
Geog	\$16,000				\$25,219	\$42,719					



Equal Reallocation baseline No. TA's

	#	University Mini	TTL Stipend	T and F	X Contribution	X Stipend	X central stipend	# stipends base	# Stipends base	#stipends based
CALS	10	15,500.00	155,000.00	92,190.00	155,512.00	139,608.00	155,512.00	9.0	10.0	10.0
CAA	22	11,500.00	253,000.00	202,818.00	22,480.00	0.00	22,480.00	0.0	2.0	2.0
CBE	9	12,500.00	112,500.00	82,971.00	36,000.00	36,000.00	0.00	2.9	2.9	0.0
COED	15	14,000.00	210,000.00	138,285.00	253,424.00	206,203.00	253,424.00	14.7	18.1	18.1
CLASS	92	14,000.00	1,288,000.00	848,148.00	916,907.00	911,357.00	627,199.00	65.1	65.5	44.8
COE	27	16,500.00	445,500.00	248,913.00	215,784.00	195,840.00	328,391.00	11.9	13.1	19.9
CNR	26	14,000.00	364,000.00	239,694.00	348,335.00	287,811.00	257,006.00	20.6	24.9	18.4
COS	74	17,000.00	1,258,000.00	682,206.00	1,578,859.00	1,199,832.00	1,355,971.00	70.6	92.9	79.8
COGS	3	15,000.00	45,000.00	27,657.00	0.00	0.00	0.00	0.0	0.0	0.0
	278		4,131,000.00	2,562,882.00	3,527,301.00	2,976,651.00	2,999,983.00	195	229	193
			TTL Cost	6,693,882.00	6,693,882.00	6,693,882.00	6,693,882.00			
				X funds	3,527,301.00	2,976,651.00	2,999,983.00			
				New	2,300,000.00	2,300,000.00	2,300,000.00			
				COGS	900,000.00	900,000.00	900,000.00			
				TTL	6,727,301.00	6,176,651.00	6,199,983.00			
			Difference		33,419.00	-517,231.00	-493,899.00			
Reallocation reduced by TF scholarships										

	New #	Stipend	Ttl Stipend	\$ needed TF - scholarships	Amount reduced by scholarship \$	No. of TA IST
CALS	10	15,500.00	155,000.00	92,190.00	0.00	10
CAA	2	11,500.00	23,000.00	18,438.00	0.00	2
CBE	3	12,500.00	37,500.00	27,657.00	0.00	3
COED	19	14,000.00	266,000.00	175,161.00	0.00	19
CLASS	53	14,000.00	742,000.00	479,743.00	8,864.00	52
COE	21	16,500.00	346,500.00	154,698.00	38,901.00	17
CNR	18	14,000.00	252,000.00	165,942.00	0.00	18
COS	93	17,000.00	1,581,000.00	667,103.00	190,264.00	72
COGS	0	15,000.00	0.00	0.00	0.00	0
	219		3,403,000.00	1,780,932.00		193
			TTL Cost	5,183,932.00		
			X budget	3,585,815.00		
			New	2,300,000.00		
			COGS	900,000.00		
			TTL	6,785,815.00		
			Difference	1,601,883.00		

Provide IST and bill the unit for the number of TA's they request up to 280 IST's

		TF Cost	Stipend	Stipend cost bil	X funds	Budgeted X	Greater X budget	Diff on all X	Diff on budgeted
CALS	10	92,190.00	15,500.00	155,000.00	155,512.00	155,512.00	155,512.00	512.00	512.00
CAA	22	202,818.00	11,500.00	253,000.00	22,480.00	22,480.00	22,480.00	-230,520.00	-230,520.00
CBE	9	82,971.00	12,500.00	112,500.00	36,000.00	0.00	36,000.00	-76,500.00	-112,500.00
COED	15	138,285.00	14,000.00	210,000.00	211,136.00	253,424.00	253,424.00	1,136.00	43,424.00

CLASS	92	848,148.00		14,000.00	1,288,000.00	911,357.00	627,199.00	916,907.00	-376,643.00	-660,801.00
COE	27	248,913.00		16,500.00	445,500.00	195,840.00	328,391.00	328,391.00	-249,660.00	-117,109.00
CNR	26	239,694.00		14,000.00	364,000.00	287,810.00	257,006.00	287,810.00	-76,190.00	-106,994.00
COS	74	682,206.00		17,000.00	1,258,000.00	1,199,732.00	1,355,971.00	1,578,860.00	-58,268.00	97,971.00
COGS	3	27,657.00		15,000.00	45,000.00	0.00	0.00	0.00	-45,000.00	-45,000.00
	278	2,562,882.00			4,131,000.00	3,019,867.00	2,999,983.00	3,579,384.00	-1,111,133.00	-1,131,017.00
	280	2,581,320.00								
				278	6,693,882.00	474,015.00	493,899.00	-85,502.00		
		3200000			TTL cost	Needed	Needed	Surplus		
<b>Cost to buy up one TA position - TF and minmum stipend</b>										
		Stipend	With TF	TTL stipend	TTL S T/F	credit back X bu	Needed	Credit T/F		
CALS	10	15,500.00	24,719.00	155,000.00	247,190.00	155,512.00	91,678.00	92,190.00	512.00	
CAA	22	11,500.00	20,719.00	253,000.00	455,818.00	22,480.00	433,338.00	202,818.00	-230,520.00	
CBE	9	12,500.00	21,719.00	112,500.00	195,471.00	0.00	195,471.00	82,971.00	-112,500.00	
COED	15	14,000.00	23,219.00	210,000.00	348,285.00	253,424.00	94,861.00	138,285.00	43,424.00	
CLASS	92	14,000.00	23,219.00	1,288,000.00	2,136,148.00	627,199.00	1,508,949.00	848,148.00	-660,801.00	
COE	27	16,500.00	25,719.00	445,500.00	694,413.00	328,391.00	366,022.00	248,913.00	-117,109.00	
CNR	26	14,000.00	23,219.00	364,000.00	603,694.00	257,006.00	346,688.00	239,694.00	-106,994.00	
COS	74	17,000.00	26,219.00	1,258,000.00	1,940,206.00	1,355,971.00	584,235.00	682,206.00	97,971.00	
COGS	3	15,000.00	24,219.00	45,000.00	72,657.00	0.00	72,657.00	27,657.00	-45,000.00	
	278									
					6,693,882.00	2,999,983.00	3,693,899.00	2,562,882.00		







# University of Idaho

## 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]

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

**Chapter & Title: FSH 1640.74 Sabbatical Leave Committee**

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** Erin James Sept 18, 2017  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** (775) 527.7019; ejames@uidaho.edu

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

**Reviewed by General Counsel** X Yes    No Name & Date: Kim Rytter, Aug 31, 2017

**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.

The Sabbatical Leave Evaluation Committee (SLEC) is recommending the following revisions to section 1640.74 in the Faculty/Staff Handbook. Current language on the structure of the committee states that "A member selected to serve on this committee who is planning on applying for a sabbatical shall recuse themselves from participating the semester in which they apply." Because sabbaticals are no longer centrally funded through the Provost's Office and because there is no benefit to SLEC members who are applying for sabbatical leave to rank other applications poorly, the SLEC believes that there is no need for this conflict of interest provision. The SLEC also understands that this conflict of interest provision causes more problems than it solves, as it makes committee formation more difficult. The SLEC thus suggests that this sentence be removed.

**II. Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?  
 This revision will have no fiscal impact.

**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: _____ <i>[Office Use Only]</i>
--

APM F&A Appr.: _____ _____ <i>[Office Use Only]</i>
--

FSH Appr. _____ FC _____ GFM _____ Pres./Prov. _____ _____ _____ <i>[Office Use Only]</i>
--

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

**UI FACULTY-STAFF HANDBOOK**

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

---

1640

COMMITTEE DIRECTORY

*PREAMBLE: This section contains statements of the function and structure of each university-level standing committee. The names of persons appointed to serve on each such committee are published at the beginning of each academic year by the Committee on Committees, and copies of this publication are available from the Office of the Faculty Secretary (208-885-6151). This section, dating to the 1979 edition of the Handbook, has been frequently revised as necessitated by the changing mission or membership of existing committees or the deletion of obsolete committees or the addition of new ones.*

**1640.74**

**SABBATICAL LEAVE EVALUATION COMMITTEE**

**A. FUNCTION.** To review applications for sabbatical leave, to make recommendations to the Faculty Senate for approval and referral to the president, to review the reports of those returning from sabbatical leave, and to evaluate annually the results of the program. [See also 3720.] [ed. 7-00, 7-09]

**B. STRUCTURE.** Five faculty members (with at least one representative each from the humanities, natural sciences, and social sciences) and vice provost of academic affairs, or designee (w/o vote). ~~A member selected to serve on this committee who is planning on applying for a sabbatical shall recuse themselves from participating the semester in which they apply.~~ [rev. 7-06, 2-09, 7-16]

# University of Idaho

## 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]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** Chapter Five: 5200 Human Participant Research

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** \_\_\_\_\_

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** \_\_\_\_\_ Jennifer Walker \_\_\_\_\_ 11/17/2017  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** \_\_\_\_\_ 208-885-6340 irb@uidaho.edu \_\_\_\_\_

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_ Janet E. Nelson \_\_\_\_\_ 12/15/2017  
 Name Date  
**Telephone & Email:** \_\_\_\_\_ 208-885-6689 janetenelson@uidaho.edu \_\_\_\_\_

**Reviewed by General Counsel**  Yes  No Name & Date: Casey Inge 11/17/2017

**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.  
 The U.S. Department of Health and Human Services have issued final revisions to the Federal Policy for the Protection of Human Subjects (the Common Rule). The Final Rule was published in the Federal Register on January 19, 2017 and is effective on January 19, 2018. It implements new steps to better protect human subjects involved in research, while facilitating valuable research and reducing burden, delay, and ambiguity for investigators. The revisions to the FSH are necessary for University compliance with the Final Rule.

**II. Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?  
 No impact.

**III. Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change.  
**FSH 1640.54 – minor changes.**

**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.  
 January 1 since the effective date of the regulatory changes is January 19, 2018.

If not a minor amendment forward to: \_\_\_\_\_

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

*APM*

F&A Appr.: \_\_\_\_\_  
 [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)

1640.54

INSTITUTIONAL REVIEW BOARD

[Formerly Human Assurances Committee, rev. 1-09, 1-18, rewritten 7-10]

**A. FUNCTION.** The federal government requires the University of Idaho (University) to designate an Institutional Review Board (IRB) to ensure that human participant-subject research conducted under the auspices of the University meets federal requirements. Under the approved federal-wide assurance (~~FWA00005639~~) for the University, the IRB shall apply the regulations set forth by United States Department of Health and Human Services (HHS) (www.hhs.gov) at 45 CFR 46 to all federally funded human participant-subject research, ~~regardless of funding source~~, and shall be guided by the ethical principles set forth in The Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research of the National Commission for the Protection of Human Subjects. All non-federally funded or unfunded human participantsubject research shall comply with these regulations unless otherwise specified by University policy. The IRB shall also apply the human participant-subject research regulations established by the Food and Drug Administration for clinical investigations involving drugs, biologics, medical devices, and other test articles. (21 CFR 50; 56; 312, and 812). The IRB shall not approve FDA-regulated human participantsubject research without prior approval for such research from the Office of Research and Economic Development. The IRB shall act in conformance with other federal laws and regulations germane to human participant-subject research and with applicable state and local law ~~that serves to elucidate and supplement federal regulations for human subject research~~. [See FSH 5200]

**A-1.** Human participantsubject Research that has been approved by the IRB may be subject to further review and approval ~~or disapproval~~ by UI-University officials. However, a University officials may not approve such research, ~~or that portion of a research project that constitutes human participantsubject research, if that it~~ has not been approved by the IRB. ~~(45 CFR 46.112)~~

**A-23.** The committee ~~also~~ serves as an advisory body to the Vice President for Research and Economic Development for matters related to hHuman Ssubjects/Participants Rresearch-Matters.

**B. STRUCTURE AND MEMBERSHIP.**

**B-1.** The IRB is composed of at least five (5) members withappointed by the VP for Research and Economic Development. Members shall have varying backgrounds to promote complete and adequate review of research activities commonly conducted at the University. The IRB is chaired by a faculty member-chaired committee.

**B-2.** ~~It shall have at least five members, with varying backgrounds to promote complete and adequate review of research activities commonly conducted at the University of Idaho [45 CFR 46.107(a)].~~

**B-23.** The Director of Research Assurances position of Chief Research Compliance Officer serves in the capacity of as an ex officio non-voting standing committee member to assist in representing institutional commitments and regulations, ~~[45 CFR 46.107(a)].~~

**B-4.** The IRB shall include at least one member whose primary concerns are in scientific areas and one member whose main-primary concerns are in nonscientific areas ~~[45 CFR 46.107(e)].~~

**B-5.** The IRB shall include one member who is not otherwise affiliated with the institution and who is not part of the immediate family of a person ~~who is~~ affiliated with the institution ~~[45 CFR 46.107(d)].~~

**B-6.** At its discretion, tThe IRB may, ~~in its discretion,~~ invite individuals with competence in special areas to assist in the review of issues ~~which-that~~ require expertise beyond or in addition to that available on the IRB. These individuals may not vote with the IRB ~~[45 CFR 46.107(f)].~~

**B-7.** The ~~Signatory Official, who is the~~ Vice President for Research and Economic Development may remove and replace a committee member at any time. ~~If and when he/she determines that~~ the member is unwilling or unable to carry out committee functions.

**B-8. Alternates.** The IRB Chair, or designee, may select an alternate member to substitute for, with vote, an absent voting member at a convened meeting. The alternate member shall have similar expertise as the absent voting member for whom they are serving as a replacement.

**B-9.** The Vice President for Research and Economic Development appoints all members of the IRB, including the alternates.

**J-3-c. Natural and Applied Science (8 cr , from two different disciplines, which include two accompanying labs OR 7 cr which includes a Core Science (CORS) course and one course with lab).**

The purpose of this requirement is to develop a better understanding of the physical and biological world by learning some of the principles that explain the natural phenomena of the universe, the experimental method used to derive those principles, and their applications.

Study in this area is undertaken as part of the general education requirements in order to promote scientific literacy, that is, the ability to read and understand the science issues being debated in society. Scientific literacy is essential if citizens are to make informed judgments on the wide range of issues that affect their everyday lives. Students receiving passing grades in the natural and applied science courses of the general education curriculum will demonstrate competency in the following areas: (1) knowledge of scientific principles; (2) the ability to write clearly and concisely using the style appropriate to the sciences; (3) the ability to interpret scientific data; (4) the ability to analyze experimental design critically; and (5) the development of laboratory skills.

BIOL 102	Biology and Society AND	3 cr	<a href="#">EPPN 154</a>	<a href="#">Microbiology &amp; the World Around Us AND</a>	<a href="#">3 cr</a>
BIOL 102L	Biology and Society Lab	1 cr	<a href="#">EPPN 155</a>	<a href="#">Microbiology &amp; the World Around Us Lab</a>	<a href="#">1 cr</a>
BIOL 114	Organisms and Environments	4 cr	GEOG 100	Physical Geography AND	3 cr
BIOL 115	Cells & the Evolution of Life AND	3 cr	GEOG 100L	Physical Geography Lab	1 cr
BIOL 115L	Cells and the Evolution of Life Laboratory	1 cr	GEO 101	Physical Geology AND	3 cr
BIOL 154	Introductory Microbiology AND	3 cr	GEO 101L	Physical Geology Lab	1 cr
BIOL 155	Introductory Microbiology Laboratory	1 cr	GEO 102	Historical Geology AND	3 cr
BIOL 250	General Microbiology AND	3 cr	GEO 102L	Historical Geology Lab	1 cr
BIOL 255	General Microbiology Lab	2 cr	PHYS 100	Fundamentals of Physics AND	3 cr
CHEM 101	Introduction to Chemistry I	4 cr	PHYS 100L	Fundamentals of Physics Lab	1 cr
CHEM 111	Principles of Chemistry I	4 cr	PHYS 103	General Astronomy AND	3 cr
CHEM 112	Principles of Chemistry II	5 cr	PHYS 104	Astronomy Lab	1 cr
CORS 205-297	Integrated Science	3 cr	PHYS 111	General Physics I AND	3 cr
ENVS 101	Introduction to Environmental Science AND	3 cr	PHYS 111L	General Physics I Lab	1 cr
ENVS 102	Field Activities in Environmental Sciences	1 cr	PHYS 112	General Physics II AND	3 cr
			PHYS 112L	General Physics II Lab	1 cr
			PHYS 211	Engineering Physics I AND	3 cr
			PHYS 211L	Laboratory Physics I	1 cr
			PHYS 212	Engineering Physics II AND	3 cr
			PHYS 212L	Laboratory Physics II	1 cr
			SOIL 205	The Soil Ecosystem AND	3 cr
			SOIL 206	The Soil Ecosystem Lab	1 cr

**J-3-f. American Diversity (One course) and International (One course or an approved study abroad experience).** As we live in an increasingly diverse and multicultural world, the purpose of these courses is to prepare students to understand, communicate and collaborate with those from diverse communities within the United States and throughout the world.

The American diversity courses seek to increase awareness of contemporary and historical issues surrounding the social and cultural diversity in the U.S. Students engage in critical thinking and inquiry into the issues, complexities, and implications of diversity, and how social, economic, and/or political forces have shaped American communities. Diversity includes such characteristics as ability, age, ethnicity, gender, race, religion, sexual orientation, and socioeconomic status

\*One course chosen from the approved American diversity courses listed below. If a student takes a General Education course in another category that also appears on the list of approved American diversity courses, then this requirement is considered to be completed.

The international courses seek to develop an understanding of international values, belief systems and social issues that have contributed to current balances of power and cultural relations. Students develop an understanding of the roles that the United States and other countries have played in global relations and the ways cultures have interacted and influenced each other.

\*One course chosen from the approved international courses listed below. If a student takes a General Education course in another category that also appears on the list of approved International courses, then this requirement is considered to be completed. The international requirement may be waived if a student successfully completes an approved Summer, Fall, or Spring term abroad through the International Programs Office.

#### **Approved American Diversity Courses:**

AIST 320	Native American & Indigenous Film	3 cr
AIST 401	Contemporary American Indian Issues	3 cr
<del>AIST 420</del>	<del>Native American Law</del>	<del>3 cr</del>
AIST 422	Plateau Indians	3 cr
<del>AIST 478</del>	<del>Tribal Nation Economics and Law</del>	<del>3 cr</del>
AIST 484	American Indian Literature	3 cr
AMST 301	Studies in American Culture	3 cr
ANTH 329	North American Indians	3 cr
ANTH 350	Food, Culture, and Society	3 cr
ARCH 411	Native American Architecture	3 cr
COMM 432	Gender and Communication	3 cr
COMM 491	Communication and Aging	3 cr
EDCI 302	Teaching Culturally Diverse Learners	4 cr
ENGL 380	Introduction to U.S. Ethnic Literatures	3 cr
HIST 111	Introduction to U.S. History	3 cr
HIST 112	Introduction to U.S. History	3 cr
HIST 315	Comparative African-American Cultures	3 cr
HIST 462	History of the American West	3 cr
HIST 461	Idaho and the Pacific Northwest	3 cr
HIST 412	Revolutionary North America and Early National Period	3 cr
HIST 414	History and Film	3 cr - Max 6 cr
HIST 419	Topics in the American West	3 cr
HIST 420	History of Women in American Society	3 cr
HIST 424	American Environmental History	3 cr
HIST 426	Red Earth White Lies: American Indian History 1840-Present	3 cr

HIST 431	Stolen Continents, The Indian Story: Indian History to 1840	3 cr
ID 443	Universal Design	3 cr
JAMM 340	Cultural Diversity and the Media	3 cr
JAMM 445	History of Mass Media	3 cr
MUSH 410	Studies in Jazz History	3 cr
POLS 101	Introduction to Political Science and American Government	3 cr
POLS 333	American Political Culture	3 cr
POLS 335	American Interest Groups & Social Movements	3 cr
POLS 360	Law and Society	3 cr
POLS 468	Civil Liberties	3 cr
PSYC 315	Psychology of Women	3 cr
PSYC 419	Adult Development and Aging	3 cr
SOC 101	Introduction to Sociology	3 cr
SOC 230	Social Problems	3 cr
SOC 301	Introduction to Diversity and Stratification	3 cr
SOC 423	Sociology of Prosperity: Social Class and Economics in the 21st Century	3 cr
SOC 424	Sociology of Gender	3 cr
SOC 427	Racial and Ethnic Relations	3 cr
SOC 431	Personal and Social Issues in Aging	3 cr
SOC 439	Inequalities in the Justice System	3 cr
SOC 450	Dynamics of Social Protest	3 cr
SPAN 306	Culture and Institutions of Latin America	3 cr
SPAN 411	Chicano and Latino Literature	3
SPAN 413	Spanish American Short Fiction	3 cr
WMST 201	Introduction to Women's and Gender Studies	3 cr

*\*CORS 232 Science on Your Plate: Food Safety, Risks and Technology (3 cr) is also designated as an American Diversity Course.*

**Approved International Courses:**

AGEC 481	Agricultural Markets in a Global Economy	3 cr
AGED 406	Exploring International Agriculture	3 cr
ANTH 220	Peoples of the World	3 cr
ANTH 261	Language and Culture	3 cr
ANTH 462	Human Issues in International Development	3 cr
ARBC 101	Elementary Modern Standard Arabic I	4 cr
ARBC 102	Elementary Modern Standard Arabic II	4 cr
ART 100	World Art and Culture	3 cr
ART 213	History and Theory of Modern Design	3 cr
ART 302	Modern Art and Theory	3 cr
ART 303	Contemporary Art and Theory	3 cr
ART 313	History and Theory of Modern Design	3 cr
CHIN 110	Elementary Chinese I	4 cr
CHIN 112	Elementary Chinese II	4 cr
CHIN 210	Intermediate Chinese I	4 cr
CHIN 212	Intermediate Chinese II	4 cr
COMM 335	Intercultural Communication	3 cr
ECON 446	International Economics	3 cr

ECON 447	International Development Economics	3 cr
ENGL 221	History of Film 1895-1945	3 cr
ENGL 222	History of Film 1945-Present	3 cr
ENVS 225	International Environmental Issues Seminar	3 cr
FCS 411	Global Nutrition	3 cr
FCS 419	Dress and Culture	3 cr
FLEN 307	Institutions of the European Union	3 cr
FLEN 308	European Immigration and Integration	3 cr
FLEN 313	French/Francophone Literature in Translation	3 cr
<u>FLEN 315</u>	<u>French/Francophone Cinema in Translation</u>	<u>3 cr</u>
FLEN 324	Topics in German Literature in Translation	3 cr - Max 6 cr
FLEN 331	Japanese Anime	3 cr
FLEN 391	Hispanic Film	3 cr
FLEN 394	Latin American Literature in Translation	3 cr
FREN 101	Elementary French I	4 cr
FREN 102	Elementary French II	4 cr
FREN 201	Intermediate French I	4 cr
FREN 202	Intermediate French II	4 cr
FREN 301	Advanced French Grammar	3 cr
FREN 302	Advanced French Writing Skills	3 cr
FREN 304	Connecting French Language and Culture	3 cr
FREN 307	French Phonetics	3 cr
FREN 308	Advanced French Conversation	3 cr
FREN 407	French & Francophone Literatures	3 cr - Max 9 cr
FREN 408	French and Francophone Culture and Institutions	3 cr - Max 9 cr
FREN 410	French and Francophone Arts	3 cr
GEOG 165	Human Geography	3 cr
GEOG 200	World Regional Geography	3 cr
GEOG 350	Geography of Development	3-4 cr - Max 4 cr
GEOG 360	Population Dynamics and Distribution	3-4 cr - Max 4 cr
GEOG 365	Political Geography	3 cr
GERM 101	Elementary German I	4 cr
GERM 102	Elementary German II	4 cr
GERM 201	Intermediate German I	4 cr
GERM 202	Intermediate German II	4 cr
GERM 301	Advanced German Grammar	3 cr
GERM 302	Advanced German Speaking and Writing	3 cr
GERM 420	Topics in German Culture & Literature - Themes	3 cr - Max 6 cr
GERM 440	German Media through the Internet	3 cr
HIST 101	History of Civilization	3 cr
HIST 102	History of Civilization	3 cr
HIST 180	Introduction to East Asian History	3 cr
HIST 270	Introduction to Greek and Roman Civilization	3 cr
HIST 315	Comparative African-American Cultures	3 cr
HIST 331	The Age of African Empires	3 cr
HIST 340	Modern India, 1757-1947	3 cr
HIST 350	The Age of Enlightenment: European Culture & Ideas, 1680-1800	3 cr
HIST 357	Women in Pre-Modern European History	3 cr

HIST 366	Modern European Cultural and Intellectual History, 1880-1980	3 cr
HIST 371	History of England	3 cr
HIST 372	History of England	3 cr
HIST 378	History of Science I: Antiquity to 1700	3 cr
HIST 379	History of Science II: 1700-Present	3 cr
HIST 380	Disease and Culture:History of Western Medicine	3 cr
HIST 382	History of Biology: Conflicts and Controversies	3 cr
HIST 388	History of Mathematics	3 cr
HIST 414	History and Film	3 cr - Max 6 cr
HIST 430	U.S. Diplomatic History	3 cr
HIST 438	Modern Mexico and the Americas	3 cr
HIST 439	Modern Latin America	3 cr
HIST 440	Social Revolution in Latin America	3 cr
HIST 441	Slavery and Freedom in the Americas	3 cr
HIST 442	The Medieval Church: Europe in the Early and High Middle Ages	3 cr
HIST 443	The Medieval State: Europe in the High and Late Middle Ages	3 cr
HIST 445	Medieval English Constitutional and Legal History: 1066-1485	3 cr
HIST 447	The Renaissance	3 cr
HIST 448	The Reformation	3 cr
HIST 449	Tudor-Stuart Britian 1485-1660	3 cr
HIST 452	Europe in the Age of the Revolution, 1770-1880	3 cr
HIST 455	Modern Europe	3 cr
HIST 456	Anti-Semitism and the Holocaust	3 cr
HIST 457	History of the Middle East	3 cr
HIST 460	Conspiracies and Secret Societies in History	3 cr
HIST 466	Eastern Europe Since 1774	3 cr
HIST 467	Russia to 1894	3 cr
HIST 468	Russia and Soviet Union Since 1894	3 cr
HIST 481	America's Wars in Asia	3 cr
HIST 482	Japan, 1600 to Present	3 cr
HIST 484	Modern China, 1840s to Present	3 cr
HIST 485	Chinese Social and Cultural History	3 cr
ID 281	History of the Interior I	3 cr
ID 282	History of the Interior II	3 cr
IS 325	The Contemporary Muslim World	3 cr
IS 326	Africa Today	3 cr
IS 350	Sports and International Affairs	3 cr
IS 370	African Community, Culture, and Music	1-3 cr - Max 3 cr
JAMM 490	Global Media	3 cr
JAPN 101	Elementary Japanese I	4 cr
JAPN 102	Elementary Japanese II	4 cr
JAPN 201	Intermediate Japanese I	4 cr
JAPN 202	Intermediate Japanese II	4 cr
JAPN 301	Japanese Reading	3 cr
JAPN 303	Japanese Speaking	3 cr
LARC 390	Italian Hill Towns and Urban Centers	3 cr
<a href="#">LAS 409</a>	<a href="#">Modern Latin American Society</a>	<a href="#">3 cr</a>
<a href="#">LAS 422</a>	<a href="#">Mexican Culture through Cinema</a>	<a href="#">3 cr</a>

MUSH 420	Studies in World Music	3 cr
PHIL 367	Global Justice	3 cr
POLS 205	Introduction to Comparative Politics	3 cr
POLS 237	Introduction to International Politics	3 cr
POLS 338	American Foreign Policy	3 cr
POLS 381	European Politics	3 cr
POLS 385	Political Psychology	3 cr
POLS 420	Introduction to Asian Politics	3 cr
POLS 441	Genes and Justice: Comparative Biotechnology Policy Formation	3 cr
POLS 449	World Politics and War	3 cr
POLS 480	Politics of Development	3 cr
POLS 487	Political Violence and Revolution	3 cr
SOC 336	Comparative Criminal Justice Systems	3 cr
SOC 340	Social Change & Globalization	3 cr
SOC 343	Power, Politics, and Society	3 cr
SPAN 101	Elementary Spanish I	4 cr
SPAN 102	Elementary Spanish II	4 cr
SPAN 104	Elementary Spanish Transition	4 cr
SPAN 201	Intermediate Spanish I	4 cr
SPAN 202	Intermediate Spanish II	4 cr
SPAN 301	Advanced Grammar	3 cr
SPAN 302	Advanced Composition	3 cr
SPAN 303	Spanish Conversation	3 cr
SPAN 305	Culture and Institutions of Spain	3 cr
SPAN 306	Culture and Institutions of Latin America	3 cr
SPAN 308	Proficiency in Reading	3 cr
SPAN 310	Spanish for the Professions I	3 cr
SPAN 401	Readings: Spanish Literature	3 cr
SPAN 402	Readings: Spanish American Literature	3 cr
<a href="#"><u>SPAN 409</u></a>	<a href="#"><u>Modern Latin American Society</u></a>	<a href="#"><u>3 cr</u></a>
SPAN 411	Chicano and Latino Literature	3
SPAN 412	Spanish Short Fiction	3 cr
SPAN 413	Spanish American Short Fiction	3 cr
SPAN 419	Latin America Theatre Through Literature	3 cr
SPAN 420	Modern Spanish Theatre Through Literature	3 cr
<a href="#"><u>SPAN 421</u></a>	<a href="#"><u>Bilingual and Bicultural Literature</u></a>	<a href="#"><u>3 cr</u></a>
<a href="#"><u>SPAN 422</u></a>	<a href="#"><u>Mexican Culture through Cinema</u></a>	<a href="#"><u>3 cr</u></a>
<a href="#"><u>SPAN 423</u></a>	<a href="#"><u>Gender and Identity in Spanish Cinema</u></a>	<a href="#"><u>3 cr</u></a>
THE 468	Theatre History I	3 cr
THE 469	Theatre History II	3 cr

**J-3-g. Integrated Studies - ISEM 101 Integrative Seminar (3 cr ), ISEM 301 Great Issues (1 cr ), and Senior Experience.** The purpose of these courses is to provide students with the tools of integrative thinking, which are critical for problem solving, creativity and innovation, and communication and collaboration. Integrated learning is the competency to attain, use, and develop knowledge from a variety of disciplines and perspectives, such as the arts, humanities, sciences, and social sciences, with disciplinary specialization (to think divergently, distinguishing different perspectives), and to incorporate information across disciplines and perspectives (to think convergently, re-connecting diverse perspectives in novel ways). It is a cumulative learning competency, initiated as a first-year student and culminating as reflected in a graduating senior.

One course from ISEM 101 (open to first-year students only). One credit of ISEM 301. One course chosen from the approved Senior Experience courses listed below.\*

**Approved Senior Experience Courses:**

AGEC 478	Advanced Agribusiness Management	3 cr
AGED 471	Senior Capstone in Agricultural Education	1 cr
AGED 498	Internship	1-10 cr - Max 10 cr
ANTH 410	Research Methods in Anthropology	3
ARCH 454	Architectural Design: Vertical Studio	6 cr - Max 12 cr
ART 410	Professional Practices	2 cr
ART 490	BFA Art/Design Studio	6 cr - Max 12 cr
ART 491	Information Design	3 cr
ART 495	BFA Senior Thesis	2 cr - Max 4 cr
AVS 450	Issues in Animal Agriculture	1 cr
BE 478	Engineering Design I	3 cr
BE 479	Engineering Design II	3 cr
BE 491	Senior Seminar	1 cr
BIOL 401	Undergraduate Research	1-4 cr - Max 8 cr
BIOL 405	Practicum in Anatomy Laboratory Teaching	2-4 cr - Max 8 cr
BIOL 407	Practicum in Biology Laboratory Teaching	2-6 cr - Max 12 cr
BIOL 408	Practicum in Human Physiology Laboratory Teaching	2-4 cr - Max 8 cr
BIOL 411	Senior Capstone	2 cr
BIOL 491	Practicum in Teaching	2 cr
BIOL 495	Research in Molec/Cell/Dev Biology	1-16 cr
BIOL 496	Research in Ecology and Evolution	1-16 cr
BIOL 497	Research in Anatomy and Physiology	1-16 cr
BUS 490	Strategic Management	3 cr
CE 494	Senior Design Project	3 cr
CHE 452	Environmental Management and Design	1-16 cr
CHE 454	Chemical Process Analysis and Design II	3 cr
CHEM 409	Proseminar	1 cr
CS 481	CS Senior Capstone Design II	3 cr
ECE 481	EE Senior Design II	3
ECE 483	Computer Engineering Senior Design II	3
ECON 490	Economic Theory and Policy	3 cr

ENGL 440	Client-Based Writing	3 cr
ENGL 490	Senior Seminar	3 cr
EDCI 401	Internship Seminar	1
EDCI 485	Secondary Internship	15
ENT 438	Pesticides in the Environment	3 cr
ENVS 497	Senior Research	2-4 cr - Max 4 cr
FCS 401	Professional Ethics and Practice in CFCS	1 cr
FCS 424	Apparel Product Line Development: Senior Capstone	4 cr
<u>FCS 432</u>	<u>Apparel Promotion and Merchandising</u>	<u>3 cr</u>
FCS 486	Nutrition in the Life Cycle	3 cr
FCS 497	Internship Preschool	1-16 cr - Max 16 cr
FISH 418	Fisheries Management	4 cr
FISH 473	ECB Senior Presentation	1 cr
FISH 495	Fisheries Seminar	1 cr
FL 401	MLC International Experience	1 cr
FOR 424	Silviculture Principles and Practices	4 cr
FOR 427	Prescribed Burning Lab	3 cr
FOR 473	ECB Senior Presentation	1 cr
FS 489	Food Product Development	3 cr
GEOG 493	Senior Capstone in Geography	3 cr
GEOL 490	Field Geology II	3 cr
HIST 401	Seminar	1-16 cr
ID 452	Interior Design VI	6 cr
<u>INDT 484</u>	<u>Industrial Technology Capstone I</u>	<u>3cr</u>
INTR 401	Career and Leadership Development	2 cr
IS 495	International Studies Senior Seminar	3 cr
JAMM 448	Law of Mass Media	3
LARC 480	The Resilient Landscape	3 cr
MATH 415	Cryptography	3 cr
ME 424	Mechanical Systems Design I	3 cr
ME 426	Mechanical Systems Design II	3 cr
MUSA 490	Half Recital	0 cr
MUSA 491	Recital	0 cr
MUSC 481	Senior Thesis in Music Theory II	1 cr
MUSC 490	Senior Recital	0 cr
MUSH 481	Senior Thesis in Music History II	1 cr
MUST 432	Practicum: Music Teaching	11 cr
MVSC 486	Healthy Active Lifestyle Assessment and Intervention	3 cr
NRS 473	ECB Senior Presentation	1 cr
NRS 475	Conservation Planning and Management	4 cr
ORGS 410	Capstone Project in Organizational Sciences	1-6 cr - Max 6 cr
PEP 498	Internship in Exercise Science & Health	1-16 cr
PHIL 490	Senior Seminar	3 cr
PHYS 407	Communicating Science	1 cr

PHYS 492	Senior Research	1 cr
POLS 490	Senior Experience	3 cr
PSYC 415	History and Systems of Psychology	3 cr
REC 498	Internship in Recreation, Sport, and Tourism	1-16 cr
REM 456	Integrated Rangeland Management	3
REM 473	ECB Senior Presentation	1 cr
RMAT 473	ECB Senior Presentation	1 cr
RMAT 495/MKTG 495	Product Development and Brand Management	3 cr
SOC 460	Capstone: Sociology in Action	3 cr
SOC 461	Capstone:Justice Policy Issues	3 cr
SOC 462	Senior Practicum	3 cr
SOC 464	Criminology Abroad	3 cr
THE 483	Senior Capstone Project	2 cr
VTD 457	Capstone Design Studio I	6
WLF 473	ECB Senior Presentation	1 cr
WLF 492	Wildlife Management	4 cr

Within the J-3-e, J-3-f, J-3-g categories, students must complete a total of 18 credits.

## PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

### Submission Information

This section must be completed

Dept Chair Name:	Sonya Meyer	Email:	sonyam@uidaho.edu
College:	College of Agriculture and Life Sciences		
Department/Unit:	Family and Consumer Sciences/Child, Family and Consumer Studies		
Dept/Unit Approval Date:	9/13/2017	Vote Record:	Unanimous
College Approval Date:	9/26/2017	Vote Record:	Unanimous
Primary Point of Contact:	Beth Price	Email:	bethp@uidaho.edu
Briefly describe the change you are requesting:	Changing current options for CFCS major to emphasis areas and changing names.		

### What is the financial impact of the requested change?

Greater than \$250,000 per FY:	<input type="checkbox"/>	Less than \$250,000 per FY:	<input checked="" type="checkbox"/>
--------------------------------	--------------------------	-----------------------------	-------------------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact:

There will be no financial impact due to this change.

### Rationale for Program Component Request or Name Change

This section must be completed

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

The CFCS major is being restructured into a set of core courses with redefined emphasis areas. The major requirements are being streamlined and content is being reorganized to better reflect current needs of human services in the various fields represented. The common course requirements in the CFCS core create a strong foundation for all CFCS majors. The emphasis areas provide the opportunity for students to select a specialization. The name changes more clearly represent focus of emphasis area content and career opportunities. The four additional courses have all previously been piloted or taught as a Special Topic and will be taught as part of assigned faculty load or with graduate student support.

### Name or Degree Change Only Requests

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

Current Name:	Option A. Child and Youth Development Option B. Family Development and Aging Option C. Consumer and Community Development
New Name:	Emphasis A. Child Development and Family Relations Emphasis B. Family Development across the Lifespan Emphasis C. Personal and Family Finance

Current Degree:	
New Degree:	
Other Details:	
Effective Date:	2018-2019

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No  
 If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**\*\*Note: A substantive change to a program degree, major, or program component may require a program proposal form.**

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**\*\*Note: If you answered YES to this question, complete the table below:**

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

<input type="checkbox"/>	Create New	<input type="checkbox"/>	Discontinue	Implementation Date:		
<input type="checkbox"/>	Graduate Level	<input type="checkbox"/>	Undergraduate Level	<input type="checkbox"/>	Law Level	Credit Requirement:
Are new courses being created: (circle your response)				No	<input checked="" type="checkbox"/> Yes	If yes, how many courses will be created: 4

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

Major:	Child Family and Consumer Sciences (CFCS)	CIP Code:	19.0701	Degree:	BS FCS
--------	---	-----------	---------	---------	--------

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

Option:	<del>Child and Youth Development</del> <del>Family Development and Aging</del> <del>Consumer and Community Development</del>
Emphasis:	Child Development and Family Relations Family Development across the Lifespan Personal and Family Finance
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

CDFR – Coursework in supporting child and youth development. FDL – Coursework in family structure and relationship dynamics across the lifespan. Meets criteria to qualify for Certified Family Life Educator. PFF – Coursework in personal finance, debt management, consumer economics and housing issues. Meets preparation criteria for Accredited Financial Counselor Certification.
---

**Learning Outcomes and Assessment Information**

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

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

CDFR students will:

1. Demonstrate skills and strategies for planning, implementing and evaluating environments for supporting child and family development.
2. Demonstrate skills for working with each child, each family, and all teammates, regardless of the diverse demographics of the settings.
3. Apply theories and evidence-based strategies to programming that supports growth and development of children and their families.
4. Use formal and informal assessment (standardized assessment tools and a variety of observation methods) to evaluate, explain, and support child and family development.
5. Know, apply, and communicate developmental milestones of children and tasks of families.
6. Work collaboratively with a team.
7. Demonstrate skills (oral and computer generated written presentation skills) to communicate and report information to parents and colleagues.
8. Demonstrate practical strategies for advocating for children and families.
9. Demonstrate professional ethical practice (confidentiality, integrity, respectful relationships with children, families, colleagues and community).
10. Demonstrate ongoing professional learning and reflection to build knowledge and understanding of concepts related to child development and family relationships.

FDL students will be knowledgeable in the following content areas:

1. families and individuals in societal contexts
2. internal dynamics of families
3. human growth and development across the lifespan
4. human sexuality, interpersonal relationships
5. family resource management, parent education and guidance
6. family law and public policy, professional ethics and practice
7. family life education methodology.

Student will be eligible to apply for the Certified Family Life Educator.

PFF students will have the skills to:

1. Educate clients in sound financial principles.
2. Assist clients in the process of overcoming their financial indebtedness.
3. Help clients identify and modify ineffective money management behaviors.
4. Guide clients in developing successful strategies for achieving their financial goals.
5. Support clients as they work through their financial challenges and opportunities.
6. Help clients to develop new perspectives on the dynamics of money in relation to family, friends, and individual self-esteem.

Students will be eligible to take the Accredited Financial Counselor (AFC) national exam.

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

Specific assessment measures will vary across courses and emphasis areas. Course assessment measures will include: exams, quizzes, student written papers/projects/presentations, self-reflection papers, case-studies, mentor/supervisor evaluations, academic service learning hours, field placement reports and reflections, portfolios, and course grades.

Overall program assessment will include: Capstone portfolio/project/presentation, Senior Experience Survey, mentor teacher/internship or supervisor evaluations, passing scores on national exams/certifications, placement rates in careers.

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

Faculty will review assessment data and look for evidence of strengths and or weaknesses within program and indicators of need for improvement or gaps in content. Faculty will collaborate and address course and/or program change based on data results.

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

Direct: exams, quizzes, student written papers/projects/presentations, self-reflection papers, case-studies, mentor/supervisor evaluations, academic service learning hours, field placement reports and reflections, portfolios, mentor teacher/internship or supervisor evaluations, course grades, and passing scores on national exams/certifications.

Indirect: Senior Experience Survey and placement rates in careers.

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

The previous semester's data will be analyzed and reviewed at the beginning of each semester. Overall program data will be analyzed and reviewed each fall.

### Distance Education Availability

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

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

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

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

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

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

### Geographical Area Availability

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

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

Moscow	X	
Coeur d'Alene	X	
Boise*		
Idaho Falls*		
Other**		Location(s):

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

**Family and Consumer Sciences Undergraduate Curricular Requirements**

This major has an interdisciplinary focus on the individual and family development, the family as an institution, and individuals and families as consumers in the market place.

The minimum credits required for graduation are 128, including at least 36 credits at the 300-level or above. Required course work includes the university requirements (see regulation J-3), completion of the C.F.C.S. core courses and one of the designated emphasis areas below. Students who wish to graduate in Child, Family, and Consumer Sciences (CFCS) must earn a grade of "C" or higher in all required CFCS coursework.

Students are encouraged to declare a minor (i.e. Aging Studies, Women's, Gender, and Sexuality Studies, Psychology, Communications, Foreign Language, Business) or may choose to complete a secondary CFCS emphasis.

FCS 105	Individual and Family Development	3 cr
FCS 205	Concepts in Human Nutrition	3 cr
FCS 234	Infancy and Early Childhood Development	3 cr
FCS 240	Intimate Relationships	3 cr
FCS 251	Survey of FCS Professions	1 cr
FCS 334	Middle Childhood-Adolescence Development	3 cr
FCS 340	Parent-Child Relationships in Family & Community	3 cr
FCS 346	Personal and Family Finance and Management	4 cr
FCS 401	Prof. Ethics & Practice in Human & Family Service	1 cr
FCS 436	Theories of Child and Family Development	3 cr
FCS 440	Contemporary Family Relationships	3 cr
FCS 445	Issues of Work and Family	3 cr

FCS 329	History of Western Dress	3 cr
	OR	
FCS 419	Dress and Culture	

COMM 101	Fundamentals of Public Speaking	2 cr
PSYC 101	Introduction to Psychology	3 cr
SOC 101	Introduction to Sociology	3 cr
STAT 251	Statistical Methods	3 cr

COMM 335	Intercultural Communication	3 cr
	OR	
SOC 301	Introduction to Diversity and Stratification	

**One Social Science Research course (3 – 4 cr):**

PSYC 218	Introduction to Research in the Behavioral Sciences	4 cr
	OR	
ORGS 444	Methods and Analysis in Organizational Science	4 cr
	OR	
SOC 416	Qualitative Social Science Methods	3 cr
	OR	
SOC 417	Social Data Analysis	3 cr

**A. Child Development and Family Relations Emphasis**

The Child Development and Family Relations emphasis prepares students with a comprehensive understanding of child and youth development and family dynamics, based on theory and supported by research and professional practices. Careers include opportunities to provide direct services to children, youth and families such as teaching in early learning environments, working in diverse programs that offer support and teach skills to youth, serving as advocates for children

and families, and providing parent education. The CDFR Emphasis allows students to develop individualized programs to meet personal and career goals.

EDSP 300	Educating for Exceptionalities	3 cr
FCS 235	Principles and Methods of Child Observation	3 cr
FCS 333	Developmental Curriculum for Young Children	4 cr
FCS 435	Feeding Young Children in Group Settings	1 cr
H&S 288	First Aid: Emergency Response	2 cr
FCS 497	Internship Preschool	1-16 cr - Max 16 cr

*Nine credits required.*

**Courses to total 128 credits for this degree**

**B. Family Development across the Lifespan Emphasis**

The Family Development across the Lifespan emphasis provides comprehensive preparation in family science. To equip students with dynamic, applied skills in working with and advocating for individuals, couples, and families, FDL coursework emphasizes strong foundational knowledge in and critical analysis of human development, family dynamics, and the factors that influence and contribute to healthy relationships and social interactions across the lifespan. Students may pursue course preparation for the Certified Family Life Educator certification through the National Council on Family Relations. In addition to offering an excellent springboard toward the pursuit of a graduate degree this Emphasis offers career preparation for jobs in human service organizations, government agencies, nonprofit organizations, and business firms.

FCS 123	Textiles	3 cr
FCS 431	CFLE Methodology	3 cr
FCS 360	Sexuality across the Lifespan	3 cr
FCS 428	Housing America's Families	3 cr
FCS 434	Adulthood and Aging within the Context of Family	3 cr
FCS 486	Nutrition in the Lifecycle	3 cr
ID 443	Universal Design	3 cr
FCS 498	Internship	3-9 cr - Max 9 cr

**Courses to total 128 credits for this degree**

**C. Personal and Family Finance Emphasis**

The Personal and Family Finance emphasis provides specialized preparation in personal finance and real estate. Upon completion of coursework, students are prepared to take the Accredited Financial Counselor exam and the Certified Housing Counselor exam. Career opportunities include jobs in military installations, the financial industry, real estate companies, nonprofit organizations, government agencies, and business firms.

FCS 146	Adulting: Life, Love, and Money	3 cr
FCS 428	Housing America's Families	3 cr
FCS 446	Financial Counseling and Debt Management	3 cr
FCS 448	Consumer Economic Issues	3 cr
FCS 468	Real Estate Management	3 cr
ORGS 155	Financial Literacy	3 cr
FCS 498	Internship	3-9 cr - Max 9 cr

**Courses to total 128 credits for this degree**

**Available via distance:** 50% or more of curricular requirements cannot be completed via distance

**Geographical Area:** Moscow, CDA

**Rationale:** The CFCS major is being restructured into a set of core courses with designated emphasis areas. The major requirements are being streamlined and content is being reorganized to better reflect current needs of human services in the various fields represented. The common course requirements in the CFCS core create a strong foundation for all CFCS majors. The emphasis areas provide the opportunity for students to select a specialization. These changes more clearly represent focus of course content, career opportunities, and incorporate coursework to meet appropriate certification opportunities. The requirement of a “C” or higher in all courses assures that students possess the necessary understanding of the content and skills in order to continue in and complete the program.

Specific assessment measures will vary across courses and emphasis areas. Course assessment measures will include: exams, quizzes, student written papers/projects/presentations, self-reflection papers, case-studies, mentor/supervisor evaluations, academic service learning hours, field placement reports and reflections, portfolios, and course grades.

Overall program assessment will include: Capstone portfolio/project/presentation, Senior Experience Survey, mentor teacher/internship or supervisor evaluations, passing scores on national exams/certifications, placement rates in careers.

\*For an accounting of Group A curricular changes, see UCC-18-014a-Addendum.

1. Make the following curricular changes to the **Major in Child, Family, and Consumer Studies (B.S.F.C.S.):****Family and Consumer Sciences Undergraduate Curricular Requirements**

This major has an interdisciplinary focus on the [child individual and family development](#), the family as an institution, and [individuals and families as consumers in the market place](#).

The minimum credits required for graduation are 128, including at least 36 credits at the 300-level or above. Required course work includes the university requirements (see [regulation J-3](#)), [completion of the C.F.C.S. core courses and one of the designated emphasis areas below](#), and [one of the following options](#): [Students who wish to graduate in Child, Family, and Consumer Sciences \(CFCS\) must earn a grade of "C" or higher in all required CFCS coursework](#).

[Students are encouraged to declare a minor \(i.e. Aging Studies, Women's, Gender, and Sexuality Studies, Psychology, Communications, Foreign Language, Business\) or may choose to complete a secondary CFCS emphasis.](#)

FCS 105	Individual and Family Development	3 cr
FCS 205	Concepts in Human Nutrition	3 cr
FCS 234	Infancy and Early Childhood Development	3 cr
FCS 240	Intimate Relationships	3 cr
FCS 251	Survey of FCS Professions	1 cr
FCS 334	Middle Childhood-Adolescence Development	3 cr
FCS 340	Parent-Child Relationships in Family & Community	3 cr
FCS 346	Personal and Family Finance and Management	4 cr
FCS 401	Prof. Ethics & Practice in Human & Family Service	1 cr
FCS 436	Theories of Child and Family Development	3 cr
FCS 440	Contemporary Family Relationships	3 cr
FCS 445	Issues of Work and Family	3 cr

FCS 329	History of Western Dress	3 cr
	<u>OR</u>	
FCS 419	Dress and Culture	

COMM 101	Fundamentals of Public Speaking	2 cr
PSYC 101	Introduction to Psychology	3 cr
SOC 101	Introduction to Sociology	3 cr
STAT 251	Statistical Methods	3 cr

COMM 335	Intercultural Communication	3 cr
	<u>OR</u>	
SOC 301	Introduction to Diversity and Stratification	

**One Social Science Research course (3 – 4 cr):**

PSYC 218	Introduction to Research in the Behavioral Sciences	4 cr
	<u>OR</u>	
ORGS 444	Methods and Analysis in Organizational Science	4 cr

	<u>OR</u>	
SOC 416	Qualitative Social Science Methods	3 cr
	<u>OR</u>	
SOC 417	Social Data Analysis	3 cr

### A. Child and Youth Development Option

The Child and Youth Development option prepares students with a comprehensive understanding of child and youth development and family dynamics, based on theory and supported by research and professional practices. ~~allows students to develop individualized programs to meet personal and career goals.~~ Careers include opportunities to provide direct services to children, youth and families such as through teaching in early learning environments ~~or child care~~, working in diverse programs that offer support and teach skills to youth, ~~to fill~~ serving as advocates ~~advocacy roles~~ for children and families, and providing, ~~or to be involved with~~ parent education. The CDFR Emphasis allows students to develop individualized programs to meet personal and career goals.

<del>COMM 101</del>	<del>Fundamentals Public Speaking</del>	<del>2 cr</del>
<u>EDSP 300</u>	Educating for Exceptionalities	3 cr
<del>FCS 105</del>	<del>Individual and Family Development</del>	<del>3 cr</del>
<del>FCS 205</del>	<del>Concepts in Human Nutrition</del>	<del>3 cr</del>
<del>FCS 234</del>	<del>Infancy and Early Childhood</del>	<del>3 cr</del>
<u>FCS 235</u>	Principles and Methods of Child Observation	3 cr
<del>FCS 240</del>	<del>Intimate Relationships</del>	<del>3 cr</del>
<u>FCS 333</u>	Developmental Curriculum for Young Children	4 cr
<u>FCS 435</u>	<u>Feeding Young Children in Group Settings</u>	<u>1 cr</u>
<del>FCS 334</del>	<del>Middle Childhood-Adolescence</del>	<del>3 cr</del>
<del>FCS 340</del>	<del>Parent-Child Relationships in Family and Community</del>	<del>3 cr</del>
<del>FCS 346</del>	<del>Personal and Family Finance and Management</del>	<del>4 cr</del>
<del>FCS 436</del>	<del>Theories of Child and Family Development</del>	<del>3 cr</del>
<del>FCS 440</del>	<del>Contemporary Family Relationships</del>	<del>3 cr</del>
<del>FCS 445</del>	<del>Issues in Work and Family Life</del>	<del>3 cr</del>
<u>H&amp;S 288</u>	First Aid: Emergency Response	2 cr
<u>MATH 130</u>	Finite Mathematics	3 cr
	<u>OR</u>	
<del>STAT 251</del>	<del>Statistical Methods</del>	<del>3 cr</del>
<del>MATH 130, STAT 251: MATH 130 or higher. STAT 251 or higher.</del>		
<u>FCS 497</u>	Internship Preschool	1-16 cr - Max 16 cr
<i>Nine credits required.</i>		

**Courses to total 128 credits for this degree**

### B. Family Development and Aging Option

The Family Development and Aging Option provides comprehensive ~~a general~~ preparation in family science. To equip students with dynamic, applied skills in working with and advocating for individuals, couples, and families, FDL coursework emphasizes strong foundational knowledge in and critical analysis

of human development, family dynamics, and the factors that influence and contribute to healthy relationships and social interactions across the lifespan. Students may pursue course preparation for the Certified Family Life Educator certification through the National Council on Family Relations. In addition to offering an excellent springboard toward the pursuit of a graduate degree this Emphasis offers career preparation for. ~~Career options include~~ jobs in human service organizations, government agencies, nonprofit organizations, and business firms. ~~Students are encouraged to declare a minor in Aging Studies.~~

<del>FCS 105</del>	<del>Individual and Family Development</del>	<del>3 cr</del>
<del>FCS 123</del>	<del>Textiles</del>	<del>3 cr</del>
<del>FCS 205</del>	<del>Concepts in Human Nutrition</del>	<del>3 cr</del>
<del>FCS 234</del>	<del>Infancy and Early Childhood</del>	<del>3 cr</del>
<del>FCS 240</del>	<del>Intimate Relationships</del>	<del>3 cr</del>
<del>FCS 334</del>	<del>Middle Childhood Adolescence</del>	<del>3 cr</del>
<del>FCS 340</del>	<del>Parent-Child Relationships in Family and Community</del>	<del>3 cr</del>
<del>FCS 346</del>	<del>Personal and Family Finance and Management</del>	<del>4 cr</del>
<del>FCS 401</del>	<del>Professional Ethics and Practice in CFCS</del>	<del>1 cr</del>
<del>FCS 431</del>	<del>CFLE Methodology</del>	<del>3 cr</del>
<del>FCS 360</del>	<del>Sexuality across the Lifespan</del>	<del>3 cr</del>
<del>FCS 428</del>	<del>Housing America's Families</del>	<del>3 cr</del>
<del>FCS 434</del>	<del>Adulthood and Aging within the Context of Family</del>	<del>3 cr</del>
<del>FCS 486</del>	<del>Nutrition in the Lifecycle</del>	<del>3 cr</del>
<del>FCS 440</del>	<del>Contemporary Family Relationships</del>	<del>3 cr</del>
<del>FCS 445</del>	<del>Issues in Work and Family Life</del>	<del>3 cr</del>
<del>FCS 448</del>	<del>Consumer Economic Issues</del>	<del>3 cr</del>
<del>ID 443</del>	<del>Universal Design</del>	<del>3 cr</del>
<del>FCS 498</del>	<del>Internship</del>	<del>3-9 cr - Max 9 cr</del>
<del>STAT 251</del>	<del>Statistical Methods</del>	<del>3 cr</del>
<del>One of the following (3 cr):</del>		
<del>FCS 329</del>	<del>History of Western Dress</del>	<del>3 cr</del>
<del>FCS 419</del>	<del>Dress and Culture</del>	<del>3 cr</del>

**Courses to total 128 credits for this degree**

### C. Consumer and Community Development Option

The Consumer and Community Development Option provides ~~a general~~ specialized preparation in personal finance and real estate. ~~consumer science.~~ Upon completion of coursework, S tudents are prepared to take the ~~may select to pursue course preparation for~~ Accredited Financial Counselor exam and the Certified Housing Counselor exam.; Career opportunities ~~options~~ include jobs in military installations, the financial industry, real estate companies, nonprofit organizations, government agencies, and business firms. ~~Students could also declare a minor in business. See Advisor for specific coursework to pursue these options.~~

<del>FCS 105</del>	<del>Individual and Family Development</del>	<del>3 cr</del>
<del>FCS 123</del>	<del>Textiles</del>	<del>3 cr</del>
<del>FCS 205</del>	<del>Concepts in Human Nutrition</del>	<del>3 cr</del>
<del>FCS 234</del>	<del>Infancy and Early Childhood</del>	<del>3 cr</del>

<a href="#"><u>FCS 240</u></a>	<del>Intimate Relationships</del>	<del>3 cr</del>
<a href="#"><u>FCS 334</u></a>	<del>Middle Childhood Adolescence</del>	<del>3 cr</del>
<a href="#"><u>FCS 346</u></a>	<del>Personal and Family Finance and Management</del>	<del>4 cr</del>
<a href="#"><u>FCS 401</u></a>	<del>Professional Ethics and Practice in CFCS</del>	<del>1 cr</del>
<a href="#"><u>FCS 146</u></a>	<a href="#"><u>Adulting: Life, Love, and Money</u></a>	<a href="#"><u>3 cr</u></a>
<a href="#"><u>FCS 428</u></a>	Housing America's Families	3 cr
<a href="#"><u>FCS 445</u></a>	<del>Issues in Work and Family Life</del>	<del>3 cr</del>
<a href="#"><u>FCS 446</u></a>	Financial Counseling and Debt Management	3 cr
<a href="#"><u>FCS 448</u></a>	Consumer Economic Issues	3 cr
<a href="#"><u>FCS 468</u></a>	<a href="#"><u>Real Estate Management</u></a>	<a href="#"><u>3 cr</u></a>
<a href="#"><u>ORGS 155</u></a>	<a href="#"><u>Financial Literacy</u></a>	<a href="#"><u>3 cr</u></a>
<a href="#"><u>FCS 498</u></a>	Internship	3-9 cr - Max 9 cr
<a href="#"><u>STAT 251</u></a>	<del>Statistical Methods</del>	<del>3 cr</del>
<del>One of the following (3 cr):</del>		
<a href="#"><u>FCS 340</u></a>	<del>Parent-Child Relationships in Family and Community</del>	<del>3 cr</del>
<a href="#"><u>FCS 440</u></a>	<del>Contemporary Family Relationships</del>	<del>3 cr</del>
<del>One of the following (3 cr):</del>		
<a href="#"><u>FCS 329</u></a>	<del>History of Western Dress</del>	<del>3 cr</del>
<a href="#"><u>FCS 419</u></a>	<del>Dress and Culture</del>	<del>3 cr</del>
<b>Courses to total 128 credits for this degree</b>		

**Available via distance:** 50% or more of curricular requirements cannot be completed via distance

**Geographical Area:** Moscow, CDA

**Rationale:** The CFCS major is being restructured into a set of core courses with designated emphasis areas. The major requirements are being streamlined and content is being reorganized to better reflect current needs of human services in the various fields represented. The common course requirements in the CFCS core create a strong foundation for all CFCS majors. The emphasis areas provide the opportunity for students to select a specialization. These changes more clearly represent focus of course content, career opportunities, and incorporate coursework to meet appropriate certification opportunities. The requirement of a "C" or higher in all courses assures that students possess the necessary understanding of the content and skills in order to continue in and complete the program.

Specific assessment measures will vary across courses and emphasis areas. Course assessment measures will include: exams, quizzes, student written papers/projects/presentations, self-reflection papers, case-studies, mentor/supervisor evaluations, academic service learning hours, field placement reports and reflections, portfolios, and course grades.

Overall program assessment will include: Capstone portfolio/project/presentation, Senior Experience Survey, mentor teacher/internship or supervisor evaluations, passing scores on national exams/certifications, placement rates in careers.

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	Dr. Paul McDaniels	Email:	<a href="mailto:paulm@uidaho.edu">paulm@uidaho.edu</a>
College:	CAL S		
Department/Unit:	Plant Sciences		
Dept/Unit Approval Date:	September 13, 2017	Vote Record:	Unanimous
College Approval Date:	9/28/2017	Vote Record:	Unanimous
Primary Point of Contact:	Jack Brown	Email:	<a href="mailto:jbrown@uidaho.edu">jbrown@uidaho.edu</a>
Briefly describe the change you are requesting:	The New Plant Sciences Department restructured their major undergraduate degrees, adding a Major in Crop Management to the B.Sc. In Plant Science. This proposed curriculum change is to add a minor in the Crop Management Major. All students must complete: PS 102, PS 407, AGEC 278, and two from PS 408, 451 or 490. Plus 6 credits of electives from PS 338, PS 408, PS 438, PS 446, PS 451, PS 490, ASM 305, ASM 315, ASM 412, AGEC 356 or 477, Soil 205&206, Soil 446.		

**What is the financial impact of the requested change?**

Greater than \$250,000 per FY:	<input type="checkbox"/>	Less than \$250,000 per FY:	<input checked="" type="checkbox"/>
--------------------------------	--------------------------	-----------------------------	-------------------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact: Minimal/None anticipated. This proposed addition of the Crop Management Minor will utilize existing courses.

**Rationale for Program Component Request or Name Change**

This section must be completed

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

Adding the Crop Management Minor as an option will allow students with other Major B.Sc. degrees the opportunity to complete a minor which covers the basic course work in Crop Management (including classes in Plant Science, Agricultural Economics, and Agricultural Systems Management). Students who complete the proposed Minor will have broader opportunities in agricultural careers, and will make them more competitive in the job market.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

Current Name:	
New Name:	
Current Degree:	
New Degree:	
Other Details:	

Effective Date:	
-----------------	--

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No

If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed <i>(if no change, write N/A and move to next outcome)</i>	New Direct Measure <i>(list student work product and explain how it will be evaluated)</i>	Have you updated the assessment cycle to include this change? <i>(yes/no)</i>
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

x	Create New		Discontinue	Implementation Date:			
	Graduate Level	x	Undergraduate Level	Law Level	Credit Requirement:	21-22 Cr	
Are new courses being created: (circle your response)				No	Yes	If yes, how many courses will be created:	

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

Major:		CIP Code:	01.0304	Degree:	
--------	--	-----------	---------	---------	--

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

Option:	
Emphasis:	-
Minor:	Crop Management
Academic Certificate less than 30 credits:	-
Teaching Endorsement (Major/Minor):	-

Provide a summary/description of the program component using 50 words or less:

This Minor will provide students an understanding of crop production and management practices. Course work includes classes in crop plants, crop production, agricultural economics, and management of major crops grown in the PNW region. In addition students can choose a variety of agricultural classes to fit their specific interests.
--

### Learning Outcomes and Assessment Information

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

1. List the intended learning outcomes for the program component. Use learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:  Learn and integrate knowledge in crop management and to integrate this information across biology, plant science, and ag business management. Apply thinking strategies to real-world issues to solve problems and make consequential decisions in the area of crop management. Communicate the intended meaning using verbal and non-verbal methods to demonstrate understanding in a complex society.
---

2. Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
<p>Demonstrated ability to apply academic knowledge to real-world problems and controversies; performance on parts of standardized exams that assess ability to integrate and synthesize various concepts.</p> <p><u>Indirect Measure Process (per our current protocols and metrics):</u>                  Student evaluations of teaching; student grades in core courses, including performance on lecture exams, laboratory exams, class projects, and term papers.</p> <p><u>Face-to-Face Measures (per our current protocols and metrics):</u>                  Exit interviews with graduating seniors, including overall assessment of minor program. Academic advising will also be assessed in order to improve student knowledges about careers in the proposed minor.</p>
3. How will you ensure that the assessment findings will be used to improve the program?
<p>The new Department of Plant Sciences Curriculum Committee will oversee assessment measures and outcomes as well as recommend curricular changes to improve the minor as needed.</p>
4. What direct and indirect measures will be used to assess student learning?
<p><u>Direct Benchmarks (per our current protocols and metrics):</u>                  At least 80% of students pass standardized tests; at least 80% of employers are satisfied with performance of student interns; at least 75% of students actively participate in club/organization and/or service learning activities.</p> <p><u>Indirect Benchmarks (per our current protocols and metrics):</u>                  Student evaluations of course and instructor quality in courses required by minor should be 3 or higher; students should receive a grade of C or higher in all courses required for the minor.</p>
5. When will assessment activities occur and at what frequency?
<p>Learning Outcomes Assessment as outlined will occur prior to each Academic Year. New or adjusted procedures and metrics will be developed by Plant Sciences faculty members as needed for the proposed plant science majors.</p>

**Distance Education Availability**

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

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

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

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

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

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

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

### Geographical Area Availability

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

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

Moscow	x		
Coeur d'Alene			
Boise*			
Idaho Falls*			
Other**		Location(s):	

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

### Crop Management Minor Curricular Requirements

PISc 102	The Science of Plants in Agriculture	(3 cr)
PISc 407	Field Crop Production	(3 cr)
AGEC 278	Farm and Agribusiness Management	(4 cr)

### Two of the following:

PISc 408	Cereal Science	(3 cr)
PISc 451	Vegetable Crops	(3 cr)
PISc 490	Potato Science	(3 cr)

### Electives (6 cr):

AGEC 356	Agricultural and Rural Policy	(3 cr)
	OR	
AGEC 477	Law, Ethics, and the Environment	(3 cr)
ASM 305	GPS and Precision Agriculture	(3 cr)
ASM 315	Irrigation Systems and Water Management	(3 cr)
ASM 412	Agricultural Safety and Health	(2 cr)
PISc 338	Weed Control	(4 cr)
PISc 408	Cereal Science	(3 cr)
PISc 438	Pesticides in the Environment	(3 cr)
PISc 446	Plant Breeding	(3 cr)
PISc 451	Vegetable Crops	(3 cr)
PISc 490	Potato Science	(3 cr)
Soil 205	The Soil Ecosystem	(3 cr)
	AND	
Soil 206	The Soil Ecosystem Lab	(1 cr)
Soil 446	Soil Fertility	(1-3 cr, max 3)

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #17**

**3:30 p.m. - Tuesday, February 6, 2018  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #16, January 30, 2018 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

- Automate Student Change of Major (Hubbard/Chermak)

**VI. Committee Reports.**

**University Curriculum Committee (vote)**

- **FS-18-039** (UCC-18-016): Law/CNR - Natural Resources and Environmental Law Grad Certificate (Long)
- **FS-18-040** (UCC-18-036a&b): CALS - New M.S. Plant Pathology (Lewis)
- **FS-18-041** (UCC-18-031,c&d): CLASS - New Communication Major (Folwell/Thorsteinson)

**VII. Special Orders.**

- Faculty – Compensation Task Force (Hrdlicka)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #16  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #16, Tuesday, January 30, 2018**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Baird, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Foster, Ellison, Grieb, Hrdlicka, Leonor, Jeffrey, Johnson, Mahoney, Morgan, Morrison, Nicotra, Orr (for Kern) (Coeur d'Alene), Panttaja, Seamon, Stevenson (for Wiencek), Watson, Tibbals, Vella, Zhao (Idaho Falls). **Absent:** Kern, Schwarzlaender, Wiencek. **Guests:** 10

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. A motion (Baird/Watson) to approve the minutes passed.

**Chair's Report.** The chair's report was brief:

- Senators are reminded to distribute the Talking Points to their colleagues.
- The Staff Awards Committee invites nominations for staff who have shown exemplary dedication and have gone above and beyond their normal job duties at the University of Idaho. Nominations are solicited until Feb. 9, 2018. The seven nomination categories are as follows: Senior Leadership, Non-Faculty Exempt, Technical/Paraprofessional, Service/Maintenance, Skilled Trades, Administrative Assistants and a Team Award. More info at: <https://www.uidaho.edu/faculty-staff/staff-council/staff-awards/categories-and-nomination-forms>

**Provost's Report.** Vice Provost for Faculty Jeanne Stevenson gave the report for Provost Wiencek, who was unable to attend the meeting. Conversations are underway with various constituencies in the university about how to best utilize our budgetary resources. Provost Wiencek plans to provide more information at the next meeting about these conversations. A senator asked for background information on the recently announced expansion to more states than previously noted of the WUE scholarship program and whether the expansion was financially viable? Stevenson indicated that the State Board of Education expects the WUE expansion.

**FS-18-027 (UCC-18-024a): Business – New Small Business/Entrepreneurship Option.** Professor Jeff Bailey from the College of Business and Economics (CBE) explained that no new resources are required for the proposed option and that there is capacity in current CBE courses to support additional students. CBE believes the program will attract students who are interested in small business management, but don't want to get a full business degree. The proposal was approved with three abstentions.

**FS-18-028 (UCC-18-024b & UCC-18-025): Business - New Certificate Trading & Capital Management.** Senator Terry Grieb presented the proposal. The certificate is part of the Barker Capital Management & Trading program. Students from both CBE and the College of Agriculture and Life Sciences (CALs) participate in the Barker program. The program is tailored so students in Agricultural Economics can count Ag Econ credits towards completion of the certificate. A senator pointed out a clerical error in the course number for one of the required courses in the program. The correct course number is Ag Econ 468 (the incorrect number, 466, was listed in the proposal). The corrected proposal was approved unanimously.

**FS-18-029 (UCC-18-029a & UCC-18-029): Education – Movement Science – New Emphasis in Community Health Education & Promotion.** Professor Philip Scruggs presented the proposal from the College of Education, Health and Human Services (CEHHS). The proposal creates a new public health emphasis within Exercise Science and Health. Students have expressed a high level of interest in this area. Also, similar programs are offered at both BSU and ISU. The college believes it is important to remain competitive in this area. Additional resources are not requested. Rather the new emphasis reorganizes existing coursework. The proposal was unanimously approved.

**FS-18-030 (UCC-18-029b): Education – Discontinue B.S.Ed. Physical Education.** Professor Scruggs again presented the proposal for CEHHS. He explained that physical education is now an emphasis area in the Exercise Science and Health major. This proposal eliminates overlap and still meets state and national K-12 certification standards. In response to questions from senators, Professor Scruggs explained that existing students would be able to complete the major. The college believes that prospective students will be attracted to the re-structured program. A senator suggested adding the word “and” to the joint-listed courses that are required in the proposal to make clear that all are required. After confirmation from Scruggs that all three courses were required, the proposal passed unanimously

**FS-18-031 (UCC-18-029c & UCC-18-032): Education - New Teaching Endorsement in Special Education.** Professor Aleksandra Hollingshead presented the proposal for CEHHS. The college currently has a graduate program in special education. This proposal would add an endorsement program for secondary education majors. Elementary teachers would also be able to pursue this endorsement. A senator asked how the graduate students in the two overlapping graduate/undergraduate courses would be impacted with the increased presence of undergraduate students in the course. Professor Hollingshead explained that the faculty members plan to weigh the assignments differently and require additional assignments of the graduate students. They also plan to offer additional support to undergraduate students taking the courses. The proposal passed unanimously.

**FS-18-032 (UCC-18-032a): CALS - New Minor Agricultural Communications & Leadership.** Professor Kat Wolf presented the proposal for CALS. She explained that the new minor will allow agriculture students majoring in more science-oriented disciplines to pursue communication and leadership without changing or giving up their science-oriented major. The proposal passed unanimously.

**FS-18-033 (UCC-18-032b): CALS - New Minor Biotechnology and Plant Genomics.** Professor Joseph Kuhl presented the proposal for CALS. He explained that there are presently four plant science majors. Two have pre-existing minors to go with them. The biotechnology and plant genomics major did not previously have a minor. A significant number of students have expressed interest in this minor. The proposal passed unanimously.

**FS-18-034 (UCC-18-032c): CALS – Family Consumer Science restructure.** Professor Hydee Becker presented the proposal for CALS. Professor Becker explained that the present major in Food and Nutrition has two options – dietetics and nutrition. In the past, completion of the dietetics option has allowed students to sit for a dietetics credentialing exam. Recently the accrediting agency has revised its rules to require a graduate degree to sit for the dietetics credentialing exam. The proposal would end the undergraduate option in dietetics within the Food and Nutrition major. The School of Family and Consumer Sciences plans to offer a graduate program that will fulfil the credentialing exam requirements. A senator asked whether the graduate program would be located in Moscow. Becker replied that students will likely have to do part of their programs in Moscow but will also have to complete their program in locations in which internships are available. A senator asked about the addition of a new course when the proposal is to discontinue the option. Becker pointed out that the new course was necessary to prepare students for the upcoming graduate degree. A senator asked whether they would be able to have a three plus two option for the new graduate program. Becker responded that such a program may be possible. The proposal passed with one abstention.

**FS-18-035 – Revision of APM 95.21 - University Closures.** Executive Director of Public Safety and Security Matt Dorschel presented the revisions. The APM was updated to add a definition of “essential personnel” who can be on campus during campus closures. The policy requires that such essential personnel be designated in advance by administrators. A senator asked about lab scientist access to campus to attend ongoing experiments during closures. Dorschel responded that researchers were considered. They should request to be designated as essential personnel by their unit administrator. A number of questions followed. How will experimentalists on campus be made aware of the need to be designated as essential personnel? Do designated essential personnel *have* to show up during a closure? Are there consequences for employees who

come to campus during a closure, but are not designated as essential? Dorschel explained that the goal of the policy is not to penalize our employees who need to come to work during a closure. Rather, the goal is to help the university know how many people are on campus during a closure and where they might be located. This information will assist the university in safety planning and response. Also, the hope is the policy might discourage non-critical employees from coming to work during emergency situations where they may be at heightened risk of injury. Dorschel clarified that the goal of the policy is not to exclude employees from such things as workers compensation for injuries incurred during a closure – coverage will not be denied on this basis. Rather the university would like to mitigate the potential for those claims. A senator suggested that college safety committees address the implementation of the policy. Dorschel thanked the senator for the very helpful suggestion.

**FS-18-036 – Elimination of APM 35.91 - Bomb Threat.** Executive Director Dorschel explained that the subject APM was eliminated in favor of including information how to respond to such an emergency on the Safety and Security website. The Faculty Secretary and Senate Chair both expressed concern that employees would not be able to locate the procedure, especially as the Safety website does not come up at the top of the search results list. The inability to locate said procedure is a risk, especially during a stressful situation such as a Bomb Threat. In addition, removal of important procedures from the APM removes them from the scrutiny of the shared governance process. The suggestion was made that the APM be retained and contain a direct link to the webpage where the information is housed. Executive Director Dorschel agreed this was a good solution.

**FS-18-037 - APM 45.01 - Animal Care and Use.** Audrey Harris, the Interim Director of the Office of Research Assurance and Biosafety Office, presented the policy update. She explained that when the university updated its public health service policy assurance, we had to change our occupational health policy for animal workers. Originally, we had a program where anyone who worked with animals could opt out of assignments that posed health consequences for the employee. This approach was not consistent with federal policy. Rather, the university now will implement pre-screening to identify the health needs of employees working with animals to implement safety procedures protecting these employees from adverse health consequences. The costs of this new procedure will be borne at the department level. A senator asked for assurance regarding the confidentiality of individual employee health information. Director Harris responded that her office has implemented procedures to maintain confidentiality, including allowing affected employees to send information directly to the physician conducting the pre-screening.

**Update on Retreat Topics.** The chair introduced a report from Senate Leadership detailing responses to topics raised by senators at our fall semester retreat. He solicited questions, comments, and follow-up suggestions on the report. A senator suggested that as the financial situation at the UI has become clearer, increased faculty engagement in how to respond would be appropriate. The chair replied that Senate Leadership has asked Vice President for Finance Brian Foisy to attend a future meeting to discuss and explain the university's financial situation. In addition, the chair added that Vice President Foisy will be establishing a workgroup to look at the finance situation and consider responses. Chair Hrdlicka commented that the list only contained items from the retreat and that other items that have since been identified, also are being explored. A senator thanked Senate Leadership for the retreat update.

The agenda having been completed the meeting was adjourned (Mahoney/Panttaja) at 4:46

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

## PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

### Submission Information

This section must be completed

Dept Chair Name:	Jerrold Long; Lee Dillion	Email:	<a href="mailto:jlong@uidaho.edu">jlong@uidaho.edu</a> <a href="mailto:dillion@uidaho.edu">dillion@uidaho.edu</a>
College:	Law		
Department/Unit:	N/A		
Dept/Unit Approval Date:	N/A	Vote Record:	N/A
College Approval Date:	Sept. 6, 2017	Vote Record:	30-0
Primary Point of Contact:	Jerrold Long	Email:	<a href="mailto:jlong@uidaho.edu">jlong@uidaho.edu</a>
Briefly describe the change you are requesting:	Creation of a graduate certificate in Natural Resources and Environmental Law for non-law graduate students.		

### What is the financial impact of the requested change?

Greater than \$250,000 per FY:	<input type="checkbox"/>	Less than \$250,000 per FY:	<input checked="" type="checkbox"/>
--------------------------------	--------------------------	-----------------------------	-------------------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact: There will be limited financial impact. Certificate courses are already offered by existing faculty. In many cases, non-law graduate students are already taking these courses. There is the potential from some additional tuition revenue due to the twelve additional credits required for a certificate, but that impact is likely to be minimal.

### Rationale for Program Component Request or Name Change

This section must be completed

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

Proposal will create a 12-credit graduate certificate in Natural Resources and Environmental Law for non-law graduate students. Many professionals working in natural resources related fields regularly interact with a wide array of legal regimes that regulate or protect the natural environment. In many cases, the day-to-day compliance activities are performed by non-lawyers who may have received no prior training in the legal regimes that regulate their activities. This certificate will introduce graduate students to those legal regimes, better preparing them to work as resource managers, agency scientists, ranchers, foresters, or other professions that extract, allocate, manage, or conserve natural resources.

### Name or Degree Change Only Requests

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

Current Name:	
New Name:	
Current Degree:	

New Degree:	
Other Details:	
Effective Date:	

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No

If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

X	Create New		Discontinue	Implementation Date:	Fall 2018
X	Graduate Level		Undergraduate Level	Law Level	Credit Requirement: 12
Are new courses being created: (circle your response)				No	Yes
				If yes, how many courses will be created:	

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

Major:		030201:		Degree:	
--------	--	---------	--	---------	--

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

Option:	
Emphasis:	
Minor:	
Academic Certificate less than 30 credits:	Natural Resources and Environmental Law
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

The Natural Resources and Environmental Law Graduate Certificate provides natural resources professionals with an understanding of the wide array of laws and policies that affect the use, allocation, and protection of the natural environment, facilitating compliance with those laws and policies and improving communication with lawyers and policy makers.
---

### Learning Outcomes and Assessment Information

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

1. List the intended learning outcomes for the program component. Use learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:
<p>Students will develop a basic understanding of the state and federal laws that regulate natural resources and the environment.</p> <p>Students will be able to identify the potential legal implications of various resource management, allocation, conservation, or protection decisions.</p> <p>Students will be able to explain the proper role of licensed attorneys and resource managers and users in navigating legal issues.</p>
2. Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
<p>This program is offered by a small group of faculty at the College's Moscow location, all of who participate in the College's Natural Resources and Environmental Law Emphasis. Faculty will meet annually to discuss student performance in the Graduate Certificate and identify mechanisms to improve non-law graduate student learning. Because all classes in this certificate are currently offered in the College of Law, the classes will also be part of the College's broader assessment process.</p>
3. How will you ensure that the assessment findings will be used to improve the program?
<p>Faculty will incorporate assessment findings into both teaching and grading practices for non-law students, as determined and discussed by the program faculty at meetings held each semester.</p>
4. What direct and indirect measures will be used to assess student learning?
<p>Direct measures:</p> <ul style="list-style-type: none"> <li>• Short essays and in-depth written works explaining, analyzing, and applying legal rules and principles. Writing assignments will be designed to address all three learning outcomes, although they will focus primarily on the first two. For example, a typical essay assignment would present a case study and require the student to both identify the appropriate legal regime and explain how that legal regime would affect the activities described in that case study (i.e., the second and first learning outcomes, respectively). For non-law students, writing assignments could address the different role for resource managers, compared to lawyers, thus focusing on the third outcome. Longer writing assignments would require in-depth explanations and analyses of specific legal regimes (the first learning outcome).</li> <li>• Exams and quizzes focused on knowledge of relevant legal rules. Exams and quizzes focus primarily on the first learning outcome, and require the student to demonstrate their knowledge of the relevant laws and rules. Essay exams questions would address the second learning outcome, by requiring the students to first identify the potential legal problems before explaining the impacts or functioning of the law in the context of the given problem.</li> <li>• Group projects. Several of the classes use group projects to address the second and third learning outcomes. These group projects create interdisciplinary teams that require the students to identify both the potential problems and legal solutions for various natural resource management scenarios.</li> </ul> <p>Indirect measures:</p> <ul style="list-style-type: none"> <li>• Course grades</li> </ul>
5. When will assessment activities occur and at what frequency?
<p>Student assessment will occur each semester during the individual classes. Program assessment will occur continually, both informally and more formally at meetings held by participating faculty each semester.</p>

### Distance Education Availability

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

To comply with the requirements of the Idaho State Board of Education (SBOE) and the Northwest Commission on Colleges and Universities (NWCCU), the University of Idaho must declare whether 50% or more of the curricular requirements of a program may be

completed via distance education. **If the program component is to be offered via distance education, additional or different formwork may be required.** Contact [provost@uidaho.edu](mailto:provost@uidaho.edu) for assistance.

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

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

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

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

### Geographical Area Availability

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

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

Moscow	X		
Coeur d'Alene			
Boise*			
Idaho Falls*			
Other**		Location(s):	

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

### Natural Resources and Environmental Law Graduate Academic Certificate

#### Required Courses (12 cr):

Law 907	Administrative Law	3 cr
Law 942	Water Law I	1 cr
Law 947	Environmental Law	3 cr
Law 948	Public Lands and Resources Law	3 cr
Law 969	Water Law II	2 cr

#### Courses to total 12 credits for this certificate



**Before completing this form, refer to Board Policy Section III.G., Postsecondary Program Approval and Discontinuance.** This proposal form must be completed for the creation of each new program. All questions must be answered.

## **Rationale for Creation or Modification of the Program**

- 1. Describe the request and give an overview of the changes that will result.** Will this program be related or tied to other programs on campus? Identify any existing program that this program will replace.

This is a request to create a new M.S. degree Program in the newly established (July 2017) Department of Entomology, Plant Pathology and Nematology (EPPN). This degree existed previously in CALS prior to the consolidation of Plant Pathology and Entomology into Plant, Soil and Entomological Sciences (PSES) in 1982. Eight faculty who disciplinarily align with Plant Pathology were part of the Department of Plant, Soil and Entomological Sciences and chose to move their programs into the newly establishment EPPN in July, 2017. Traditionally in PSES, the graduate students working with Plant Pathology faculty received M.S. degrees in Plant Science. Since faculty who complete Plant Pathology research are now members of EPPN and will continue to train graduate students who study Plant Pathology, it is logical that their degree should reflect this discipline. Finally, we are requesting that Plant Pathology be made a state-wide designation.

- 2. Need for the Program.** Describe the student, regional, and statewide needs that will be addressed by this proposal and address the ways in which the proposed program will meet those needs.

Currently the eight Plant Pathology faculty within EPPN supervise 11 M.S. students. During the 2005-2016 time period they graduated 14 M.S. students. The M.S. students supported by these faculty prior to the establishment of the new EPPN department received degrees in Plant Science, whom, if the option had been available would have received graduate degrees in Plant Pathology. The Plant Pathology faculty within EPPN now have the opportunity to deliver degrees to their students that more closely reflects the disciplinal nature of their research. The establishment of the EPPN provides name recognition to the department to help potential students identify research projects focused on plant disease problems. It also provides disciplinal name recognition to the degrees conferred to students by the department.

The market analysis completed by the Hanover Research states that plant pathology programs are not widely available in Idaho. Considering the large agricultural emphasis throughout the state, this is the exact reason why the University of Idaho, as the land grant institute for the state, should be providing education to support individuals with emphasis in plant pathology. In the past, were potential graduate students to look for opportunities to study plant pathology at UI, they would have had a difficult time finding these because "Plant Pathology" was not included in any established program at the university. This situation has been changed with the establishment of the new EPPN department.

In addition, with the newly established EPPN department and the establishment of a M.S. in Plant Pathology we believe that Plant Pathology should be added to the Idaho State Board as a statewide responsibility. There are currently eight Plant Pathology faculty in the state of Idaho, with at least one Plant Pathologist at each Research and Extension Center across the state we are strongly suited to

serve agriculture throughout the state of Idaho.

**Workforce need:** Provide verification of state workforce needs that will be met by this program. Include [State](#) and [National Department of Labor](#) research on employment potential. Using the chart below, indicate the total projected annual job openings (including growth and replacement demands in your regional area, the state, and nation. Job openings should represent positions which require graduation from a program such as the one proposed. Data should be derived from a source that can be validated and must be no more than two years old.

### ***NATIONAL EMPLOYMENT PROJECTION TRENDS***

National labor projections suggest slightly slower than average growth for plant sciences professions. Figure below presents national employment projection data for the four selected occupations. Except for Natural Sciences Managers, all occupations are projected to grow about as fast as the national average for all occupations.

#### **National Employment Projections for Plant Sciences Occupations**

SOC TITLES	EMPLOYMENT		CHANGE		AVERAGE ANNUAL OPENINGS
	2014	2024	NUMBER	PERCENT CHANGE	
<b>Total, All Occupations</b>	<b>150,539,900</b>	<b>160,328,800</b>	<b>9,788,900</b>	<b>6.5%</b>	<b>4,650,690</b>
<b>Total, Selected Occupations</b>	<b>104,500</b>	<b>109,600</b>	<b>5,200</b>	<b>5.0%</b>	<b>3,520</b>
<b>Natural Sciences Managers</b>	55,100	56,900	1,800	3.3%	1,330
<b>Soil and Plant Scientists</b>	17,700	18,900	1,200	6.8%	730
<b>Conservation Scientists</b>	21,100	22,500	1,400	6.6%	1,060
<b>Life Scientists, All Other</b>	10,600	11,300	800	7.5%	400

"Projections Central - State Occupational Projections." Projections Central. <http://www.projectionscentral.com/>

Aside from the Idaho data, all state-level projections derive from Projections Central, which compiles employment data from state departments of labor.

"Long Term Occupational Projections." Projections Central – State Occupational Projections.

<http://www.projectionscentral.com/Projections/LongTerm>

"Occupational & Industry Projections." Idaho Department of Labor. <http://lmi.idaho.gov/projections>

Source: Market Analysis MS and PHD Degrees in Plant Pathology: Hanover Research April 2017

### ***REGIONAL EMPLOYMENT PROJECTION TRENDS***

The figure below presents regional employment projections for the selected occupations. Overall, employment projections for the selected occupations keep pace with average regional growth rates, suggesting average demand for plant science-related occupations in the region. While growth rates are average, Soil and Plant Scientists are only anticipated to see about 78 job openings per year.

Conservation Scientists and Natural Sciences Managers anticipate the highest volume of annual openings.

**Regional Employment Projections for Plant Sciences Occupations**

SOC TITLES	EMPLOYMENT		CHANGE		AVERAGE ANNUAL OPENINGS
	2014	2024	NUMBER CHANGE	PERCENT	
<b>Total, All Occupations</b>	<b>9,519,180</b>	<b>11,250,400</b>	<b>1,731,220</b>	<b>18.2%</b>	<b>405,920</b>
<b>Total, Selected Occupations</b>	<b>9,124</b>	<b>10,697</b>	<b>1,573</b>	<b>17.2%</b>	<b>458</b>
<b>Natural Sciences Managers</b>	4,173	4,878	705	16.9%	155
<b>Soil and Plant Scientists</b>	1,529	1,783	254	16.6%	78
<b>Conservation Scientists</b>	2,975	3,539	564	19.0%	203
<b>Life Scientists, All Other</b>	447	497	50	11.2%	22

Source: Market Analysis MS and PHD Degrees in Plant Pathology: Hanover Research April 2017

**IDAHO EMPLOYMENT PROJECTION TRENDS**

Overall, state employment projections predict much faster than average growth for plant science occupations. At 35.1 percent, projected growth for aggregated occupations is nearly 40 percent higher than average. However, it should be noted that these occupations employ a small number of people, with a total of only 68 average annual job openings. **Notably, the Idaho Department of Labor projects an average of only 8 job openings every year for soil and plant scientists.** Therefore, if the eight state conferrals in Plant Sciences during 2015 are maintained, graduates could saturate these annual offerings.

**State Employment Projections for Plant Sciences Occupations**

SOC TITLES	EMPLOYMENT		CHANGE		AVERAGE ANNUAL OPENINGS
	2014	2024	NUMBER	PERCENT CHANGE	
<b>Total, All Occupations</b>	<b>687,784</b>	<b>824,644</b>	<b>136,860</b>	<b>19.9%</b>	<b>29,865</b>
<b>Total, Selected Occupations</b>	<b>1,064</b>	<b>1,437</b>	<b>373</b>	<b>35.1%</b>	<b>68</b>
<b>Natural Sciences Managers</b>	543	688	145	26.7%	25
<b>Soil and Plant Scientists</b>	149	183	34	22.8%	8
<b>Conservation Scientists</b>	335	519	184	54.9%	33
<b>Life Scientists, All Other</b>	37	47	10	27.0%	2

Source: Idaho Department of Labor

Provide (as appropriate) additional narrative as to the workforce needs that will be met by the proposed program.

**a. Student need.** What is the most likely source of students who will be expected to enroll (full-time, part-time, outreach, etc.). Document student demand by providing information you have about student interest in the proposed program from inside and outside the institution. If a survey was used, please attach a copy of the survey instrument with a summary of results as **Appendix A**.

No graduate degree-awarding institution in Idaho currently offers a M.S. in Plant Pathology. With Plant Pathology faculty at each research and extension center as well as on the Moscow campus, no other graduate degree-awarding institution in Idaho, other than University of Idaho, is better poised to deliver a M.S. in Plant Pathology. Currently, all students in Idaho who wish to complete a degree that will confer a degree in Plant Pathology must attend institutions of higher education outside the state. In addition, out of state students who are attracted to the diverse agricultural opportunities in

Idaho have not had the option to come to Idaho to pursue those interests and attain a degree in Plant Pathology. The fact that 14 students during the 2005-2016 time period completed research focused on plant pathology projects indicates that there is significant student interest and commitment to this discipline.

**b. Economic Need:** Describe how the proposed program will act to stimulate the state economy by advancing the field, providing research results, etc.

Agricultural production is an important component of Idaho’s economy and plant pathogens are a major management concern. This program will produce graduates that understand the role of plant pathogens in food production and have the knowledge to apply integrated pest management tools to control plant pathogens and reduce the impact of disease on agriculture in Idaho.

**c. Societal Need:** Describe additional societal benefits and cultural benefits of the program.

Production of graduates trained in Plant Pathology will translate to increased food security in Idaho and nationwide.

**d. If Associate’s degree, transferability:**

Not applicable.

**3. Similar Programs.** Identify similar programs offered within Idaho and in the region by other in-state or bordering state colleges/universities.

**There are no similar programs offered within Idaho.**

Similar Programs offered <u>by Idaho public institutions</u> (list the proposed program as well)		
Institution Name	Degree name and Level	Program Name and brief description if warranted
BSU	No program	
ISU	No program	
LCSC	No program	
UI	M.S. Plant Pathology	Per this petition

<b>Similar Programs offered by other Idaho institutions and by institutions in nearby states</b>		
<b>Institution Name</b>	<b>Degree name and Level</b>	<b>Program Name and brief description if warranted</b>
<b>Washington State University</b>	<b>Plant Pathology M.S.</b>	<b>Department of Plant Pathology</b>
<b>Oregon State University</b>	<b>Plant Pathology M.S.</b>	<b>Department of Botany and Plant Pathology</b>
<b>Montana State University</b>	<b>Plant Pathology M.S.</b>	<b>Department of Plant Sciences and Plant Pathology</b>
<b>Utah State University</b>	<b>Biology M.S. Emphasis area: Plant Pathology</b>	<b>Department of Biology</b>

4. **Justification for Duplication with another institution listed above.** (if applicable). If the proposed program is similar to another program offered by an Idaho public institution, provide a rationale as to why any resulting duplication is a net benefit to the state and its citizens. Describe why it is not feasible for existing programs at other institutions to fulfill the need for the proposed program.

Not applicable

5. **Describe how this request supports the institution’s vision and/or strategic plan.**

This request will allow the new Department EPPN to offer a new M.S. graduate program in Plant Pathology. The additional program in Plant Pathology will enhance our ability to recruit additional graduate students and help to grow the EPPN department. The increased number of Plant Pathology M.S. students in EPPN will serve as the foundation for the establishment of a Ph.D. program in Plant Pathology in the near future. This increased number of graduate students will contribute to the University’s goal of becoming a Carnegie R1 school.

<b>Goal</b>	<b>Objective</b>	<b>EPPN’s Contribution</b>
Scholarly and creative products of the highest quality	Build a culture of collaboration that increases scholarly and creative productivity through interdisciplinary, regional,	The proposal to develop a Plant Pathology M. S. program will enable EPPN to <i>Expand graduate enrollment</i> by increasing program visibility to prospective students. In an era where

and scope, resulting in significant positive impact for the region and the world.	national and global partnerships	every student counts, offering a formal Plant Pathology program will enable the faculty to efficiently recruit graduate students. They can recruit based on the area of study offered by faculty within EPPN which will be more readily obvious with a formal Plant Pathology program.  The science of Plant Pathology is interdisciplinary in nature involving an investigation of the plant pathogen (microbiology, molecular biology), plant (botany, genetic, breeding) and the impact of the environment on these over time. Graduate students will have the opportunity to conduct research in faculty laboratories and produce scholarly works. This will increase the productivity of the laboratories and increase the reputation of the students, faculty and University of Idaho.
	Create, validate and apply knowledge through the coproduction of scholarly and creative works by students, staff, faculty and diverse external partners	
	Grow reputation by increasing the range, number, type and size of external awards, exhibitions, publications, presentations, performances, contracts, commissions and grants.	
Increase our educational impact.	Provide greater access to educational opportunities to meet the evolving needs of society	The proposal will create a new degree program that will serve students who would have previously gone out of state to receive this degree. Faculty responsible for Plant Pathology courses will assess and revise as needed to improve the quality of the Plant Pathology program as a whole. Attention will be made to the incorporation of integrated curricula and pedagogies.
	Foster educational excellence via curricular innovation and evolution	
	Create an inclusive learning environment that encourages students to take an active role in their student experience	
Foster an inclusive, diverse community of students, faculty and staff and improve cohesion and morale	Build an inclusive, diverse community that welcomes multicultural and international perspectives	The Plant Pathology Faculty in EPPN represent 5 different countries and are 50% female. Currently, there are over 8 different countries represented by our graduate students. Continuing to embrace this diversity will enhance the experiences of our graduate students and provides a global perspective to the Plant Pathology curricula.
	Enhance the University of Idaho's ability to compete for and retain outstanding scholars and skilled staff	
	Improve efficiency, transparency and communication	

6. **Assurance of Quality.** Describe how the institution will ensure the quality of the program. Describe the institutional process of program review. Where appropriate, describe applicable specialized accreditation and explain why you do or do not plan to seek accreditation.

Specialized accreditation is not required to offer a M.S. in Plant Pathology. It is our intention to annually evaluate the program using established protocols and metrics posted on the UI Provost Student Learning Assessment page. These UI approved Learning Outcomes, Assessment tools and Procedures will serve as our guide to ensure the delivery of quality courses and subsequently an excellent M.S. Program in Plant Pathology.

7. **In accordance with Board Policy III.G., an external peer review is required for any new doctoral program.** Attach the peer review report as **Appendix B.**

Not applicable to this request.

8. **Teacher Education/Certification Programs** All Educator Preparation programs that lead to certification require review and recommendation from the Professional Standards Commission (PSC) and approval from the Board.

Will this program lead to certification?  
 Yes\_\_\_\_\_ No\_X\_

If yes, on what date was the Program Approval for Certification Request submitted to the Professional Standards Commission?

Not applicable to this request.

**9. Five-Year Plan: Is the proposed program on your institution’s approved 5-year plan? Indicate below.**

Yes  X  No \_\_\_\_\_

Proposed programs submitted to OSBE that are not on the five-year plan must respond to the following questions and meet at least one criterion listed below.

**a. Describe why the proposed program is not on the institution's five year plan.**

When did consideration of and planning for the new program begin?

**b. Describe the immediacy of need for the program.** What would be lost were the institution to delay the proposal for implementation of the new program until it fits within the five-year planning cycle? What would be gained by an early consideration?

**Criteria.** As appropriate, discuss the following:

- i. How important is the program in meeting your institution’s regional or statewide program responsibilities? Describe whether the proposed program is in response to a specific industry need or workforce opportunity.
- ii. Explain if the proposed program is reliant on external funding (grants, donations) with a deadline for acceptance of funding.
- iii. Is there a contractual obligation or partnership opportunity to justify the program?
- iv. Is the program request or program change in response to accreditation requirements or recommendations?
- v. Is the program request or program change in response to recent changes to teacher certification/endorsement requirements?

**Curriculum, Intended Learning Outcomes, and Assessment Plan**

**10. Curriculum for the proposed program and its delivery.**

**a. Summary of requirements.** Provide a summary of program requirements using the following table.

Credit hours in required courses offered by the department (s) offering the program.	15
Credit hours in required courses offered by other departments:	
Credit hours in institutional general education curriculum	
Credit hours in free electives	15
Total credit hours required for degree program:	30

M.S. requirements include a formal program of at least 30 semester hours, with a minimum of 12 PLP credit hours and at least 2 credits of ENT. The rest of the courses will be chosen in consultation with the major professor and approved by the student's graduate committee. Of the minimum 30 credits required for the degree, at least 18 credits must be at the 500 level; the remainder may include 400 level courses in the major, and 300 or 400 level courses in supporting areas. Credit in course 500 (Master's Research and Thesis) cannot be counted toward the minimum of 30 credits for a non-thesis master's degree. Although no limit is imposed on the number of credits that may be earned in course 500 for degrees with thesis, only a maximum of 10 credits in course 500 can be used to fulfill master's degree requirements. Two credits of Seminar (501) are required. Three credits of PLP Directed Study (PLP 502) are required and can be delivered by any member of the EPPN faculty.

Credits earned in other Plant Pathology courses earned in another school or through correspondence study may be substituted for directed study credits. No more than a combined total of 12 credits earned in another school, through correspondence study, or while in non-matriculated status at the University of Idaho, may be included in a master's program. Transfer and correspondence courses must be from schools that offer a graduate degree in the area of the course.

The proposed courses are listed in **Appendix A**.

- b. Additional requirements.** Describe additional requirements such as comprehensive examination, senior thesis or other capstone experience, practicum, or internship, some of which may carry credit hours included in the list above.

Submission of a thesis is required for graduation.

## 11. **Program Intended Learning Outcomes and Connection to Curriculum.**

**Intended Learning Outcomes.** List the Intended Learning Outcomes for the proposed program, using learner-centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program.

1. Plant Pathology graduate degree students will learn to recognize, define and differentiate the causes and types of plant diseases and apply this information using diverse thinking strategies to address real-world issues.
2. Plant Pathology graduate students will be able to integrate information across the scientific disciplines including Plant Pathology, Entomology, and Plant Sciences to implement disease control practices, solve problems, and make decisions that impact agriculture.
3. Plant Pathology graduate students will be able to convey knowledge using verbal and non-verbal methods of communication in a respectful manner that reflects our complex society.

## 12. Assessment plans

- a. **Assessment Process.** Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program.

Direct Measure Process (per our current protocols and metrics): All of the above listed Learning Outcomes will be assessed using a variety of metrics including having students demonstrate an ability to apply academic knowledge to real-world problems and controversies using case studies and complete standardized exams that assess ability to integrate and synthesize various concepts. The students will be assessed on their ability to complete disciplinary research, write a thesis, give a seminar on their thesis and defend the thesis. Faculty agree that these measures cover each of the student learning outcomes and that 80% of the students will need to attain an 80% proficiency on all assessments that address learning outcomes.

Indirect Measure Process (per our current protocols and metrics): Student graduate reporting, including feedback from both student and advisor; student evaluations of teaching; student grades in core courses, including performance on lecture exams, laboratory exams, class projects, and term papers. The numbers of students participating in clubs/organizations and service learning will reflect students who strive to excel above their academic education and endeavor to be leaders.

Face-to-Face Measures (per our current protocols and metrics): Exit interviews with graduates, including overall assessment of degree program, and opportunities for service learning activities.

- b. **Closing the loop.** How will you ensure that the assessment findings will be used to improve the program?

The Department of Entomology, Plant Pathology and Nematology includes a departmental faculty Curriculum Committee that will be charged with interpretation of annual Learning Outcome metrics for all EPPN instructional programs and that will recommend specific policies for consideration and implementation at the yearly faculty meeting and one on one with instructors as needed. One focus will be to reconsider current Learning Outcomes, Assessments and Metrics as we create a second departmental Major that spans entomology, plant pathology, nematology; focus also will be on curricular and co-curricular changes. An underpinning objective will be to contribute to UI Strategic Plan Goals for graduate enrollment.

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

Direct Benchmarks:

We will determine how the students in the program demonstrate the ability to critically analyze and report on disease case studies. We will determine how satisfied employers are with our graduates.

Indirect Benchmarks:

We will correlate how are students are performing academically with their overall satisfaction.

At least 80% of advisors and students report overall satisfaction with graduate experience; student evaluations of course and instructor quality in courses required by major and emphasis areas are 3 or higher; students receive a grade of C or higher in all courses required by major and emphasis areas.

**Timing and frequency.** When will assessment activities occur and at what frequency? Learning Outcomes Assessment as outlined in Q-12.a and Q-12.c will occur throughout the academic year. Metrics will be reported annually during September for the prior Academic Year. New or adjusted procedures and metrics will be developed by the Plant Pathology faculty during FY18 and beyond as needed.

### Enrollments and Graduates

13. **Existing similar programs at Idaho Public Institutions.** Using the chart below, provide enrollments and numbers of graduates for similar existing programs at your institution and other Idaho public institutions.

There are no similar programs at BSU, ISU or LCSC.

Existing Similar Programs: Historical enrollments and graduate numbers						
Institution and Program Name	Fall Headcount Enrollment in Program			Number of Graduates From Program (Summer, Fall, Spring)		
	FY2014-15	FY2015-16	FY2016-17	FY2014-15	FY2015-16	FY2016-17
BSU	0	0	0	0	0	0
ISU	0	0	0	0	0	0
UI*	3	6	6	1	2	2
LCSC	0	0	0	0	0	0

\*Numbers reflect students who were in the PSES department and received M.S. degrees in the Plant Science program.

14. **Projections for proposed program:** Using the chart below, provide projected enrollments and number of graduates for the proposed program:

The establishment of the new EPPN department raises the profile of Plant Pathology. In turn, we expect an increase in student numbers.

Proposed Program: Projected Enrollments and Graduates First Five Years											
Program Name:											
Projected Fall Term Headcount Enrollment in Program						Projected Annual Number of Graduates From Program					
FY18-19 (first year)	FY19-20	FY20-21	FY21-22	FY22-23	FY23-24	FY18-19 (first year)	FY19-20	FY20-21	FY21-22	FY22-23	FY23-24
10	11	11	12	12	13	2	3	3	3	4	4

- 15. Describe the methodology for determining enrollment and graduation projections.** Refer to information provided in Question #2 “Need” above. What is the capacity for the program? Describe your recruitment efforts? How did you determine the projected numbers above?

The methods for determining enrollment and graduation projections were based on historical data. Previously, students who were trained by Plant Pathology faculty received degrees in Plant Sciences, we looked at recent and past enrollment and graduation data. We anticipate that having curricula in which these students will receive Plant Pathology degrees will provide better visibility for our academic programs and should help to increase our graduate enrollments.

- 16. Minimum Enrollments and Graduates.** Have you determined minimums that the program will need to meet in order to be continued? What are those minimums, what is the logical basis for those minimums, what is the time frame, and what is the action that would result?

The minimum enrollment for the Plant Pathology M.S. program is 5 students. The average number of M. S. students supervised by Plant Pathology faculty over the past 5 years in PSES is 8 students, and has not dropped below the proposed number of 5 during the past 5 years. This is comparable with the average for Entomology, the other M.S. graduate program delivered by EPPN.

The sunset clause by which the program will be considered for discontinuance is an enrollment for the M.S. that averages below 5 students for more than 3 years in a row during a 5 year moving window. This will be evaluated every 5 years after the establishment of the Plant Pathology M.S Program. If the average number drops below 5, the EPPN Department Head will begin discussions with the CALS Dean to determine a course of action which will include increased recruitment efforts.

## Resources Required for Implementation – fiscal impact and budget

### 17. Physical Resources.

- a. **Existing resources.** Describe equipment, space, laboratory instruments, computer(s), or other physical equipment presently available to support the successful implementation of the program.

It is anticipated that this program will share existing teaching space with the Plant Sciences and Soil and Water Systems and ASM programs in the Iddings Agricultural Sciences building. Teaching budgets supplied by CALS for all programs will be utilized to cover the cost of regular laboratory supplies.

- b. **Impact of new program.** What will be the impact on existing programs of increased use of physical resources by the proposed program? How will the increased use be accommodated?

Since new courses are being proposed to be added for the new major we will work with CALS and the University to identify space as needed. Since we are proposing graduate programs we expect the impact to be minimal.

- c. **Needed resources.** List equipment, space, laboratory instruments, etc., that must be obtained to support the proposed program. Enter the costs of those physical resources into the budget sheet.

No additional resources are required to support this new major since laboratory fees are being requested.

### 18. Library resources

- a. **Existing resources and impact of new program.** Evaluate library resources, including personnel and space. Are they adequate for the operation of the present program? Will there be an impact on existing programs of increased library usage caused by the proposed program? For off-campus programs, clearly indicate how the library resources are to be provided.

Since students already complete Plant Pathology research programs students are already utilizing the UI library so we expect minimal requests to increase access to Plant Pathology-related journals. Due to the interdisciplinary nature of Plant Pathology research, journals and other resources adequate for the graduate students in the Plant Sciences and MMBB programs should be suitable for students in the new M.S. Plant Pathology degree program. A faculty member associated with the new EPPN will work with the library director to ensure that all needs are met.

- b. **Needed resources.** What new library resources will be required to ensure successful implementation of the program? Enter the costs of those library resources into the budget sheet.

None should be required above those currently being requested by the Plant Sciences and SWS programs.

## 19. Personnel resources

- a. **Needed resources.** Give an overview of the personnel resources that will be needed to implement the program. How many additional sections of existing courses will be needed? Referring to the list of new courses to be created, what instructional capacity will be needed to offer the necessary number of sections?

New courses are currently not necessary within the first 3-5 years of the program. Should enrollment for PLP 416/516 exceed 30 students, an additional section of will be required.

- b. **Existing resources.** Describe the existing instructional, support, and administrative resources that can be brought to bear to support the successful implementation of the program.

The general mechanisms used to fund academic programs within CALS will be suitable to support this new program. Classroom space is currently available in Ag. Sciences. One faculty member and one instructor are available and currently teaching Plant Pathology courses.

- c. **Impact on existing programs.** What will be the impact on existing programs of increased use of existing personnel resources by the proposed program? How will quality and productivity of existing programs be maintained?

Since students have been completing Plant Pathology research within CALS many of the courses required by these students to complete their degree program have always been required within the former PSES department. Therefore, we do not anticipate a negative impact on any existing program. It was understood by the members of the Plant Sciences Department that with the bifurcation of PSES that the students trained by the Plant Pathology faculty would temporarily be working toward Plant Science degrees until the EPPN Department was able to request the establishment of a Plant Pathology M.S. (this proposal) and Ph. D. (proposal in preparation) degree programs.

**Needed resources.** List the new personnel that must be hired to support the proposed program. Enter the costs of those personnel resources into the budget sheet.

The proposed new graduate program does not require additional courses. If student numbers exceed our projections, a graduate student teaching assistantship may be required. Any open/opening faculty positions will need to be replaced to cover the existing courses.

## 20. Revenue Sources

- a) **Reallocation of funds:** If funding is to come from the reallocation of existing state appropriated funds, please indicate the sources of the reallocation. What impact will the reallocation of funds in support of the program have on other programs?

The Department of Entomology, Plant Pathology and Nematology is a new stand-alone department, complete with adequate funding and plans to hire. The faculty that are within this department were members of PSES previously. The funding to support this new department was from within CALS. The faculty in EPPN are already training graduate students. The establishment of the Plant Pathology M.S. Program in EPPN enables the students to obtain their degree in the new department. We do expect that the establishment of a Plant Pathology M.S. Program will enable us to effectively recruit more students and that is represented in the budget sheet. The support for this program is a reallocation of Institutional and Federal Funds within CALS. The Federal Budget funds were a pull of all the faculty that were doing research in the respective areas in PSES because that was part of the calculations for the expenses. This action was a result of a direct question asking the SBOE if they really wanted to include the research including subcontracts. Anything that was labeled Federal according to OSP was included. The intutional funds included in the budget were calculated from local service, general education and gift/endowments.

- b) **New appropriation.** If an above Maintenance of Current Operations (MCO) appropriation is required to fund the program, indicate when the institution plans to include the program in the legislative budget request.
- c) **Non-ongoing sources:**
- i. If the funding is to come from one-time sources such as a donation, indicate the sources of other funding. What are the institution's plans for sustaining the program when that funding ends?
  - ii. Describe the federal grant, other grant(s), special fee arrangements, or contract(s) that will be valid to fund the program. What does the institution propose to do with the program upon termination of those funds?
- d) **Student Fees:**
- i. If the proposed program is intended to levy any institutional local fees, explain how doing so meets the requirements of Board Policy V.R., 3.b.  
  
The lab fees requested are for students to offset the costs of materials for the course.
  - ii. Provide estimated cost to students and total revenue for self-support programs and for professional fees and other fees anticipated to be requested under Board Policy V.R., if applicable.

21. Using the budget template provided by the Office of the State Board of Education, provide the following information:

- Indicate all resources needed including the planned FTE enrollment, projected revenues, and estimated expenditures for the first **four** fiscal years of the program.
- Include reallocation of existing personnel and resources and anticipated or requested new

resources.

- Second and third year estimates should be in constant dollars.
- Amounts should reconcile subsequent pages where budget explanations are provided.
- If the program is contract related, explain the fiscal sources and the year-to-year commitment from the contracting agency(ies) or party(ies).
- Provide an explanation of the fiscal impact of any proposed discontinuance to include impacts to faculty (i.e., salary savings, re-assignments).

## Appendix A

### M.S. Plant Pathology Curriculum

### Minimum of 12 PLP Credits Required

PLP 415/515	Plant Pathology	3 credits
PLP 416/516	Plant Pathology Laboratory	1 credit
PLP 511	Plant Virology	4 credits
PLP 522	Plant Bacteriology	3 credits
PLP 501	Seminar	2 credits
PLP 502	Directed Study	3 credits*

In addition, a course in applied entomology is required. Any one of the following would satisfy this requirement:

ENT 547 Fundamentals of Biological Control (2 credits)  
 ENT 591 Principles of Insect Pest Management (3 credits)  
 ENT 546 Host Plant Resistance to Insects and Pathogens (3 credits)  
 ENT 549 Insect-Plant Interactions (3 credits)

2-3 credits

\*Three credits of PLP Directed Study (PLP 502) are required and can be delivered by any member of the EPPN faculty. Credits earned in other Plant Pathology courses earned in another school or through correspondence study may be substituted for directed study credits.

**Program Resource Requirements.**

- Indicate all resources needed including the planned FTE enrollment, projected revenues, and estimated expenditures for the first **four** fiscal
- Include reallocation of existing personnel and resources and anticipated or requested new resources.
- Second and third year estimates should be in constant dollars.
- Amounts should reconcile subsequent pages where budget explanations are provided.
- If the program is contract related, explain the fiscal sources and the year-to-year commitment from the contracting agency(ies) or party(ies).
- Provide an explanation of the fiscal impact of any proposed discontinuance to include impacts to faculty (i.e., salary savings, re-assignments).

**I. PLANNED STUDENT ENROLLMENT**

	<u>FY 18</u>		<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>	
	FTE	Headcount	FTE	Headcount	FTE	Headcount	FTE	Headcount
A. New enrollments			11	11	11	11	12	12
B. Shifting enrollments	10	10						
<b>Total Enrollment</b>	<b>10</b>	<b>10</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>12</b>	<b>12</b>

**II. REVENUE**

	<u>FY 18</u>		<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
1. New Appropriated Funding	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2. Institution Funds*	\$221,584.00	\$0.00	\$226,015.68	\$0.00	\$230,535.99	\$0.00	\$235,146.71	\$0.00
3. Federal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4. New Tuition Revenues from Increased Enrollments	\$88,640.00		\$97,504.00		\$97,504.00		\$106,368.00	
5. Student Fees	\$0.00		\$0.00		\$0.00		\$0.00	
6. Other (i.e., Gifts)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00
<b>Total Revenue</b>	<b>\$310,224</b>	<b>\$0</b>	<b>\$323,520</b>	<b>\$0</b>	<b>\$328,040</b>	<b>\$0</b>	<b>\$341,515</b>	<b>\$0</b>

**Ongoing is defined as ongoing operating budget for the program which will become part of the base.**

**One-time is defined as one-time funding in a fiscal year and not part of the base.**

III. EXPENDITURES

	<u>FY 18</u>		<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>A. Personnel Costs</b>								
1. FTE	<u>2.0</u>	<u>0.00</u>	<u>2.0</u>	<u>0.00</u>	<u>2.0</u>	<u>0.00</u>	<u>2.0</u>	<u>0.00</u>
2. Faculty	<u>\$176,000.00</u>	<u>\$0.00</u>	<u>\$179,520.00</u>	<u>\$0.00</u>	<u>\$183,110.40</u>	<u>\$0.00</u>	<u>\$186,772.61</u>	<u>\$0.00</u>
3. Adjunct Faculty	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>
4. Graduate/Undergrad Assist	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
5. Research Personnel	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
6. Directors/Administrators	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>
7. Administrative Support Pers	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>	<u>0</u>	<u>\$0.00</u>
8. Fringe Benefits	<u>\$45,584.00</u>		<u>\$46,495.68</u>		<u>\$47,425.59</u>		<u>\$48,374.11</u>	
9. Other:								
<b>Total Personnel and Costs</b>	<u>\$221,584</u>	<u>\$0</u>	<u>\$226,016</u>	<u>\$0</u>	<u>\$230,536</u>	<u>\$0</u>	<u>\$235,147</u>	<u>\$0</u>

	<u>FY 18</u>		<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>B. Operating Expenditure</b>								
1. Travel								
2. Professional Services								
3. Other Services								
4. Communications								
5. Materials and Supplies								
6. Rentals								
7. Materials & Goods for Manufacture & Resale								
8. Miscellaneous								
<b>Total Operating Expenditures</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

	<u>FY 18</u>		<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>C. Capital Outlay</b>								
1. Library Resources	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2. Equipment	\$0.00	\$1,113.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Capital Outlay</b>	<u>\$0</u>	<u>\$1,113</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FY 18
FY 19
FY 20
FY 21

**D. Capital Facilities  
Construction or Major  
Renovation**

\_\_\_\_\_

**E. Other Costs**

Utilities

\_\_\_\_\_

Maintenance & Repairs

\_\_\_\_\_

Other

\_\_\_\_\_

**Total Other Costs**      \$0      \$0      \$0      \$0      \$0      \$0      \$0

**TOTAL EXPENDITURES:**      \$221,584      \$1,113      \$226,016      \$0      \$230,536      \$0      \$235,147      \$0

**Net Income (De**      \$88,640      -\$1,113      \$97,504      \$0      \$97,504      \$0      \$106,368      \$0

Budget Notes (specify row and add explanation where needed; e.g., "I.A.,B. FTE is calculated using..."):

II.2	Currently allocated funds, no additional support requested.

## Idaho State Board of Education

### Proposal for Undergraduate/Graduate Degree Program

Date of Proposal Submission:	
Institution Submitting Proposal:	University of Idaho
Name of College, School, or Division:	College of Letters, Arts, and Social Sciences
Name of Department(s) or Area(s):	Psychology and Communication Studies

**Program Identification for Proposed New or Modified Program:**

Program Title:	Communication				
Degree:	BA / BS	Degree Designation	X	Undergraduate	Graduate
Indicate if Online Program:	X	Yes		No	
CIP code (consult IR /Registrar):	09.0101				
Proposed Starting Date:	Fall 2019				
Geographical Delivery:	Location(s)	Moscow	Region(s)	II	
Indicate (X) if the program is/has:		Self-Support		Professional Fee	
Indicate (X) if the program is:	X	Regional Responsibility		Statewide Responsibility	

**Indicate whether this request is either of the following:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> New Degree Program<br><input type="checkbox"/> Undergraduate/Graduate Certificates (30 credits or more)<br><input type="checkbox"/> Expansion of Existing Program | <input type="checkbox"/> Consolidation of Existing Program<br><input type="checkbox"/> New Off-Campus Instructional Program<br><input type="checkbox"/> Other (i.e., Contract Program/Collaborative) |
|---|--|

College Dean (Institution)	Date
Graduate Dean or other official (Institution; as applicable)	Date
FVP/Chief Fiscal Officer (Institution)	Date
Provost/VP for Instruction (Institution)	Date
President	Date

Vice President for Research (Institution; as applicable)	Date
Academic Affairs Program Manager, OSBE	Date
Chief Academic Officer, OSBE	Date
SBOE/Executive Director Approval	Date

**Before completing this form, refer to Board Policy Section III.G., Postsecondary Program Approval and Discontinuance.** This proposal form must be completed for the creation of each new program. All questions must be answered.

## Rationale for Creation or Modification of the Program

1. **Describe the request and give an overview of the changes that will result.** Will this program be related or tied to other programs on campus? Identify any existing program that this program will replace.

We are requesting to offer a BA/BS degree in communication, offered face-to-face on the Moscow campus and online. The degree would be housed in the Department of Psychology and Communication Studies.

Our department currently offers a minor in communication studies. This proposal would expand our current minor to a major. Most of the resources necessary for the major are already present in support of the minor, so costs to expand the program are relatively small. This program will not replace any current programs. It will expand the degree options for students.

2. **Need for the Program.** Describe the student, regional, and statewide needs that will be addressed by this proposal and address the ways in which the proposed program will meet those needs.

- a. **Workforce need:** Provide verification of state workforce needs that will be met by this program. Include State and National Department of Labor research on employment potential. Using the chart below, indicate the total projected annual job openings (including growth and replacement demands in your regional area, the state, and nation. Job openings should represent positions which require graduation from a program such as the one proposed. Data should be derived from a source that can be validated and must be no more than two years old.

In April 2017, Hanover Research conducted a market analysis for a bachelor's degree in communication. The report indicated that there is strong student demand for a bachelor's degree in communication and projects strong growth in occupations related to communication.

Hanover Research found that management and sales are the two most common occupations for graduates in communication. As graduates in communication are typically employed in a variety of occupations, the projections in the tables that follow are collapsed across communication-related occupations.

### Employment Projections for Idaho

Idaho	2014	2024	% change
<b>Communication Total</b>	6,821	8,745	28.2

Source: Hanover Research (2017, April). *Market Analysis: Bachelor's Degree in Communication*. Prepared for the University of Idaho.

## Employment Projections for Region (Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming)

Region	2014	2024	% change
<b>Communication Total</b>	167,431	201,965	20.6

Source: Hanover Research (2017, April). *Market Analysis: Bachelor's Degree in Communication*. Prepared for the University of Idaho.

## Employment Projections for Nation

Nation	2014	2024	% change
<b>Communication Total</b>	2,739,600	2,914,300	6.4

Source: Hanover Research (2017, April). *Market Analysis: Bachelor's Degree in Communication*. Prepared for the University of Idaho.

These employment projections indicate strong growth in openings, especially in Idaho and the region.

Provide (as appropriate) additional narrative as to the workforce needs that will be met by the proposed program.

A BA/BS degree in communication provides students with a broad liberal arts training and strong communication skills. Students obtaining a degree in communication are able to:

- Create oral and written messages appropriate to the audience, purpose, and context
- Critically analyze messages
- Identify and overcome impediments to successful communication
- Apply ethical communication principles and practices to their work
- Utilize communication to embrace differences
- Influence public discourse

(National Communication Association; [www.natcom.org/loc](http://www.natcom.org/loc))

These skills are highly relevant to employers. Communication skills are frequently cited by employers as one of the most important attributes that they look for in employees. Persuading, negotiating, listening, and other communication skills are important components of numerous jobs, such as sales and management.

- b. Student need.** What is the most likely source of students who will be expected to enroll (full-time, part-time, outreach, etc.). Document student demand by providing information you have about student interest in the proposed program from inside and outside the institution. If a survey of s was used, please attach a copy of the survey instrument with a summary of results as **Appendix A**.

We expect the student demand will be from full-time on-campus students and part-time distance students. We plan to establish 2+2 agreements with interested community colleges to facilitate this transition. In addition, we currently have about 60 students pursuing a minor in communication studies. We expect a number of these students to switch to the major.

Student interest in the major is strong, as evidenced by the following:

- (1) The major was offered until 2008 and had around 140 majors at that time
- (2) The major is popular at other institutions across the state (e.g., around 800 majors at

Boise State and 200 at Idaho State), suggesting that the major has considerable appeal to Idaho residents.

(3) The major is popular nationwide, as it combines a broad liberal arts training with a focus on important job skills. Communication is frequently mentioned as one of the top skills sought by employers.

- c. Economic Need:** Describe how the proposed program will act to stimulate the state economy by advancing the field, providing research results, etc.

The economic benefits of higher education has been widely reported. As of July 2017, the unemployment rate for those with a bachelor’s degree or higher was 2.6% compared to an unemployment rate of 4.5% for high school graduates with no college. <http://www.bls.gov/news.release/empsit.t04.htm>

Median weekly earnings for individuals with bachelor’s degrees was considerably higher (\$1,156) compared to those with a high school degree (\$692) in 2016. [http://www.bls.gov/emp/ep\\_chart\\_001.htm](http://www.bls.gov/emp/ep_chart_001.htm)

- d. Societal Need:** Describe additional societal benefits and cultural benefits of the program.

Increased numbers of educated individuals not only has positive economic benefits, but helps improve the quality of life. The degree will provide a broad liberal arts training with a focus on communication skills, which can be used to benefit one’s personal and professional life.

- e. If Associate’s degree, transferability:**  
 Not applicable. The proposal is for a bachelor’s degree.

- 3. Similar Programs.** Identify similar programs offered within Idaho and in the region by other in-state or bordering state colleges/universities.

<b>Similar Programs offered by Idaho public institutions (list the proposed program as well)</b>		
<b>Institution Name</b>	<b>Degree name and Level</b>	<b>Program Name and brief description if warranted</b>
<b>Boise State University</b>	<b>BA, MA</b>	<b>Communication</b>
<b>Idaho State University</b>	<b>BA/BS</b>	<b>Communication</b>
<b>Lewis-Clark State College</b>	<b>BA/BS</b>	<b>Communication Arts</b>
<b>University of Idaho</b>	<b>BA/BS</b>	<b>Communication</b>

Similar Programs offered <u>by other Idaho institutions and by institutions in nearby states</u>		
Institution Name	Degree name and Level	Program Name and brief description if warranted
BYU-Idaho	BS	Communication
Northwest Nazarene University	BA	Communication Studies

4. **Justification for Duplication with another institution listed above.** (if applicable). If the proposed program is similar to another program offered by an Idaho public institution, provide a rationale as to why any resulting duplication is a net benefit to the state and its citizens. Describe why it is not feasible for existing programs at other institutions to fulfill the need for the proposed program.

Similar programs are offered in southern Idaho. Northern Idaho is underserved. Students seeking a communication degree in northern Idaho have few options if they would like to remain in the area.

In addition, the cost of starting this major is relatively low. Most of the faculty members needed to support the program are already employed at the university to serve the communication studies minor. Offering the major will require a relatively small investment to supplement existing resources.

5. **Describe how this request supports the institution’s vision and/or strategic plan.**

The University of Idaho is attempting to grow undergraduate enrollment and improve Idaho’s “go-on” rate. Adding a major that is popular with students should greatly enhance the institution’s efforts to attract more students.

6. **Assurance of Quality.** Describe how the institution will ensure the quality of the program. Describe the institutional process of program review. Where appropriate, describe applicable specialized accreditation and explain why you do or do not plan to seek accreditation.

The program will be assessed on an annual basis to ensure the quality of the program. A mix of methods (e.g., surveys, focus groups) and a mix of measures (e.g., self-report, outcome data) will be used to evaluate and improve the program.

7. **In accordance with Board Policy III.G., an external peer review is required for any new doctoral program.** Attach the peer review report as **Appendix B.**

Not applicable. The proposal is for an undergraduate program.

8. **Teacher Education/Certification Programs** All Educator Preparation programs that lead to certification require review and recommendation from the Professional Standards Commission (PSC) and approval from the Board.

Will this program lead to certification?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If yes, on what date was the Program Approval for Certification Request submitted to the Professional Standards Commission?

9. **Five-Year Plan: Is the proposed program on your institution's approved 5-year plan? Indicate below.**

Yes X No \_\_\_\_\_

Proposed programs submitted to OSBE that are not on the five-year plan must respond to the following questions and meet at least one criterion listed below.

- a. **Describe why the proposed program is not on the institution's five year plan.**

When did consideration of and planning for the new program begin?

- b. **Describe the immediacy of need for the program.** What would be lost were the institution to delay the proposal for implementation of the new program until it fits within the five-year planning cycle? What would be gained by an early consideration?

**Criteria.** As appropriate, discuss the following:

- i. How important is the program in meeting your institution's regional or statewide program responsibilities? Describe whether the proposed program is in response to a specific industry need or workforce opportunity.
- ii. Explain if the proposed program is reliant on external funding (grants, donations) with a deadline for acceptance of funding.
- iii. Is there a contractual obligation or partnership opportunity to justify the program?
- iv. Is the program request or program change in response to accreditation requirements or recommendations?
- v. Is the program request or program change in response to recent changes to teacher certification/endorsement requirements?

**Curriculum, Intended Learning Outcomes, and Assessment Plan**

10. **Curriculum for the proposed program and its delivery.**

- a. **Summary of requirements.** Provide a summary of program requirements using the following table.

Credit hours in required courses offered by the department (s) offering the program.	41
Credit hours in required courses offered by other departments:	3
Credit hours in institutional general education curriculum	36
Credit hours in free electives	40
Total credit hours required for degree program:	120

- b. Additional requirements.** Describe additional requirements such as comprehensive examination, senior thesis or other capstone experience, practicum, or internship, some of which may carry credit hours included in the list above.

No additional requirements have been added. Assessment results will be used to determine if additional requirements are needed.

## 11. Program Intended Learning Outcomes and Connection to Curriculum.

- a. Intended Learning Outcomes.** List the Intended Learning Outcomes for the proposed program, using learner-centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program.

The learning outcomes for the degree are based on learning outcomes established by the National Communication Association (NCA). The five learning outcomes are:

1. Students will understand Communication theories, perspectives, principles, and concepts.
2. Students will be able to engage in Communication inquiry.
3. Students will be able to create and critically analyze messages appropriate to communication contexts.
4. Students will demonstrate the ability to ethically accomplish communicative goals.
5. Students will respect diverse perspectives and the ways they influence communication.

## 12. Assessment plans

- a. Assessment Process.** Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program.

Each year, focus groups with graduating seniors will be held to gather feedback from students as to the achievement of each learning outcome. In addition, key assignments from select courses will be identified that are tied to learning outcomes. We will track the pass rates on these assignments to determine whether learning outcomes have been met. Finally, we will add an alumni survey to collect data on employment outcomes for our graduates. Alumni will also provide feedback about the program that helped them succeed and areas that could use improvement.

- b. Closing the loop.** How will you ensure that the assessment findings will be used to improve the program?

Results of the annual assessment process will be shared with faculty for a discussion of the strengths and weaknesses of the program. These discussions will be based on the assessment data and changes will be made to address weaknesses.

- c. Measures used.** What direct and indirect measures will be used to assess student learning?

Direct measures: Key assignments tied to learning outcomes will be identified. Faculty members will evaluate these key assignments for a sample of graduating seniors.

Indirect measures: Alumni survey of employment outcomes; graduating senior survey, and focus groups with graduating seniors.

- d. **Timing and frequency.** When will assessment activities occur and at what frequency?

Assessment activities will occur every year in the spring.

**Enrollments and Graduates**

13. **Existing similar programs at Idaho Public Institutions.** Using the chart below, provide enrollments and numbers of graduates for similar existing programs at your institution and other Idaho public institutions.

Existing Similar Programs: Historical enrollments and graduate numbers								
Institution and Program Name	Fall Headcount Enrollment in Program				Number of Graduates From Program (Summer, Fall, Spring)			
	Fall 13	Fall 14	Fall 15	Fall 16	13-14	14-15	15-16	16-17
<b>BSU</b>	721	768	763	720	184	217	208	202
<b>ISU</b>	177	181	167	165	54	33	38	47
<b>UI</b>	8	0	0	0	0	0	0	0
<b>LCSC</b>	47	42	45	50	11	10	7	6

14. **Projections for proposed program:** Using the chart below, provide projected enrollments and number of graduates for the proposed program:

Proposed Program: Projected Enrollments and Graduates First Five Years											
Program Name: Communication											
Projected Fall Term Headcount Enrollment in Program						Projected Annual Number of Graduates From Program					
FY20 (first year)	FY21	FY22	FY23	FY24	FY25	FY20 (first year)	FY21	FY22	FY23	FY24	FY25
15	40	60	80	100	120	0	0	15	20	25	30

**15. Describe the methodology for determining enrollment and graduation projections.**

Refer to information provided in Question #2 "Need" above. What is the capacity for the program? Describe your recruitment efforts? How did you determine the projected numbers above?

With two additional faculty members, the program should be able to accommodate 100 to 120 majors. Recruitment efforts will focus on increasing on-campus enrollment through new students from high school and transfer students from two-year schools in the state and nearby regions. With the online option, we will be able to recruit more aggressively and pursue non-traditional students who want to complete their degree at a distance.

The projections are based on (1) previous enrollment numbers for the communication studies major at the University of Idaho and (2) enrollments at other institutions in Idaho. The proposed communication major will be very similar to the previous communication studies major. The major difference is condensing the title by dropping "studies." The curriculum will remain largely the same with the addition of a few more options for electives. The communication studies major was in existence from 2003 to 2008. As shown in the table below, the major grew rapidly and had healthy enrollments when it was discontinued after AY 2008-09.

Fall	Majors	Spring	Majors
2003	42	2004	55
2004	84	2005	93
2005	100	2006	119
2006	140	2007	147
2007	149	2008	145
2008	133	2009	130

The communication studies major was eliminated as a result of the economic downturn in 2008. At that time, the program had an open faculty position. The college elected to eliminate the open faculty position, as opposed to cutting an existing position, in order to cut costs. The loss of the open faculty position and the uncertain economic times, which made it unclear whether the position would ever be returned, led to the closure of the major. The minor was retained and has been very successful. We have around 60 minors currently. The success of the minor suggests that there is considerable interest in the degree, so we anticipate many of the students currently pursuing a minor in communication studies to switch to a major in communication.

We believe now is an appropriate time to bring back the major. Offering the program both face-to-face in Moscow and online should facilitate enrollment growth and bring in additional tuition revenue to the university. The additional revenues are sufficient to support two additional positions. A projected enrollment of 120 students within six years is a reasonable projection based on (1) the past major count (see table above) and (2) the large enrollments found at other universities in the state for similar degrees. The major has around 800 students at Boise State University and 150 to 200 at Idaho State University. Northern Idaho is currently underserved for this degree, so reaching 100 or more majors in five to six years is very likely.

**16. Minimum Enrollments and Graduates.** Have you determined minimums that the program will need to meet in order to be continued? What are those minimums, what is the logical basis for those minimums, what is the time frame, and what is the action that would result?

Most of the resources required for the major are present in service to the communication

studies minor. To expand the major so that it can be offered both on-campus and online, we are requesting two additional clinical assistant professors to start FY20. A minimum enrollment of 60 majors within five years should be sufficient to establish the viability of the major. Since 2011, COMM courses have produced 35,311 credits hours for an average of 5,885 credit hours a year and is staffed by three full-time faculty members. Given our already high credit hour production, even modest enrollment growth should be sufficient to justify two additional faculty lines. Tuition revenue for a major with 60 students would generate more than \$300,000, which would cover the cost of two new positions.

If a minimum enrollment of 60 majors is not met within five years, a reevaluation of the degree would occur. We would evaluate market trends to determine if the program should be (a) modified to appeal to a wider audience of students or (b) discontinued.

## **Resources Required for Implementation – fiscal impact and budget**

### **17. Physical Resources.**

- a. Existing resources.** Describe equipment, space, laboratory instruments, computer(s), or other physical equipment presently available to support the successful implementation of the program.

Faculty members involved in the communication studies minor are currently housed in the Student Health Center. Our current space is all being utilized. We would need office space for our new hires.

- b. Impact of new program.** What will be the impact on existing programs of increased use of physical resources by the proposed program? How will the increased use be accommodated?

The expansion of the program to a major would have a relatively small impact on existing programs. We would need additional office space (two rooms).

- c. Needed resources.** List equipment, space, laboratory instruments, etc., that must be obtained to support the proposed program. Enter the costs of those physical resources into the budget sheet.

The only needed resource is office space. Faculty start-up costs, such as computers and office furniture, can be covered with departmental funds.

### **18. Library resources**

- a. Existing resources and impact of new program.** Evaluate library resources, including personnel and space. Are they adequate for the operation of the present program? Will there be an impact on existing programs of increased library usage caused by the proposed program? For off-campus programs, clearly indicate how the library resources are to be provided.

The existing library resources should cover most of the needs of the program. The library currently offers the necessary journals and databases. In particular, the library carries a number of subject-specific databases (e.g., Communication and Mass Media Complete, Communications & Mass Media Collection) and multidisciplinary databases

(e.g., Business Source Premier, Social Services Abstracts) that provides appropriate coverage for the major. In addition, all but two of the top 20 communication journals (as identified by Journal Impact Factor) are available in the library.

- b. Needed resources.** What new library resources will be required to ensure successful implementation of the program? Enter the costs of those library resources into the budget sheet.

We are requesting an annual budget of \$4,000 to cover one-time purchases such as books, DVDs, etc. In 2008, the last year for the communication studies major, we had a budget of \$3,500. We have added \$500 to the budget to account for increased costs.

## 19. Personnel resources

- a. Needed resources.** Give an overview of the personnel resources that will be needed to implement the program. How many additional sections of existing courses will be needed? Referring to the list of new courses to be created, what instructional capacity will be needed to offer the necessary number of sections?

We have three faculty members that serve a minor in communication studies, with assistance from a temporary faculty member who typically teaches one to two classes a year. The required courses offered for the minor are the foundation for the major. The addition of two faculty members should be sufficient to meet the instructional needs of the major, so that it can be offered on-campus and via distance.

- b. Existing resources.** Describe the existing instructional, support, and administrative resources that can be brought to bear to support the successful implementation of the program.

The program will be housed in the Department of Psychology and Communication Studies which has a department chair and 1.5 staff members (a full-time administrative assistant and a 0.5 financial technician). The program currently exists as a minor, so some tasks (e.g., course scheduling) are already incorporated in the workload. Some additional administrative work will be required in terms of program assessment and student recruitment. The department has an internal committee system to assist with the workload and minimize the overall impact.

- c. Impact on existing programs.** What will be the impact on existing programs of increased use of existing personnel resources by the proposed program? How will quality and productivity of existing programs be maintained?

We anticipate minimal impact on existing programs. The courses required for the major are currently being taught to support the minor in communication studies. We may have to increase our course offerings, but that can be managed with the two additional faculty members that we are requesting.

- d. Needed resources.** List the new personnel that must be hired to support the proposed program. Enter the costs of those personnel resources into the budget sheet.

We propose to hire two clinical assistant professors in communication starting in FY 2020. Cost is approximately \$166,498 (salary of \$63,500 + benefits of \$19,749 for each new hire).

**20. Revenue Sources**

- a) **Reallocation of funds:** If funding is to come from the reallocation of existing state appropriated funds, please indicate the sources of the reallocation. What impact will the reallocation of funds in support of the program have on other programs?

The department anticipates requesting funds from the University. These funds are reallocations for priority initiatives. Annual funding of \$167,393 is requested to deliver the major. Most of the funds will be used to cover two new faculty lines (\$127,000 in salaries + \$32,893 in fringe). The remaining funds will be used for operating expenditures (\$2,500 for travel and \$1,000 for materials and supplies) focused on the recruitment of students and library resources (\$4,000) for one-time purchases (e.g., books, DVDs).

- b) **New appropriation.** If an above Maintenance of Current Operations (MCO) appropriation is required to fund the program, indicate when the institution plans to include the program in the legislative budget request.

A new appropriation is not requested.

- c) **Non-ongoing sources:**

- i. If the funding is to come from one-time sources such as a donation, indicate the sources of other funding. What are the institution's plans for sustaining the program when that funding ends?

Funding for the program is not based on one-time sources.

- ii. Describe the federal grant, other grant(s), special fee arrangements, or contract(s) that will be valid to fund the program. What does the institution propose to do with the program upon termination of those funds?

No federal grants or special fee arrangements are planned for the program.

- d) **Student Fees:**

- i. If the proposed program is intended to levy any institutional local fees, explain how doing so meets the requirements of Board Policy V.R., 3.b.

No additional local fees will be collected for the program.

- ii. Provide estimated cost to students and total revenue for self-support programs and for professional fees and other fees anticipated to be requested under Board Policy V.R., if applicable.

Not applicable. It is not a self-support or professional program.

21. Using the budget template provided by the Office of the State Board of Education, provide the following information:

- Indicate all resources needed including the planned FTE enrollment, projected revenues, and estimated expenditures for the first **four** fiscal years of the program.

- Include reallocation of existing personnel and resources and anticipated or requested new resources.
- Second and third year estimates should be in constant dollars.
- Amounts should reconcile subsequent pages where budget explanations are provided.
- If the program is contract related, explain the fiscal sources and the year-to-year commitment from the contracting agency(ies) or party(ies).
- Provide an explanation of the fiscal impact of any proposed discontinuance to include impacts to faculty (i.e., salary savings, re-assignments).

### Major in Communication (B.S. or B.A.):

A minimum gpa of 2.50 is required to graduate with a degree in Communication.

Required coursework includes the university requirements (see regulation J-3), the general requirements for either the B.A. or B.S. degree, and:

Comm 111	Introduction to Communication Studies	3 cr
Comm 233	Interpersonal Communication	3 cr
Comm 335	Intercultural Communication	3 cr
Comm 355	Organizational Communication	3 cr
Comm 410	Conflict Management	3 cr
Comm 450	Communication Theory	3 cr
Comm 455	Communication Research Methods	3 cr

#### One of the following (2 or 3 cr):

Comm 101	Fundamentals of Public Speaking	2 cr
Comm 150	Online Oral Communication	3 cr

#### One of the following (3 cr):

Psyc 215	Quantitative Methods in Psychology	3 cr
Stat 251	Statistical Methods	3 cr

#### At least 18 additional upper-division Communication credits

Up to 6 of these credits may be earned by taking:

Engl 313	Business Writing	3 cr
Engl 317	Technical Writing	3 cr
OrgS 415	Planning Professional Conferences and Events	3 cr
OrgS 441	Human Relations in the Workplace	3 cr
Psyc 310	Psychology of Personality	3 cr
Psyc 320	Introduction to Social Psychology	3 cr
Psyc 416	Industrial/Organizational Psychology	3 cr

#### Only 3 of these credits may come from:

Comm 400	Seminar	cr arr
Comm 403	Workshop	cr arr

Comm 494	Research Experience	cr arr
Comm 497	Practicum in Instruction	1-3 cr, max 6
Comm 498	Internship	1-3 cr, max arr
Comm 499	Directed Study	cr arr

**Courses to total 120 credits for this degree**

---

## **UCC-18-031- College of Letters, Arts and Social Sciences**

Proposed Catalog Changes  
Effective Summer 2018

### PSYCHOLOGY AND COMMUNICATION STUDIES

1. Add the following courses:

#### Comm 150 Online Oral Communication (3 cr)

This course provides the skills, techniques, and knowledge needed to engage in effective oral communication in online contexts.

Available via distance: Yes

Geographical Area: Moscow, Online

Rationale: In the modern era, we encounter public communication through online channels. This course is an introduction to the best practices for online public communication and the communication theories that explain and guide those practices. By studying the foundations of spoken communication, including the principles of delivery and persuasion, this course will empower students to more effectively evaluate, create, and distribute public discourse in online contexts.

This course will allow students to complete their Oral Communication General Education requirement online as well as learning best practices of oral presentation skills that are needed in the online environment.

This course will be part of our regular rotation of courses, so it will not increase faculty workload.

#### Comm 453 Communication Theory (3 cr)

A survey of established theories and theoretical traditions in the Communication discipline, with an emphasis on understanding how theory is developed and applied to solve real world problems.

Prereq: Communication major, Junior standing

Available via distance: Yes

Geographical Area: Moscow, Online

Rationale: This course will enable upper-division communication majors to synthesize theoretical information presented in various lower-division communication courses into a comprehensive theoretical framework that will prepare them to engage in empirical communication inquiry.

This course will be part of our regular rotation of courses, so it will not increase faculty workload.

**Program Resource Requirements.**

- Indicate all resources needed including the planned FTE enrollment, projected revenues, and estimated expenditures for the first **four** fiscal years of
- Include reallocation of existing personnel and resources and anticipated or requested new resources.
- Second and third year estimates should be in constant dollars.
- Amounts should reconcile subsequent pages where budget explanations are provided.
- If the program is contract related, explain the fiscal sources and the year-to-year commitment from the contracting agency(ies) or party(ies).
- Provide an explanation of the fiscal impact of any proposed discontinuance to include impacts to faculty (i.e., salary savings, re-assignments).

**I. PLANNED STUDENT ENROLLMENT**

	<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>		<u>FY 23</u>	
	FTE	Headcount	FTE	Headcount	FTE	Headcount	FTE	Headcount
A. New enrollments	17	20	34	40	51	60	68	80
B. Shifting enrollments								
<b>Total Enrollment</b>	<u>17</u>	<u>20</u>	<u>34</u>	<u>40</u>	<u>51</u>	<u>60</u>	<u>68</u>	<u>80</u>

**II. REVENUE**

	<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>		<u>FY 23</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
1. New Appropriated Funding Request								
2. Institution Funds								
3. Federal								
4. New Tuition Revenues from Increased Enrollments	<u>\$100,455.90</u>		<u>\$200,911.80</u>		<u>\$301,367.70</u>		<u>\$401,823.60</u>	
5. Student Fees								
6. Other: L&C & Outreach/web fees,	<u>\$1,296.00</u>		<u>\$2,592.00</u>		<u>\$3,888.00</u>		<u>\$5,184.00</u>	
<b>Total Revenue</b>	<u>\$101,752</u>	<u>\$0</u>	<u>\$203,504</u>	<u>\$0</u>	<u>\$305,256</u>	<u>\$0</u>	<u>\$407,008</u>	<u>\$0</u>

*Ongoing is defined as ongoing operating budget for the program which will become part of the base.*

*One-time is defined as one-time funding in a fiscal year and not part of the base.*

**III. EXPENDITURES**

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>
--	--------------	--------------	--------------	--------------

	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>A. Personnel Costs</b>								
1. FTE	2.0		2.0		2.0		2.0	
2. Faculty	\$127,000.00		\$127,000.00		\$127,000.00		\$127,000.00	
3. Adjunct Faculty								
4. Graduate/Undergrad Assistants								
5. Research Personnel								
6. Directors/Administrators								
7. Administrative Support Personnel								
8. Fringe Benefits	\$32,893.00		\$32,893.00		\$32,893.00		\$32,893.00	
9. Other:								
<b>Total Personnel and Costs</b>	<b>\$159,893</b>	<b>\$0</b>	<b>\$159,893</b>	<b>\$0</b>	<b>\$159,893</b>	<b>\$0</b>	<b>\$159,893</b>	<b>\$0</b>

	FY 20		FY 21		FY 22		FY 23	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>B. Operating Expenditures</b>								
1. Travel	\$2,500.00		\$2,500.00		\$2,500.00		\$2,500.00	
2. Professional Services								

3. Other Services								
4. Communications								
5. Materials and Supplies	\$1,000.00		\$1,000.00		\$1,000.00		\$1,000.00	
6. Rentals								
7. Materials & Goods for Manufacture & Resale								
8. Miscellaneous								
<b>Total Operating Expenditures</b>	<b>\$3,500</b>	<b>\$0</b>	<b>\$3,500</b>	<b>\$0</b>	<b>\$3,500</b>	<b>\$0</b>	<b>\$3,500</b>	<b>\$0</b>

	<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>		<u>FY 23</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>C. Capital Outlay</b>								
1. Library Resources	\$4,000.00		\$4,000.00		\$4,000.00		\$4,000.00	
2. Equipment								
<b>Total Capital Outlay</b>	<b>\$4,000</b>	<b>\$0</b>	<b>\$4,000</b>	<b>\$0</b>	<b>\$4,000</b>	<b>\$0</b>	<b>\$4,000</b>	<b>\$0</b>

	<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>		<u>FY 23</u>	
<b>D. Capital Facilities Construction or Major Renovation</b>								

<b>E. Other Costs</b>								
Utilities								
Maintenance & Repairs								
Other								

<b>Total Other Costs</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>TOTAL EXPENDITURES:</b>	<u>\$167,393</u>	<u>\$0</u>	<u>\$167,393</u>	<u>\$0</u>	<u>\$167,393</u>	<u>\$0</u>	<u>\$167,393</u>	<u>\$0</u>
<b>Net Income (Deficit)</b>	<u>-\$65,641</u>	<u>\$0</u>	<u>\$36,111</u>	<u>\$0</u>	<u>\$137,863</u>	<u>\$0</u>	<u>\$239,615</u>	<u>\$0</u>

Budget Notes (specify row and add explanation where needed; e.g., "I.A.,B. FTE is calculated using..."):

I. A.	FTE is calculated by multiplying number of part-time students by 0.4
II. 4.	Assumed that full-time students would attend classes in Moscow
II. 4.	Assumed that distance students would attend part-time; 12 credits per year (6 credits per semester)
II. 4.	Tuition revenue was based on the assumption that all students would be in state
II. 5.	Student fees were not included as those fees would not support academic programs. Total cost of the program to students would be higher if it would include student fees. On campus students would be assessed an additional fee of \$1,070.93 per semester and distance students would be assessed an additional fee of \$362.70 per semester based on the approved fees for 2017-18.
II. 6.	Other Fees include a \$21.60 web fee per distance student. The fee is \$35 per student of which \$21.60 is returned to the department.
III. A. 2.	Two clinical assistant professors at an estimated salary of \$63,500 each beginning in FY20
III. B. 1.	Travel as it relates to the program
III. B 5.	Miscellaneous class materials and supplies
III. C. 1.	Books, DVD's

## Faculty Compensation Task Force – Summary May 2017

**Origin:** The Faculty Compensation Task Force (F-CTF) was established by Faculty Senate in the second half of 2016.

**Charge:** The F-CTF will work with the Division of Finance and the Human Resources (HR) department to develop and implement a market-based approach for faculty compensation at the University of Idaho.

**Structure:** The F-CTF is comprised of 17 members, 13 voting and 4 ex officio members, as follows: one faculty member from each academic college and one from faculty-at-large (10); Faculty Secretary; Vice President of Finance; Executive Director of Human Resources; Vice Provost for Academic Affairs (ex officio); Director of Institutional Effectiveness and Accreditation (ex officio); a representative from the Provost's office (ex officio); a staff member from Provost's office providing administrative support (ex officio). The F-CTF is co-chaired by Patrick Hrdlicka (Department of Chemistry; vice chair of Faculty Senate) and Wesley Matthews (Executive Director of Human Resources).

**Status:** The F-CTF met 13 times during October 2016 – May 2017 to define UI's institutional peer group, identify and select suitable salary databases, and establish guiding principles. The F-CTF has made the following preliminary recommendations regarding the development and implementation of a market-based compensation model for faculty at the University of Idaho:

1. Use a market group that encompasses all U.S. public and private doctorate-granting institutions, i.e., R1, R2 and R3 institutions according to the Carnegie classification.
2. Define UI's initial overall salary goal as the market average of the above-mentioned group.
3. Annually reevaluate and adjust, if appropriate, the market group definition and UI's overall salary goals as the institution moves closer to attaining its aspirational R1 Carnegie goal.
4. In cooperation with the provost, deans, chairs and faculty members, HR will assign every faculty member a 6-digit CIP code and periodically reevaluate the assignments as appropriate. For a definition of CIP codes, see: <https://nces.ed.gov/ipeds/cipcode/browse.aspx?y=55>
5. In cooperation with the provost, deans, chairs and faculty members, HR will assign a corresponding market rate using CUPA-HR as the primary data source and the Oklahoma State University survey as a secondary data source. Whenever feasible the market rate should be based on 6-digit CIP code salary data.
6. Longevity shall be defined as years in rank plus total years at UI.
7. The longevity component of the compensation model should avoid salary compression between ranks at the time of promotion.
8. Only faculty members who "meet expectations" on annual evaluations should be eligible for progression in the longevity component.
9. The target salary of assistant professors should be described as: Incoming/early-in-rank salary very close to their market average (~95%); shallow salary progression; end-in-rank salary slightly above their market average (~105%). Percentage numbers given are for illustrative purposes only.
10. The target salary of associate professors should be described as: Incoming/early-in-rank salary very close to their market average (~95%); shallow salary progression; end-in-rank salary slightly above their market average (~105%). Percentage numbers given are for illustrative purposes only.
11. The target salary of full professors should be described as: Incoming/early-in-rank salary close to their market average (~90%); moderate salary progression; end-in-rank salary somewhat above their market average (~110%). Percentage numbers given are for illustrative purposes only.
12. The salary progression of assistant professors should be constant throughout rank.

13. The salary progression of associate professors should be steeper until approximate rank midpoint, then shallower.
14. The salary progression of full professors should be steeper until approximate rank midpoint, then shallower.
15. Assuming an equitable merit system, there should be a merit component to the compensation model.
16. Promotion raises should remain in place.
17. Promotion raises should be adjusted relative to current levels to reflect the predicted increases in target salary according to the compensation model, with a minimum promotion raise of no less than the current levels.
18. In the immediate future, funds available for salary increases should be distributed to progressively adjust the actual/target ratio. In other words, provide increases for most faculty, but give larger relative salary adjustments to those with lowest actual/target salary ratios.
19. Faculty members should not see salary decreases even if market rates dictate this.

**Going forward:** The F-CTF has not yet discussed how clinical faculty and instructor salaries will be integrated into this compensation model. The F-CTF will reconvene at the beginning of the upcoming fall semester to determine this and to provide input on a draft compensation model that will be developed by HR this summer. The first version of the compensation model (to be used for mid-year CEC adjustments) will, in all likelihood, only include a longevity component. The F-CTF will initiate deliberations to determine how to add a merit component to the compensation model later in the fall of 2017.

## TARGET RATE METHODOLOGY FOR FACULTY VERSION 1.0

---

Target salary is the minimum salary a faculty member should receive provided they have minimally met expectations for the position that they occupy. Thus, target salary is determined by fixed measures such as the CIP (Classification of Instructional Program) code of a given position and time in a particular faculty rank. The overall market-based compensation model for faculty also includes a significant merit-based component that is reflective of a faculty member's performance relative to other faculty in their unit and appropriately normed to the average market salaries in their field. Since merit requires an assessment that is performed annually and is variable over a career, it is not included as a component of target salary. Merit will not factor into this current mid-year raise but will be part of future CEC raise processes.

In developing a target salary based on years in rank, the Provost's office and the Faculty Compensation Taskforce (FCT) considered market realities that constrain the longevity schedule as well as career milestones for tenure track faculty that we wish to support and reward. A key constraint is the size of the promotion raise typically seen in the market versus our current promotion raise methodologies, which will not change as part of this new compensation model. Thus, moving a sixth-year assistant professor salary from 100% of market levels for assistant professors within a specific CIP code to 95% of market levels for an associate professor within a specific CIP code, most closely mimics the salary changes seen upon promotion under our current promotion policy. A similar analysis for the associate to full professor promotion suggests that a full professor should start at 83% of the market level for a full professor.

The FCT and the Provost agree that we must assure that long-term faculty members who meet minimal levels of performance are compensated at the market rate. Thus, target salary at all ranks does reach 100% after an appropriate time in rank. In some positions such as instructors, there is an immediate move to 100% of market but in others, most notably full professors, the attainment of 100% requires a significant number of years of service. Each position type has some underlying attributes that support the proposed longevity tables. The assistant professor progression starts at 90% of the market average. This starting rate is reflective of our current hiring salaries, which are competitive in the market. The salary takes a significant increase to 100% of market at year 3, which is intended to reward those faculty for successful third year reviews. For associate professors, target salary progresses gradually and then plateaus after six years. This timing reflects the first opportunity for an associate professor to be considered for promotion to full professor. Thus, the intent is to motivate associate professors to focus on achieving this promotion as soon as possible as a means to move up to the next level of compensation. For full professors, the salary data includes faculty with a broad range of "years in rank", from newly promoted professors to professors who have been in that rank for 30 or more years. Thus, the average salary for full professors represents a broad range of experience and 17 years was deemed an appropriate timeframe to meet the 100% of market target. As a reminder, the longevity progression does not include merit raises and we fully anticipated that many faculty will experience much faster progression toward (and above) their target salary due to performance-based raises.

The average market rate for instructor and senior instructor positions are currently linked to the tenure-track associate professor rank for a given CIP code (65% and 70% respectively). More work is likely ahead for the FCT for this employee group but the initial analysis suggest a starting target salary below 100% might render the institution at a competitive disadvantage for hiring new instructors. Thus, the initial longevity schedule starts instructors and senior instructors at 100% of their market salary and remain there unless additional compensation for merit is provided.

Non-tenure track faculty such as clinical and research faculty were assigned a market rate that is 85% of the salary of like-rank tenure-track faculty within that CIP code. This ratio (as well as the ratio for instructors and senior instructors) is based on an average of the institution's current practice. The FCT

and the Provost anticipate that we will continue to fine-tune these market rates since there is a broad variability in current compensation philosophies. Faculty senate will also consider alternative career tracks for our faculty, such as full-time but non-tenure track instructional faculty with assistant, associate, full professor ranks.

Finally, joint appointments have not been consistently and clearly documented or delineated in the past. Most appointments are “buy-outs” of time from a home department, but a handful of cases involve appointments intended to be shared or joint appointments. Thus, for this initial assessment, we have opted to simply apply market-based salaries on the faculty member’s current home (majority appointment) department’s CIP code. Again, the FCT and the Provost’s office will continue to refine our approach for appointments involving more than one academic department.

In closing, this market-based compensation approach is a work in progress. The Faculty Compensation Taskforce and the Provost’s office have worked diligently to get these faculty data compiled and analyzed so that we can launch this effort for the faculty, to complement the good work of HR in dealing with staff compensation. We have done our best to initiate this process in a fair and transparent manner and will continue to refine and improve it going forward.

**LONGEVITY SCHEDULE**

<i>Rank Years Completed</i>	<i>Instructor</i>	<i>Senior Instructor</i>	<i>Assistant Professor</i>	<i>Associate Professor</i>	<i>Professor</i>	<i>Distinguished Professor</i>
0	100.00%	100.00%	90.00%	95.00%	83.00%	83.00%
1	100.00%	100.00%	90.00%	96.00%	84.00%	84.00%
2	100.00%	100.00%	90.00%	97.00%	85.00%	85.00%
3	100.00%	100.00%	100.00%	98.00%	86.00%	86.00%
4	100.00%	100.00%	100.00%	99.00%	87.00%	87.00%
5	100.00%	100.00%	100.00%	100.00%	88.00%	88.00%
6	100.00%	100.00%	100.00%	100.00%	89.00%	89.00%
7	100.00%	100.00%	100.00%	100.00%	90.00%	90.00%
8	100.00%	100.00%	100.00%	100.00%	91.00%	91.00%
9	100.00%	100.00%		100.00%	92.00%	92.00%
10	100.00%	100.00%		100.00%	93.00%	93.00%
11	100.00%	100.00%		100.00%	94.00%	94.00%
12	100.00%	100.00%		100.00%	95.00%	95.00%
13	100.00%	100.00%		100.00%	96.00%	96.00%
14	100.00%	100.00%		100.00%	97.00%	97.00%
15	100.00%	100.00%		100.00%	98.00%	98.00%
16	100.00%	100.00%		100.00%	99.00%	99.00%
17	100.00%	100.00%		100.00%	100.00%	100.00%
18	<b>100% ongoing until end of service for all ranks</b>					

**University of Idaho**  
**2017-2018 FACULTY SENATE AGENDA**

**Meeting #16**

**3:30 p.m. - Tuesday, January 30, 2018**  
**Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #15, January 16, 2018 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

**VI. Committee Reports.**

**University Curriculum Committee (vote)**

- **FS-18-027** (UCC-18-024a): Business – Small Business/Entrepreneurship Option (Bailey)
- **FS-18-028** (UCC-18-024b&UCC-18-025): Business - New Certificate Trading & Capital Management (Grieb)
- **FS-18-029** (UCC-18-029a&UCC-18-029): Education – Movement Science - Emphasis in Community Health Education & Promotion (Scruggs)
- **FS-18-030** (UCC-18-029b): Education – Discontinue B.S.Ed. Physical Education (Scruggs)
- **FS-18-031** (UCC-18-029c&UCC-18-029): Education - New Teaching Endorsement in Special Education (Hollingshead)
- **FS-18-032** (UCC-18-032a&UCC-18-032): CALS - New Minor Agricultural Communications & Leadership (Wolf)
- **FS-18-033** (UCC-18-032b): CALS - New Minor Biotechnology and Plant Genomics (Kuhl)
- **FS-18-034** (UCC-18-032c): CALS – Family Consumer Science restructure (Becker)

**VII. Special Orders. (FYI)**

- **FS-18-035:** APM 95.21 – University Closures (Dorschel)
- **FS-18-036:** APM 35.91 – Bomb Threats (Dorschel)
- **FS-18-037:** APM 45.01 – Animal Care Use (Harris/Inge)
- Update on Retreat Topics

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #15  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #15, Tuesday, January**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Baird, Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Foster, Ellison, Grieb, Hrdlicka, Leonor, Jeffrey, Johnson, Kern (Coeur d'Alene), Mahoney, Morgan, Morrison, Nicotra, Panttaja, Schwarzlaender, Seamon, Watson, Wiencek, Tibbals, Vella. **Absent:** Zhao (Idaho Falls).

**Guests:** 10

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Johnson/Nicotra) to approve the minutes passed with 2 abstentions.

**Chair's Report.**

- Please remember to distribute the Faculty Senate talking points to your colleagues. The Great Colleges to Work for Study clearly indicates that there are opportunities to improve communication across campus, especially as it pertains to decision-making and shared governance. Feel free to engage Senate Leadership if you are facing logistic challenges in distributing the talking points on a weekly basis. We know this has been a challenge in some colleges.
- [Multifactor Authentication \(MFA\)](#) tokens have arrived and will be distributed to employees, departments, and units who have requested tokens. As a reminder, all employees are required to enroll in Duo, U of I's MFA security software application, by Jan. 17, 2018. [Read more.](#)
- The Staff Compensation Task Force is hosting a presentation/forum for supervisors to discuss merit pay. The forum is 9:30 a.m. Friday, Jan. 19, 2018, in the Vandal Ballroom.
- Nominations for two faculty members to serve on the Distinguished Professor Committee are solicited. This is a three-year appointment. Nominations consisting of the name, department, and contact information of the potential committee member can be sent to Joana Espinoza ([jespinoza@uidaho.edu](mailto:jespinoza@uidaho.edu)) on, or before Friday, January 19, 2018.
- Nominations for University Faculty Excellence Awards are due Friday, Jan. 26, 2018.

The Presidential Mid-Career Award	+
The University Distinguished Professor Award	+
Interdisciplinary and Collaborative Efforts Award	+
Teaching, Hoffman & Advising Awards	+
The Dr. Arthur Maxwell Taylor Excellence in Diversity Award	+
Research and Creative Activity Award	+
Donald Crawford Graduate Faculty Mentoring Award	+
Outstanding Graduate Student Teaching Award	+
Outstanding Graduate Student Research and Creative Activity Award	+
Outreach and Engagement Award	+

- UBUNTU invites undergraduates, graduates and professional students enrolled for the spring semester to write an essay or create an artistic piece in the medium of their choice to commemorate the legacy of Dr. Martin Luther King Jr. This year's topic is "on the role of resilience in creating community and justice". Entries are due on January 31, 2018. Scholarships will be awarded for the best entries and honorable mentions. For more details, see Ubuntu website: <https://www.uidaho.edu/student-affairs/ubuntu>.
- The Staff Awards Committee invites nominations for staff who have shown exemplary dedication and have gone above and beyond their normal job duties at the University of Idaho. Nominations are solicited until Feb. 9, 2018. The seven nomination categories are as follows: Senior Leadership, Non-Faculty Exempt, Technical/Paraprofessional, Service/Maintenance, Skilled Trades, Administrative Assistants and a Team Award. More info at: <https://www.uidaho.edu/faculty-staff/staff-council/staff-awards/categories-and-nomination-forms>

- The Center for Excellence in Teaching and Learning and Distance and Extended Education invite all faculty and staff to participate in the 9<sup>th</sup> annual Virtual Conference, "Transforming the Teaching and Learning Environment," Feb. 12-23, 2018. This national online conference features 60 interactive sessions (six sessions per day), all delivered via Zoom.
- It is not too early to think about senate elections, especially in those colleges that only have monthly meetings in which they hold elections for these types of positions. Also, the chair informed the body that our current vice-chair, Miranda Anderson, will not be a nominee for chair of Faculty Senate. Senators may want to keep this in mind when thinking of senate elections.

**Provost's Report.** The Provost welcomed everyone back. He first updated senate on several pending issues and projects:

- Centralized advising. A steering group is meeting to advise the administration on how to proceed with implementation. They have recommended three sub-groups:
  - 1) Advising staff. Address advising staff transition challenges and ensuring inclusion of the advising staff in the transition and advising policy process;
  - 2) Vision and Scope of Centralized Advising. Address such questions as what does it mean to advise, what should the roles of faculty and staff be in advising, and what do we want to accomplish with a centralized advising approach; and
  - 3) Environmental Scan. Look at what we are doing now and examine current operations to ensure that we do not damage or lose effective practices in the reorganization.

After the sub-groups make recommendations, the steering group will make final recommendations.

- The mid-year compensation change has been implemented. The provost reminded senate that the approach was evolutionary; but, it was important to take this first step. The Faculty Compensation Taskforce will be meeting to make recommendations on how to move forward and address the issues that have arisen.
- The university is moving ahead with the TAs compensation initiative. Jerry McMurtry, Dean of the College of Graduate Studies, is working with other deans and their financial staff to implement the initiative. Some have expressed concern that UI might abandon this initiative in light of the current fiscal situation. The provost stated that the institution is not going to change its approach. Graduate programs should be planning on the new stipends as they recruit qualified students.

The provost also reported on several new issues:

- He announced that Vice Provost for Faculty Jeanne Stevenson will be retiring at the end of the academic year and that an internal search will be conducted to identify her successor.
- The provost briefly summarized the report given by Vice Provost for Finance and Administration Brian Foisy at the December Presidential Leadership Breakfast. Foisy addressed how the institution manages and makes decisions about overall finances, including the impact of declining enrollment on the university's financial situation. Currently, college and units receive their base budgets in the form of allocations from the central administration. These allocations are based on the university's estimate of its available resources for the coming year. For the past decade, our estimates of available resources have been too high 9 out of 10 years. Each year we have used central reserves to cover the shortfall. The central reserves are now too low to allow for the continuation of this practice. VP Foisy will be convening a group to discuss this issue and to make recommendations about how to address the shortfalls.
- Dean Kersten in CLASS has accepted a position at University of Missouri in St Louis and will be leaving at the end of the fiscal year. We have two open dean positions and a structural deficit. Provost Wiencek has asked the question whether this is a time we might consider merging colleges – CLASS and A & A. He also noted that Science was part of CLASS at one time. There are pros and cons to reorganizing colleges. They are usually very difficult transitions. He indicated that they are gathering information to see if the merger idea would be economically attractive enough to pursue.

A senator asked the provost to provide more detail on the budget situation. He explained that the estimation of revenue is based on tuition, student enrollment and state appropriation. At the time of the estimation the university does not have a firm idea of the coming year's student enrollment. Over the last decade the university has had only one year where it had a surplus. It appears that we will need to reduce our expenses by as much as \$2 million to make up for a consistent revenue shortfall of comparable size. There are many ways the institution could address

this issue. In addition, the university anticipates another \$2 million of recurring costs will be removed from our state support if the Governor's budget is approved as recommended. These budget cuts are likely. The university could continue to use reserves and wait for enrollment growth to address the shortfall. At this time, these reserves reside in the colleges and divisions primarily in the form of carry forward balances. In addition, covering the shortfall through reserves without also attempting to reduce costs is not prudent and will result in appropriate scrutiny by the Regents. We have some time to deal with this matter in a transparent and collaborative way. But we should address it now. The administration was aware of the revenue shortfalls over the last two years, but only recently uncovered the long trend in such shortfalls as the history of reserve imbalances was examined. Given this trend, the institution now needs to develop a plan to address this matter in a sustainable, yet disciplined, manner.

Another senator asked for information about how the shortfall relates to UI's overall budget and how much enrollment must increase to respond to the shortfall. The provost responded that the shortfall amount is approximately 1-2% of the UI budget. If the university receives ~\$8,000 per student. It would take several hundred new students to make up the difference. Not all students contribute equally to the university's tuition revenues. A number of questions will be addressed by the group VP Foisy is putting together, including how much the institution should look to enrollment versus budget cuts, to address the short fall. The group will likely also address questions such as how the university should handle year end balances and what kind of reserves units should have on hand versus what should go into a central reserve. The group may also consider questions such as whether start-ups should be funded from central reserves, or from college reserves.

Another senator asked how the shortfall in the current year was covered. The Provost responded that the institution covered the short fall from reserves in the provost's office and in strategic enrollment management. The decision to cover the shortfall from these central reserves was made because other budget issues had already had substantial impacts on colleges and units. The provost's desire is that colleges and units have time to plan for how to respond in the future. He hopes that it will be an open-minded conversation about what is in UI's best interest.

**Special Assistant to the President Joe Stegner.** Former State Senator Joe Stegner, UI's lobbyist, reported on the current legislative session. He explained that in addition to advising the president, he works closely with the provost and vice presidents. His expertise is state government. This year is his 20<sup>th</sup> legislative session -- 13 as a senator and 7 as the UI's lobbyist.

Mr. Stegner familiarized senators with the legislative budget process. One of his major efforts is to assist the university in securing state funding for its initiatives. The process of developing the university's budget request begins a full year before the budget is presented to the legislature. The base budget of the university is not usually at issue. The focus is on identifying requests for new budget items above and beyond the current base budget. Once the UI has identified its budget needs, the request goes to the State Board of Education (SBOE). The SBOE can accept or reject our requests, or it can place limits or restrictions on our requests. This year the board restricted the various higher education institutions to two new line item budget requests. One of our two requests is for \$1.8 million for phase II of the library enhancement. Once our budget request is approved by the SBOE it goes, together with all of the other SBOE requests, to the governor. The governor's budget office reviews all of the various agency budget requests. The budget office combines the ones that the governor approves along with the governor's own requests into a single legislative budget request. This combined budget request from the governor's office is then presented to the legislature. This year, the governor did not recommend any of the increases requested by the higher education institutions. This is unusual considering Idaho is currently experiencing a robust economy and growing state resources. The governor recommended the occupancy costs requested by the higher education institutions be funded. We didn't have much in the way of these costs this year because we did not bring any large new building on line. The governor also asked for a small amount of money for a degree audit and data system that was requested by the SBOE. This system will identify trends in college applications and track applications to assist high schools counselors in helping students go on to college. The governor's overall budget request is \$574 million. Once the governor's request is turned over to the legislature, bills must be printed at the legislature before they move forward. Generally, about 600 bills are printed. Of those 400-450 will be passed by the legislature. Of the 400+ bills passed, approximately 170 will be appropriations bills.

Stegner also explained that outside the appropriations context, in the legislative policy arena, the university is usually playing defense. We generally do not have affirmative policy proposals for the legislature. Rather, we react to and

support or oppose initiatives suggested by legislators that might impact higher education generally or the UI specifically.

In addition to the governor's budget, Stegner explained that there are other sources of funding available to the UI. For example, the medical education budget for WWAMI is separate from the institution's budget request. This year we requested additional funding for WWAMI and the governor has recommended about an \$800,000 increase for that program. Funding has also been requested for the opportunity scholarship fund. This new funding, if approved, will be targeted at students who have started, but not finished degrees to encourage them to return and finish their degrees.

This year the governor is planning to ask the legislature to cut income tax rates by 0.45%. There is disagreement about this proposal. Stegner does not know how the governor's proposal will fare, but he thinks there will be some sort of tax cut.

A senator asked what faculty could do to support the university's budget request. Stegner responded that the best approach was to contact our legislators or legislators with whom we are acquainted (especially if they are members of the Joint Finance and Appropriations Committee (JFAC)). Our area is represented in the house by Paulette Jordan and Carolyn Nilsson-Troy, and in the senate by Dan Forman. Legislators pay more attention to constituents than anyone else.

Influencing appropriations bills is difficult. With 170 bills JFAC members work at pretty high levels. The committee members divide up the work among themselves and assign members responsibility for different budget areas. None of the JFAC members focused on the education budget are from our district.

Stegner and Provost Wiencek also stressed that if faculty make contact with legislators regarding issues related to the university, they must be very careful to make clear that they are not speaking on behalf of the university, but rather are making the contact as an interested citizen. Stegner also emphasized that contacts should be cordial, polite, direct, and brief.

Another senator asked whether Stegner thought that a proposal to remove a sunset clause from the medical amnesty bill would be successful? Stegner explained that this provision was being pushed by the ASUI student lobbyist. He assists the student lobbyist, but they do not coordinate on all issues. The university has not taken a position on this legislation (which allows students to seek medical attention for a fellow student without risking arrest). He explained that in order to secure passage a couple years ago, the students had to agree to the sunset provision. Stegner believes there are two ways to approach the sunset provision. First, an extension of the date could be requested. This would give the opportunity to gather information on the success of the law so it can be re-enacted at the expiration of the sunset. The second approach would be to seek outright repeal of the sunset provision. Stegner suspects that the extension might be a better approach. He made clear that the student lobbyist has not asked his opinion on this, but that he would be happy to give it if asked.

A senator asked Stegner to elaborate on proposals from the governor that appear to advocate a Chancellor system for higher education. Stegner explained that the governor appointed a task force who worked on recommendations to improve education in Idaho. One of the co-chairs of that process advocated for a strong officer at the SBOE to whom the presidents would report. That central person would be tasked with re-designing and unifying the administrative systems from the various institutions. This would include transcripts, enrollment, transfers, some accounting functions and similar administrative functions. Right now, all the colleges and universities have antiquated systems and cannot provide the SBOE with uniform information. As the proposal has been discussed, there has been less focus on the central officer and some talk about focusing more specifically on ensuring that the institutions have up-to-date and functioning administrative systems. The University of Idaho supports this—we want the state to assist us in updating our administrative support software. The governor and the task force both have indicated that they do not want to push a chancellor system. We don't know where the discussion will end up however. Provost Wiencek added that the governor asked for \$700,000 in funding for the legislature related to this proposal. \$500,000 is designated for a consultant and \$200,000 is designated to cover salary for the CEO position. The governor's budget request does not include funding for staff, an office, or expenses. At this point, advice has

been given to the SBOE to hire a consultant to advise on moving to this CEO system before making any further investments.

The chair thanked Mr. Stegner for his report.

**FS-18-020 (UCC-18-026b):** Education – Movement Science: Exercise Science and Health. This proposal adds four emphasis areas to the major in Movement Science: Exercise Science and Health. Professor Phillip Scruggs was present to discuss the proposal. He explained that the department has had unofficial emphasis areas for some time. These are not transcribed and it has become difficult to advise and mentor students. The change will clarify the course requirements for the students and will also help in advising and mentoring. The proposal passed unanimously.

**FS-18-025 (UCC-18-013): CLASS** – Change the title of Women’s and Gender Studies minor to Women’s, Gender and Sexuality Studies. Professor Leontina Hormel was present to discuss the proposal. The curriculum has been updated to be more inclusive. The change in name is consistent with the curriculum changes. There is a robust student body on campus that is interested in participating in this broadened program. The proposal passed with one abstention.

**FS-18-026: FSH 5200 - Human Participant (Subject) Research.** Casey Inge, Jennifer Walker and Audrey Harris were present to discuss revisions to FSH 5200 regarding research involving human participants. These policy changes were required as a result of anticipated changes in federal law. The changes have already become effective as minor revisions required for legal compliance and were forwarded to senate for information and comment. The new regulations now only apply to federally funded research. The policy changes separate such research from non-federally funded research. The university will still follow the federal rules for non-federally funded research. However, the university will have the flexibility to deviate from these standards in non-federally funded research, if necessary. The revisions also remove definitions that were inconsistent with the new federal regulations and make changes in the requirements for continuing review.

A senator asked about the intentions behind the federal changes. Ms. Walker explained that the goal was to reduce burdens for research that is minimal risk. She does not believe this will have a huge impact on us. Inge also explained that there is some possibility that the effective date for the regulations will be changed or that enforcement may be deferred. In either case, the new policy will ensure that the university is in compliance.

**FS-18-017: FSH 1570 - Faculty Secretary.** Chair Hrdlicka presented revisions to FSH 1570 regarding the description of the Faculty Secretary position. These revisions were passed by senate last year. President Staben did not approve all of the changes. Faculty Senate Leadership has met with general counsel to discuss the concerns and the sections have been revised. The proposal passed unanimously.

The agenda having been completed the meeting was adjourned (Panttaja/Morrison) at 4:42.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM Short Form**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using Track Change or strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, a single representative for the college will e-mail the completed form to the Office of the Provost and Executive Vice President, [provost@uidaho.edu](mailto:provost@uidaho.edu) for approval and then submission to the Academic Publications Editor in the Registrar's Office for review by the University Curriculum Committee (UCC).

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

**When applicable a Curriculum Change Form and Course Approval Forms must accompany the short form when submitted to [provost@uidaho.edu](mailto:provost@uidaho.edu)**

**Submission Information**

This section must be completed

College:	College of Business and Economics		
Department/Unit:	Business		
Dept/Unit Approval Date:	9/12/17	Vote Record:	unanimous
College Approval Date:	9/28/17	Vote Record:	21-0, 1 abstain
CIP code (Consult Institutional Research):	520201		
Primary Point of Contact (Name and Email):	Daniel Eveleth, College Curriculum Committee Chair, <a href="mailto:eveleth@uidaho.edu">eveleth@uidaho.edu</a>		
Briefly describe the change you are requesting:	Add an option in Entrepreneurship and Small Business Management to the Management and Human Resource Major		

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

This section must be completed

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

**Rationale**

We propose to create an **Entrepreneurship and Small Business Management** option within the existing Management and Human Resource major. Currently, there are two emphases in the major: 1. Management and 2. Human Resources. The focus of the Management emphasis is to help students develop the cross-disciplinary knowledge and skill needed to manage successfully in any organization, large or small, for-profit or non-profit, government or private sector. Graduates with this emphasis often join organizations through management-training programs at companies such as Target, Starbucks, Enterprise Rental, Northwestern Mutual, Costco, NAVSEA, Consolidated Electrical Distributors, Nike, ConAgra and others. To meet the needs of this employer market, the management-emphasis curriculum is specifically designed to help students develop some breadth across all of the business functions (i.e., in addition to the college core courses and a core set of management courses, students are required to take an additional information technology course, an additional marketing course, an additional human resources course, an additional accounting or finance course, and an additional operations management course).

The focus of the Human Resource emphasis is to help students develop the knowledge and skill needed to help organizations attract, develop and retain the talent that is needed for any organization to develop and sustain a competitive advantage. Graduates with this emphasis often join organizations in roles as human resource generalists, recruiters, recruiting coordinators, and training and development specialists at companies such as Amazon, St. Luke's Health System, Micron, Stryker, Schweitzer Engineering Laboratories, Starbucks, and Saint Alphonsus Health System.

This emphasis differs from the management emphasis with respect to depth and breadth. Specifically, while the management emphasis prepares students to be successful in careers that require cross-disciplinary knowledge and skill (i.e., breadth) the human resource emphasis provides depth in human resource knowledge and skills.

Idaho is often listed among the best places to live and among the “friendliest” places to start and grow a business. The Entrepreneurship and Small Business Management option is designed for the individual who wants to expand and strengthen an existing business (e.g., a family business) or to launch and manage a business through the startup phase and beyond. While entrepreneurs and small business owners benefit from some of the same knowledge and skills needed by professional managers and human resource professionals (i.e. the reason why this emphasis is in the MHR major), entrepreneurs and small business owners need to be visionary, be willing and able to take risks and be able to notice and react to opportunities and to put ideas into action. As described below, the components of this option (i.e. entrepreneurship certificate, a core set of management courses, and the flexibility to tailor the program with electives) are designed to help students with this need to be visionary, opportunity-seeking, and action-oriented; making it significantly different from the other two emphases. In addition, the opportunity to explore and test their ideas in the context of the entrepreneurship elevator and business-plan competitions helps student develop a network of colleagues and experts to draw from in the future; something critical to their future success, which is less critical for the professional manager who will likely seek a position in a Target, Starbucks, Boeing, Costco, etc. type organization where it will be possible to build an internal network.

This option builds upon the existing Entrepreneurship Undergraduate Academic Certificate, which provides an excellent foundation on how to design and implement a new business, product or process. In addition to the knowledge and skills students gain from completing the requirements for the certificate the option helps students think about how to manage, sustain and grow the business beyond the initial start-up or initial introduction of a new product or process in an existing business. Thus, the primary ‘value-added’ beyond the entrepreneurship certificate is learning how to apply the ‘management’ principles and practices that are needed to successfully manage an ongoing business. An additional ‘value-added’ in this option is the ability for the student (using specialized electives) to customize their study to an industry or discipline (e.g., nonprofit, technology, agriculture, hospitality, health, services, recreation, event planning) that is relevant to their business idea (i.e., for the aspiring entrepreneur) or existing business (e.g., for a family business). Finally, another tangible benefit of “going on” for an aspiring entrepreneur or member of an existing family business is the opportunity to build a strong professional network among future business leaders who will be studying with them in the College of Business and Economics. A long-held finding in entrepreneur-oriented research is a positive correlation between the size and strength of the business-owner’s or the entrepreneur’s professional network and business success.

Interest in the entrepreneurship courses and events at UI has been strong, with demand for the primary courses (i.e., ENTR 414 and ENTR 415) ranging from 120 to 150 students per year. In addition, each year the “Elevator Pitch” competition that is held on campus routinely brings together over 200 students and 50 business professionals. There is always a lot of energy and excitement during the competition because it provides students the opportunity to test and develop their ideas and to learn from successful professionals in a less formal setting. Each year, approximately 50 of the 200 students who participate in the competition are from colleges outside the CBE; providing further evidence of the level of interest among current UI students in entrepreneurship. And, along with the entrepreneurship courses, the opportunity to earn a certificate, and the pitch competition, the university hosts a popular business-plan competition that attracts student teams from across campus with the opportunity to showcase business ideas that range from new technologies and processes to traditional retail, manufacturing, or service ventures, and new products that address solutions to social problems or adopt a mission of creating and sustaining social value. In short, the level of participation in entrepreneurship-related curriculum and co-curriculum activities has been robust and provides opportunities across a breadth of for-profit and non-profit ideas; giving further support for the potential interest in this new option.

**Therefore, our primary goals for this option are to:**

1. Increase the go-on rate by offering a program that will attract: 1. First-Generation students (primarily) who are interested in developing entrepreneurial and management skills and experience that they can use to grow and sustain their families’ businesses; and 2. Students who want to launch and then manage a new business.

2. Help future Idaho entrepreneurs and small business owners prepare to effectively launch, sustain and/or grow their businesses, thereby contributing to the state’s economy; an economy that relies heavily on new and small businesses.

With respect to family businesses “less than one third of family businesses survive the transition from first to second generation ownership. Another 50% don’t survive the transition from second to third”. The “biggest issue with many family businesses is that they get stuck doing things the same way they have operated for years even when the business outgrows that structure” (Forbes, 2013).

Consistent with the conclusions drawn in the Forbes article, a 2012 Harvard Business School study found that a major reason why family businesses fail is because the family is “ill-equipped to handle complex business issues” that become more pronounced as a business grows. And, often the challenges are “critical strategic challenges”.

96.6% of Idaho businesses are small businesses with fewer than 500 employees. In Idaho, about 56% of employees work for small firms with fewer than 500 employees and 43% work for firms with fewer than 100 employees. On the national stage, family businesses generate over 50% of the US Gross National Product (GNP).

Therefore, by offering a program that builds upon the College of Business and Economics strong cross-disciplinary core curriculum and by providing students the opportunity to develop their entrepreneurial thinking and management knowledge and skills they will be well prepared to start and manage a new business or help their existing family businesses grow. In addition to the curriculum-oriented benefits of this option, students in this option will have easy access to a management faculty advisor, the Director of Idaho Entrepreneurs and experts and judges who give feedback in business plan competitions. Based upon anecdotal evidence that our college advisors hear from potential students across the state, it is clear that a major hurdle for some to make a commitment to a four-year degree is clear evidence of the value that they will gain from their commitment to “going on”. The College’s strong core, the Entrepreneurship certificate, the management-oriented courses and the access to faculty and other experts that are all packaged in this major and option provide identifiable evidence that can be used to justify a family member in a family business ‘going-on’.

With respect to those potential students who are interested in starting a new business, evidence suggests that the ‘management’ aspects of this option are just as important as the ‘entrepreneurial’ aspects. For examples,

- According to one study, “among the successful business-owning Millennials studied in the research, some 78% come from families with a history of running their own businesses” and therefore had some familiarity with effective entrepreneurial and management practices. In addition, the “report found that retail (12.5%), professional services (8.5%) and technology (7.3%) were the top three wealth creation sectors among Millennials, while financial services, social media and e-commerce were identified as industries of the future. Also, “the report found that their (successful) operations typically have more resources, with an average headcount of 122.2 staff members compared to 29.9 for Baby Boomers” thus, placing a greater option on the need for strong leadership and management skills.
- The Small Business Administration says that the small-business owners who are successful at “starting & managing” a business have leadership skills, the ability to make effective decisions and the knowledge and skill needed to manage employees; and they have the ability to bring together all of the functional areas (e.g., finance, accounting, human resources, marketing, information technology) in order to run and grow the business.
- “Poor management” is often cited as the number one reason for small business failure.

The potential demand for an option that can be used by existing or potential small-business owners is not insignificant. According to the most recent U.S. Census Survey results:

- Small Business accounts for 60 to 80 percent of all new jobs in America
- 28.2% of small businesses are family-owned
- 1 in 2 are home-based

- 31.7% of small business owners are between the ages of 25 and 44.
- 50.8% of small business owners have a four-year degree
- 46.9% of small business owners are involved in managing day-to-day operations.
- 75.4% of small businesses have full-time paid employees.

**Therefore, to help students develop the needed knowledge, skills and experiences the proposed curriculum has the following components:**

1. "...the ability to **bring together all of the functional areas**" and the ability to "handle complex business issues" come from completing the College Core Requirements which are cross-disciplinary in nature and decision-making focused.
2. Students will develop **entrepreneurial thinking** that is required for starting new businesses or developing new processes or products for existing businesses by completing the requirements of the existing Entrepreneurship Undergraduate Academic Certificate.
3. Students will develop the needed **management skills** and knowledge by completing four management courses (MHR 311, 411, 417, 418) that build on the two management courses in the college curriculum (i.e., MHR 310 – leadership, Bus 490 – strategic management).
4. Students will develop deeper **knowledge in areas that are unique to their existing or intended business**, market, industry by taking six approved elective credits from outside or inside the college.
5. The ability to **explore/test ideas** for their existing business or business concept and the opportunity to **build a professional network** will come from collaborating with students and business professionals during the entrepreneurship competitions, interactions with the Director of Idaho Entrepreneurs, one-on-one advising with a management professor, and interacting with other future leaders in their management and other college courses.

**Workload and Admission requirements**

The program is designed to use existing resources. All College of Business and Economics (CBE) courses for the option exist, have unused capacity and are offered regularly. And, given the fact that a goal of this proposed option is to attract students to the university and the program who have particular interests in starting their own business or taking over an existing small or family business, we imagine that the contributions of Entrepreneurship and Small Business students in the existing courses will add to the diversity of experiences; thereby benefiting all students and faculty in the relevant courses.

The admission requirements for this option will be the same as existing requirements for entry into the CBE.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

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

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

**Program Component Request**

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

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

Create New:	<input checked="" type="checkbox"/>	Modify:	<input type="checkbox"/>	Discontinue:	<input type="checkbox"/>	Implementation Date:	Summer 2018
Graduate Level:	<input type="checkbox"/>	Undergraduate Level:	<input checked="" type="checkbox"/>	Law Level:	<input type="checkbox"/>	Credit Requirement:	120
Are new courses being created:		No	<input checked="" type="checkbox"/>	Yes	If yes, how many courses will be created:		

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

Major:	Management and Human Resources	Degree:	BSBus
--------	--------------------------------	---------	-------

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

Option:	Entrepreneurship and Small Business Management
Emphasis:	
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

**Learning Outcomes and Assessment Information**

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

1.	List the intended learning outcomes for the program component, using learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:
<p><b>Entrepreneurship-Oriented Learning Objectives:</b></p> <ol style="list-style-type: none"> <li>Evaluate the benefits and costs of starting a new business</li> <li>Become more strategic in your entrepreneurial thinking</li> <li>Develop a strong understanding of business models and how to pitch a new business idea</li> <li>To analyze business, industry, and economic information and data, and be able to gauge its relevance to feasibility &amp; managerial decision-making in an entrepreneurial environment</li> </ol> <p><b>Manage-Oriented Learning Objectives:</b></p> <ol style="list-style-type: none"> <li>Develop a strong understanding of the principles that guide effective planning, organizing, leadership, and control in small organizations, large businesses, family businesses and start-ups.</li> <li>Understand the principles and practices that help a company attract and acquire talented and motivated human capital.</li> <li>Develop a strong understanding of human resource planning, including succession planning and practice needed to address temporary gaps in talent.</li> <li>Understand the interplay between business needs and training and development of employees.</li> <li>Acquire the ability to design, execute, and evaluate effective training and leadership development programs.</li> <li>Identify and solve organizational design problems taking the business idea and different stakeholder interests as a point of departure,</li> <li>Analyze issues related to organizational design and identify potential processes of organizational design change.</li> <li>Understand the importance of strategic human resource management and how it contributes to enhancing organizational effectiveness.</li> </ol>	

2.	Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
<p>To address the Entrepreneurship-Oriented Learning Objectives each Entrepreneurship course (i.e., Bus 414 and 415) involves a culminating project including a written and oral presentation of a business plan (i.e., in Bus 414) and an elevator pitch presentation (in Bus 415). Evaluation of these projects is done by the Director of Idaho Entrepreneurs and by external pitch and business plan competition judges.</p> <p>With respect to the management-oriented learning objectives, assessment is performed in the following courses:  MHR 311 - Objective 1: Multiple choice and short-answer essay exam questions.  MHR 411 - Objectives 2 &amp; 3: One significant, claim-evidence-warrant essay question on each exam and 15 applied homework assignments.  MHR 417 - Objectives 4 &amp; 5: Weekly applied homework assignments and a culminating team project.  MHR 418 Objectives 6, 7 &amp; 8: Culminating individual and team projects (one each).</p>	
3.	How will you ensure that the assessment findings will be used to improve the program?
<p>The CBE and each area within the CBE conduct annual reviews to assess the college's programs. Assessment of the <b>option</b> will be folded into the process that we already have in place for assessing the <b>MHR major</b>. With respect to the <b>major</b>, the process involves assessing performance on key learning objectives in the two courses that all MHR majors take (i.e., MHR 411 and MHR 417). Three sets of multiple-choice questions that are mapped to key learning objectives are included on the three exams in each course. The same questions are to be asked each year. At the end of each academic year (i.e., May of each year) the two faculty who are responsible for MHR 411 and MHR 417 will consolidate and summarize student performance levels on the set of multiple choice questions; and the entire MHR area (i.e., five faculty) will then meet to review the results in order to validate practices that are helping students achieve the desired objectives and to identify any changes that could be made in the program</p> <p>With respect to the <b>option</b>, the MHR faculty will separately discuss the student performance levels in MHR 311, 411, 417 and 418 during the same May meeting (i.e., the option will be a separate agenda item at the May meeting).</p>	
4.	What direct and indirect measures will be used to assess student learning?
<p>Direct measures: Culminating projects and course exams, experiential-learning-oriented homework assignments, peer evaluations and observing student behaviors during mentoring sessions.</p>	
5.	When will assessment activities occur and at what frequency?
<p>The plan is to perform assessment in each class, each year; and to meet each May to discuss results (as described in # 3, above). This will give faculty feedback that can be used during the summer months to make adjustments in preparation for the fall semester.</p>	

**Financial Impact**

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

Greater than \$250,000 per FY:	Less than \$250,000 per FY:	X	
Brief Description of financial impact:	<p>There are no additional costs associated with this program. We will be using unused capacity in existing courses. To introduce more small and family business topics into existing courses faculty can draw upon a wealth of existing popular press and academic journals that are already available at no additional cost and through such sites as the Small Business Administration (i.e., sba.gov). We expect a positive financial impact to come from the ability to attract Idaho students who wouldn't otherwise seek a four-year degree.</p>		

**Distance Education Availability**

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

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

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

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

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

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

**Geographical Area Availability**

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

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

Moscow	X		
Coeur d'Alene			
Boise*			
Idaho Falls*			
Other**		Location(s):	

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

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

**Management and Human Resources (B.S.Bus.)**

Required course work includes the university requirements (see regulation J-3), the college requirements, and:

MHR 411	Acquiring Human Capital	3 cr
MHR 417	Deploying and Developing Human Capital	3 cr

**And one of the following emphases:**

**A. Management Emphasis**

**Management Elective:**

**Select one of the following courses (3 cr):**

MHR 416	Managing Reward Systems	3 cr
MHR 418	Managing Organization Design and Leading Changes	3 cr
MHR 441	Maintaining Employee and Labor Relations	3 cr

**Operations Management Elective:**

**Select one of the following courses (3 cr):**

OM 378	Project Management	3 cr
OM 439	Systems and Simulation	4 cr

OM 456	Quality Management	3 cr
OM 470	Supply Chain Management	3 cr
OM 472	Operations Planning and Scheduling	3 cr
INDT 362	Behavior Based Safety	3 cr
PGA 386	Food and Beverage Hospitality with Lab	4 cr
PSYC 446	Engineering Psychology	3 cr

**Marketing and Entrepreneurship Elective:**

**Select three or four credits from the following courses:**

AGEC 333	Introduction to Sales	3 cr
ENTR 414	Entrepreneurship	3 cr
ENTR 415	New Venture Creation	3 cr
MKTG 324	Consumer Behavior	3 cr
MKTG 420	Integrated Marketing Communications	3 cr
MKTG 421	Marketing Research & Analysis	3 cr
MKTG 422	Personal Selling and Sales Force Management	3 cr
MKTG 424	Pricing Strategy and Tactics	3 cr
MKTG 425	Retail Distribution Mgmt	3 cr
MKTG 426	Marketing Channels Management	3 cr
MKTG 427	Services Marketing	3 cr
MKTG 482	International Marketing	3 cr
MKTG 495/ RMT 495	Product Development and Brand Management	3 cr
PGA 251	PGA Golf Management II	2 cr
PGA 385	PGA Golf Management III	2 cr

**Accounting and Finance Elective:**

**Select one of the following courses (3 cr):**

ACCT 305	Accounting Information Systems	3 cr
ACCT 315	Intermediate Financial Accounting I	3 cr
ACCT 385	Cost and Management Accounting	3 cr
ACCT 440	Fraud Examination	3 cr
ACCT 482	Enterprise Accounting	3 cr
ACCT 483	Fundamentals of Federal Taxation	3 cr
FIN 302	Intermediate Financial Management	3 cr
FIN 381	International Finance	3 cr
ECON 407	Public Finance	3 cr

**Information Systems Elective:**

**Select one of the following courses (3 cr):**

MIS 353	Application Development	3 cr
MIS 355	Systems Analysis & Administration	3 cr
MIS 452	Business Telecommunications Management	3 cr
MIS 453	Database Design	3 cr
MIS 454	Issues in Information Systems	3 cr

GEOG 385	GIS Primer	3 cr
MIS 455	Data Management for Big Data	3 cr

**Courses to total 120 credits for this degree**

**B. Human Resources Management Emphasis**

MHR 416	Managing Reward Systems	3 cr
MHR 418	Managing Organization Design and Leading Changes	3 cr
MHR 441	Maintaining Employee and Labor Relations	3 cr

**HR Decision-Making Elective:**

**Select one of the following courses (3-4 cr):**

ACCT 385	Cost and Management Accounting	3 cr
ACCT 482	Enterprise Accounting	3 cr
MIS 353	Application Development	3 cr
MIS 355	Systems Analysis & Administration	3 cr
MKTG 421	Marketing Research & Analysis	3 cr
OM 439	Systems and Simulation	4 cr
MIS 453	Database Design	3 cr
ECON 453	Econometrics	3 cr
GEOG 385	GIS Primer	3 cr
MIS 455	Data Management for Big Data	3 cr
ORGS 444	Methods and Analysis in Organizational Science	4 cr
PSYC 218	Introduction to Research in the Behavioral Sciences	4 cr
PSYC 416	Industrial/Organizational Psychology	3 cr
PSYC 430	Tests and Measurements	3 cr

**Specialized Electives:**

**Select three or four credits from one of the following courses:**

AOLL 560	Career Development in Organizations	3 cr
MIS 454	Issues in Information Systems	3 cr
COMM 347	Persuasion	3 cr
COMM 410	Conflict Management	3 cr
COMM 355	Organizational Communication	3 cr
CTE 472	Teaching and Learning in Organizations	3 cr
ECON 441	Labor Economics	3 cr
EDCI 301	Learning, Development, and Assessment	3 cr
INDT 362	Behavior Based Safety	3 cr
INTR 316	Explore Mentoring & Leadership	3 cr
JAMM 350	Public Relations Writing and Production	3 cr
ORGS 305	Nonprofit Organizations	3 cr
PGA 251	PGA Golf Management II	2 cr
PGA 385	PGA Golf Management III	2 cr
POLS 451	Public Administration	3 cr
PSYC 390	Psychology of Learning	3 cr
PSYC 440	Psychology of Judgement and Decision Making	3 cr

PSYC 496	Applied Behavior Analysis	3 cr
PSYC 541	Human Relations in the Workplace	3 cr
SOC 301	Introduction to Diversity and Stratification	3 cr

**Courses to total 120 credits for this degree**

**C. PGA Golf Management Option**

Required course work includes all Management and Human Resources requirements, one of the Management and Human Resources emphases, and:

PGA 103	Introduction to PGA Golf Management	2 cr
PGA 150	PGA Golf Management I	2 cr
PGA 251	PGA Golf Management II	2 cr
PGA 298	Internship	1-3 cr - Max 6 cr
PGA 385	PGA Golf Management III	2 cr
PGA 386	Food and Beverage Hospitality with Lab	4 cr
PGA 398	Internship	1-3 cr - Max 6 cr
REC 105	Teaching Golf I	2 cr
REC 205	Teaching Golf II	2 cr
REC 305	Teaching Golf III	2 cr

*PGA 251 and PGA 385, together, can be used to meet the requirement for the Specialized Elective or the Marketing & Entrepreneurship Elective.*

*PGA 386 can be used to meet the Operations Management Elective requirement.*

**Courses to total 130 credits for this degree**

\*Students must have a 12.0 handicap or better to enter this program. International students can complete the degree requirements, but membership to the PGA of America requires US Citizenship or Resident Alien status.

**D. Entrepreneurship and Small-Business Management Option**

<u>MHR 311</u>	<u>Introduction to Management</u>	<u>3 cr</u>
<u>MHR 418</u>	<u>Managing Organization Design and Leading Changes</u>	<u>3 cr</u>

**Entrepreneurship:**

Complete the requirements for the Entrepreneurship Undergraduate Academic Certificate. (Included below for reference):

ENTR 414	Entrepreneurship	3 cr
ENTR 415	New Venture Creation	3 cr

**One of the following accounting courses (3 cr):**

ACCT 482	Enterprise Accounting	3 cr
ACCT 582	Enterprise Accounting	3 cr

**Technical electives (3 cr):**

AGEC 415	Entrepreneurial Skills in Agribusiness Management	1 cr
AGEC 478	Advanced Agribusiness Management	3 cr
ARCH 475	Professional Practice	3 cr
ARCH 556	Graduate Project	6 cr
ART 410	Professional Practices	2 cr
ART 490	BFA Art/Design Studio	6 cr - Max 12 cr
BE 478	Engineering Design I	3 cr
BE 479	Engineering Design II	3 cr
MIS 353	Application Development	3 cr
MKTG 428	Marketing Management	3 cr
BUS 490	Strategic Management	3 cr
CHE 451	Environmental Management and Design	1-16 cr
CHE 452	Environmental Management and Design	1-16 cr
CS 481	CS Senior Capstone Design II	3 cr
ECE 480	EE Senior Design I	3 cr
ECE 481	EE Senior Design II	3 cr
ECE 482	Computer Engineering Senior Design I	3 cr
ECE 483	Computer Engineering Senior Design II	3 cr
FCS 496	Internship:Fashion Business	2-8 cr - Max 8 cr
FS 489	Food Product Development	3 cr
GEOG 340	Business Location Decisions	3 cr
	OR	
GEOG 540	Business Location Decisions	3 cr
GEOG 360	Population Dynamics and Distribution	3-4 cr - Max 4 cr
	OR	
GEOG 560	Population Dynamics and Distribution	3-4 cr - Max 4 cr
GEOG 385	GIS Primer	3 cr
ME 410	Principles of Lean Manufacturing	3 cr
ME 426	Mechanical Systems Design II	3 cr
STAT 446/ BUS 446	Six Sigma Innovation	3 cr

**Specialized Electives (6 cr):**

Work with your advisor to gain approval for a set of electives that will build your knowledge and skill in the industry or type of company that is the focus of your business interests.

\*In addition to fulfilling the College of Business and Economics core requirement, for this emphasis BUS 490 may be used to fulfill the Technical elective in the Entrepreneurship Undergraduate Academic Certificate requirements.

**Courses to total 120 credits for this degree**

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	Scott Metlen	Email:	metlen@uidaho.edu
College:	College of Business and Economics		
Department/Unit:	Business		
Dept/Unit Approval Date:	9/12/2017	Vote Record:	unanimous
College Approval Date:	9/28/17	Vote Record:	22-0
Primary Point of Contact:	Daniel M. Eveleth	Email:	eveleth@uidaho.edu
Briefly describe the change you are requesting:	We would like to offer a certificate program entitled Trading and Capital Management. This would use existing courses and seminars. It would not require additional staff or funding.		

**What is the financial impact of the requested change?**

Greater than \$250,000 per FY:	<input type="checkbox"/>	Less than \$250,000 per FY:	<input checked="" type="checkbox"/>
--------------------------------	--------------------------	-----------------------------	-------------------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact:  
None.

**Rationale for Program Component Request or Name Change**

This section must be completed

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

The Barker Trading and Capital Management Program has been offered by the College of Business and Economics since 2004 and has grown considerably. It is now a collaborative program between the CBE and the College of Agricultural and Life Sciences. This certificate will enhance the marketability of the program to students, and will provide tangible evidence of students' accomplishments that will enhance their value in the job market. The Trading and Capital Management certificate would use existing courses and seminars. It would not require added workload or changes to any other curriculum or degree requirements. As noted in the "Program Component Request" section of this form, there are no new courses being created in order to offer this certificate. However, because Agricultural Economics faculty have been teaching a special topics course (i.e., AgEcon 404 Commodity Merchandising) that would be a useful elective option for certificate students, and because CALS had plans to submit a proposal this year to make the course permanent, we chose to add the proposed course to this proposal. If for any reason the AgEcon proposal is not submitted or is not approved we would strike the course (AgEcon 466) from the elective list on this proposal.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

Current Name:

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

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No

If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

X	Create New		Discontinue	Implementation Date:	Fall 2018
	Graduate Level	X	Undergraduate Level	Law Level	Credit Requirement: 12 credits
Are new courses being created: (circle your response)				No	<input checked="" type="radio"/> Yes
				If yes, how many courses will be created:	1

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

Major:		52.0801:		Degree:	
--------	--	----------	--	---------	--

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

Option:	
Emphasis:	
Minor:	
Academic Certificate less than 30 credits:	Trading and Capital Management
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

<p>The program will use both traditional course and seminar formats to provide students with an experiential learning based curriculum that combines theory and practice. Students will be required to have at least 3 seminar credits offered by the Barker Trading and Capital Management Program and focused on real-capital management. NOTE: A complete list of certificate requirements is included at the end of this document.</p>
--

### Learning Outcomes and Assessment Information

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

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

The learning outcomes include, but are not limited to the following.

- Understand the structure of financial markets and trade execution.
- Understand how risk is measured and managed by traders and institutional investors.
- Perform fundamental and technical analysis of markets.
- Analyze the relationships across various capital markets.
- Learn to use Bloomberg and other data resources to generate information on investment opportunities.
- Identify trading opportunities and develop appropriate trading strategies to capitalize on these opportunities in a time sensitive environment.
- Understand and apply capital management theory and practice from a portfolio allocation perspective. This includes asset allocation strategies, identifying and analyzing investment opportunities, and risk management.
- Understand and apply capital management theory and practice of an individual capital account. This includes the use of derivative positions for risk management.

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

The assessment process happens at two levels. The first is for the traditional courses in the curriculum. For these courses a combination of lab assignments, exams, term papers, and projects is used to assess the level and progress of students' learning outcomes. The timing of these assessments is discussed in item 5 below.

The second level of assessment occurs in the seminars offered by the Barker Capital Management and Trading Program in which students actively manage real-capital portfolios. Students must present research and recommendations to their peers and professors. They must also implement capital management strategies and report on their results. Students use Kolb's experiential learning cycle for their process, which requires them to pursue a learning loop with four components: concrete experience, reflective observation, abstract conceptualization, and active experimentation.

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

The following practices are used:

- Program faculty meet annually with the Barker Advisory Board to review results of the previous year and discuss updates to the program. One of the focus areas is how well the program curriculum is preparing students for careers in the capital markets industry.
- Faculty within the program meet on a periodic basis to review outcomes and discuss updates to the curriculum.
- Faculty of the individual seminars hold end-of-semester focus groups with students to get feedback on their experience, and to generate ideas for improvements.

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

As mentioned in item 2 above, assessment measures include lab assignments, exams, term papers, projects, and experiential learning.

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

- Lab assignments occur throughout FIN 465 and FIN 466 (about 5 per semester).
- Exams happen 2-3 times per semester for each 3 credit course.
- Term papers are once per semester.
- The number of projects depends on the course. For example, FIN 466 has one major research and analysis project spanning about ½ of the semester, whereas FIN 464 has a series of 4-5 applied projects across the semester.

- The Barker Program seminars require direct mentoring of students, and assessment of the experiential component happens on a nearly continual basis. Markets happen in real-time, and the trades are continual; the mentoring process is tied to this flow of experience for the students.

### Distance Education Availability

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

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

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

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

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

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

### Geographical Area Availability

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

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

Moscow	X	
Coeur d'Alene		
Boise*		
Idaho Falls*		
Other**		Location(s):

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

## Trading and Capital Management Undergraduate Academic Certificate

### Required Courses:

FIN 465	Introduction to Market Trading	3 cr
FIN 466	Market Trading Strategies	3 cr

### One of the following:

FIN 464	Derivatives and Risk Management	3 cr
AGEC 489	Understanding and Using Futures and Options Markets	3 cr

**At least 3 credits from the following:**

FIN 467	Barker Capital Management Group	1 cr
FIN 468	Market Trading Lab	1 cr
AGEC 466	Risk Management: Commodity Merchandising	1 cr
AGEC 489L	Applied Commodity Market Analysis Lab	1 cr

---

UCC-18-025 – new course part of above NOI - UCC-18-024b

College of Agricultural and Life Sciences

Proposed Catalog Changes

Effective Summer 2018

**AGRICULTURAL ECONOMICS AND RURAL SOCIOLOGY**

1. Add the following course:

AgEc 466 Risk Management: Commodity Merchandising (1 cr)

Fundamental functions of a commodity merchandiser within the agricultural food supply chain, including risk management through basis trading and margin management of a hedged marketing position, are learned through utilizing actual cash grain ownership and exchange-traded futures. One credit lab also engages students directly with regional grain trade, commodity brokers and allied industries.

Prereq: Instructor Permission

Available via distance: No

Geographical Area: Moscow

Rationale: In response to an increased interest in risk management by stakeholders and students, AERS has built-up efforts to offer courses in this area and extend working relations with the Barker Capital Management program in the College of Business and Economics. This course is intended to provide an experiential learning opportunity for students interested in the topic. Fundamental functions of a commodity merchandiser will be covered and practice, with guidance from the instructor, will be made through a funded position. Preliminary results from offering this class through a special topics course within the agricultural risk management curriculum indicate strong student interest. Current AERS faculty and classroom resources within the Barker Trading room at the College of Business and Economics will be utilized to accommodate instruction of the course.

## PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM Short Form

**Instructions:** Please use one form for each request/action. Clearly mark all changes using Track Change or strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, a single representative for the college will e-mail the completed form to the Office of the Provost and Executive Vice President, [provost@uidaho.edu](mailto:provost@uidaho.edu) for approval and then submission to the Academic Publications Editor in the Registrar’s Office for review by the University Curriculum Committee (UCC).

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

**When applicable a Curriculum Change Form and Course Approval Forms must accompany the short form when submitted to [provost@uidaho.edu](mailto:provost@uidaho.edu)**

### Submission Information

This section must be completed

College:	Education		
Department/Unit:	Movement Sciences		
Dept/Unit Approval Date:	August 30, 2017.	Vote Record:	13 Yea, 0 Nay, 0 Abstain
College Approval Date:	September 29, 2017	Vote Record:	Majority Yea
CIP code (Consult Institutional Research):	51.0001 MVSC CIP Code: 310505 New Emphasis Area Proposed: 5. Community Health Education and Promotion                      CIP Code: 51.0001		
Primary Point of Contact (Name and Email):	Philip Scruggs, <a href="mailto:pwsruggs@uidaho.edu">pwsruggs@uidaho.edu</a>		
Briefly describe the change you are requesting:	Add an emphasis in Community Health Education and Promotion to the Exercise Science and Health Major		

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

This section must be completed

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

The following supports a request to add a Community Health Education and Promotion emphasis to the Movement Science Department, Exercise Science and Health major (BS ESH).

**Rationale and Overview:** Health education and health promotion jobs are forecasted to grow by 13% nationwide (Department of Labor) and 20% in Idaho (ESMI) in the next 10 years due to the rising cost of health care and the increased focus on prevention for both individual and population health. This projected growth exceeds average occupational job growth. Health Educator/Health Promotion Specialists perform a variety of functions and the designation of Certified Health Education Specialist (CHES) by the National Commission for Health Education Credentialing, Inc., improves job prospects. A health educator is one who “promotes, maintains, and improves individual and community health by assisting individuals and communities to adopt healthy behaviors”. Health educators and health promoters collect and analyze data to identify community needs prior to planning, implementing, monitoring, and evaluating programs designed to encourage healthy lifestyles, policies, and environments (Standard Occupational Classification). People with health education and health promotion training and skills find employment in hospitals, health networks, local, state and federal government, the wellness industry, and community based organizations. Health maintenance organizations such as Kaiser Permanente and Unitedhealth Group hire Community Health Workers to assure group members access care, understand and comply with treatment, and provide care coordination, referral and support. With the addition of a Community Health Education and Promotion emphasis, Exercise Science and Health students will have a course of study to prepare them for the CHES examination and for entry level Health Education and Health Promotion positions. Currently Boise State University and Idaho State University offer majors in health education, health promotion, and/or public health. University of Idaho students currently do not have a clear path to CHES certification and Community Health Education and Health Promotion careers. We anticipate an enrollment of 10-20 students in this emphasis area.

**Department Workload Management:** To create the Community Health Education and Promotion emphasis, one new course will be created (Community Health-Theory, Systems and Practice). The Community Health course will fit into the current load of an ESH faculty member. The H&S 498 Internship course will fit into the load of another ESH faculty member who is currently responsible for PEP 498 (Internship). H&S 423/523

(School Health Education Methods and Administration) will be expanded to include community health education; however, no alteration in faculty loads will be needed to accommodate this change. Therefore, no additional faculty will need to be hired to accommodate the new emphasis.

Curriculum Components: The addition of this new emphasis will not change the Movement Sciences Core Curriculum or Theory and Lab requirements of the BS ESH. To increase knowledge of health content and health education processes, and help meet CHES eligibility, the emphasis will include electives in Family and Consumer Sciences, Soil and Water Science (Food Systems and Healthy Lifestyles), and Statistics.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

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

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

**Program Component Request**

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

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

Create New:	<input checked="" type="checkbox"/>	Modify:	<input type="checkbox"/>	Discontinue:	<input type="checkbox"/>	Implementation Date:	Fall 2018 (2018-19 Catalog)
Graduate Level:	<input type="checkbox"/>	Undergraduate Level:	<input checked="" type="checkbox"/>	Law Level:	<input type="checkbox"/>	Credit Requirement:	31-32
Are new courses being created:	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If yes, how many courses will be created:				1

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

Major:	Exercise Science and Health	Degree:	BS ESH
--------	-----------------------------	---------	--------

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

Option:	
Emphasis:	Community Health Education and Promotion
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

**Learning Outcomes and Assessment Information**

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

1.	List the intended learning outcomes for the program component, using learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:
	<ol style="list-style-type: none"> <li>1. Students demonstrate theoretical knowledge and skills to protect and improve the health of individuals, groups, and communities through public health approaches of assessment, health program planning, intervention, and evaluation.</li> <li>2. Students will design effective, theory based health education interventions, health communication and marketing strategies to meet cultural, linguistic, and social considerations, most notably for populations experiencing health disparities.</li> <li>3. Students will have the ability to coordinate provision of health services, build clinical and community health partnerships, and strengthen communities' capacity to improve health outcomes through education, policy, system, and environmental approaches.</li> <li>4. Students will be prepared to qualify for and pass the health educators professional competency examination leading to the CHES professional designation.</li> <li>5. Students will be qualified to perform the functions of an entry level health educator and health promotion program specialist.</li> </ol>
2.	Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
	<ol style="list-style-type: none"> <li>1. Course assessments will evaluate student knowledge and skills via: 1) examinations, 2) assignments, 3) papers, 4) supervisor evaluations from applied health service learning projects and health education related practicums, and 5) six credit capstone internship.</li> <li>2. Health education theory, intervention, community, and marketing skills will be assessed through health education course assignments and health education related practicum and internship.</li> <li>3. The Internship in Health Promotion provides an opportunity for students to apply skills and demonstrate competencies. Critical health education and promotion skills will be conducted by the internship site supervisor, the community health faculty member, and student self-assessment based on a systematic and quantifiable rubric.</li> <li>4. Community health faculty will annually assess the number of students qualifying for and passing the Certificated Health Education Specialist qualifying examination.</li> <li>5. Community health faculty will annually assess the number of students obtaining entry level health education/health promotion positions in local, regional and state agencies, health organizations, schools, community based organizations, and the health and wellness industry. Assessment information on student readiness to obtain entry level health education/health promotion positions will be obtained upon completion of the internship.</li> </ol>
3.	How will you ensure that the assessment findings will be used to improve the program?
	<ol style="list-style-type: none"> <li>1. Each semester, pre- and post-course objective assessments will help identify areas of growth and needed improvement for the Community Health Education and Promotion track.</li> <li>2. On-going communication with the National Commission for Health Education Credentialing, Inc. will ensure that students possess adequate preparation for the examination.</li> <li>3. Will conduct evaluation of student retention, career placement, and program satisfaction on an annual basis.</li> </ol>
4.	What direct and indirect measures will be used to assess student learning?
	<ol style="list-style-type: none"> <li>1. Direct measures to assess student learning will include: Rubric based competency (75% or above) achieved on signature assignments and examinations in the track; 75% of students passing health emphasis courses with a C or better; 85% of students passing health education related practicum, internship and service learning projects with a C or better.</li> <li>2. Indirect measures to assess student learning will include: At least 25% improvement in course objectives pre- and post-course; 75% of students pass the CHES examination at one year post-graduation.</li> <li>3. The faculty will also track numbers of students opting into the Community Health Education and Promotion emphasis to measure student interest, retention, and program growth.</li> </ol>
5.	When will assessment activities occur and at what frequency?
	<ol style="list-style-type: none"> <li>1. Direct measures- assessment will be conducted pre-mid and post semester annually.</li> <li>2. Indirect measures- pre and post objective assessment will occur at the beginning and end of each semester. Passage of the CHES exam will be assessed annually. Community Health Education and Promotion faculty will track student progress post-graduation and assess success at job placement and admission into graduate programs.</li> <li>3. The faculty will annually track numbers of students opting into the Community Health Education and Promotion emphasis to measure student interest, retention, and program growth.</li> </ol>

### Financial Impact

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

Greater than \$250,000 per FY:	Less than \$250,000 per FY:	x
Brief Description of financial impact:	The financial impact of adding this emphasis will be limited. Students in this emphasis area will take the same Theory and Laboratory courses as other BS ESH students, which can currently accommodate an increase in enrollment. One new course (Community Health-Theory, Systems and Practice) will need to be developed, but can be covered in current faculty member loads. This course will be offered in both face-to-face and on-line formats, increasing potential enrollment and generation of revenue. The H&S 498 (Internship) course has an on-line option, therefore generating on-line course fees and summer revenue. There are no requests for additional faculty or other resources at this time.	

### Distance Education Availability

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

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

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

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

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

Can 50% or more of the curricular requirements of this program component be completed via distance education? <i>Not at this time, with adequate resources, this is an achievable goal.</i>	Yes*		No	x
*If Yes, can 100% of the curricular requirements of this program component be completed via distance education?	Yes		No	x

### Geographical Area Availability

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

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

Moscow	x	
Coeur d'Alene		
Boise*		
Idaho Falls*		
Other**		Location(s):

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

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

**Exercise Science and Health (B.S.E.S.H.)**

Exercise Science & Health majors must maintain a UI cumulative GPA of 2.30 or better in order to enroll in 300-level or higher Movement Science sequence coursework. In addition, Exercise Science & Health majors must have a UI cumulative GPA of 2.30 or greater to graduate. Acceptance into the Teacher Education program for the Physical Education Track requires a minimum GPA of 2.75.

Required course work includes the university requirements (see regulation J-3), the Department of Movement Sciences core course MVSC 201, and the following.

BIOL 120	Human Anatomy	4 cr
BIOL 121	Human Physiology	4 cr
COMM 101	Fundamntls Public Speaking	2 cr
FCS 205	Concepts in Human Nutrition	3 cr
H&S 245	Introduction to Athletic Injuries	3 cr
H&S 451	Psychosocial Determinants of Health	3 cr
PEP 100	Introduction to Exercise Science & Health	1 cr
PEP 300	Applied Human Anatomy and Biomechanics	3 cr
PEP 360	Motor Behavior	3 cr
PEP 418	Physiology of Exercise	3 cr
PEP 455	Design & Analysis of Research in Movement Sciences	3 cr
PEP 493	Fitness Assessment and Prescription	3 cr

**One of the following tracks:**

**Fitness, Health, and Human Performance Track**

PEP 495	Practicum	1 cr
---------	-----------	------

*Two credits required.*

H&S 288	First Aid: Emergency Response	2 cr
H&S 450	Critical Health Issues	3 cr
MVSC 445	Internship Preparation and Professional Development	1 cr

**PE Activity/Skill Classes (4 cr):**

	PE Activity/Skill Classes	4 cr
--	---------------------------	------

*See advisor for selection.*

PEP 498	Internship in Exercise Science & Health	1-16 cr
---------	---	---------

*Nine credits required.*

**One of the following (3 cr):**

ENGL 207	Persuasive Writing	3 cr
ENGL 208	Personal & Exploratory Writing	3 cr
ENGL 313	Business Writing	3 cr
ENGL 317	Technical Writing	3 cr

**One of the following (3 cr):**

H&S 490	Health Promotion	3 cr
PEP 305	Applied Sports Psychology	3 cr

**One of the following (1 cr):**

PEP 132	Skill and Analysis of Striking and Net/Wall Activities	1 cr
PEP 133	Skill and Analysis of Target and Invasion Activities	1 cr
PEP 134	Skill and Analysis of Recreation and Outdoor Activities	1 cr

**Pre-Physical Therapy Track**

CHEM 111	Principles of Chemistry I	4 cr
CHEM 112	Principles of Chemistry II	5 cr
H&S 450	Critical Health Issues	3 cr
MVSC 445	Internship Preparation and Professional Development	1 cr
PHYS 111	General Physics I	3 cr
PHYS 111L	General Physics I Lab	1 cr
PHYS 112	General Physics II	3 cr
PHYS 112L	General Physics II Lab	1 cr
STAT 251	Statistical Methods	3 cr

**PE Activity Skill Classes (3 cr):**

	PE Activity/Skill Classes	3 cr
<i>See advisor for selection.</i>		
PEP 495	Practicum	1 cr
<i>Two at 1 credit each.</i>		
PEP 498	Internship in Exercise Science & Health	1-16 cr
<i>Nine credits required.</i>		
<i>Summer preferred.</i>		

**One of the following (3 cr):**

PSYC 305	Developmental Psychology	3 cr
PSYC 311	Abnormal Psychology	3 cr

**One of the following (1 cr):**

PEP 132	Skill and Analysis of Striking and Net/Wall Activities	1 cr
PEP 133	Skill and Analysis of Target and Invasion Activities	1 cr
PEP 134	Skill and Analysis of Recreation and Outdoor Activities	1 cr

**Pre-Athletic Training Track**

PEP 171	Athletic Training Clinical Experience I - Observation	1 cr
PEP 495	Practicum	1 cr

*Note: Students in the Pre-Athletic Training Track who are admitted into the MSAT program after their junior year may transfer up to 30 credits from their first two terms of graduate level course work in the Master of Science in Athletic Training towards their Bachelor of Science Degree in Exercise Science with an Athletic Training Track. For more information on the MSAT see the Graduate Degree Programs section for this department.*

AT 506	Clinical Anatomy I	3 cr
AT 507	Care and Prevention of Injuries and Illnesses	3 cr
AT 508	Evaluation and Diagnosis of Injuries and Illnesses I	4 cr
AT 509	Principles of Rehabilitation	3 cr
AT 510	Therapeutic Modalities	2 cr
AT 511	Ethics and Administration in Athletic Training	3 cr
AT 512	Research Methods & Statistics I	3 cr
AT 520	Clinical Education I	2 cr

AT 521	Clinical Experience I	4 cr
AT 587	Prevention and Health Promotion in Athletic Training	3 cr
H&S 288	First Aid: Emergency Response	2 cr

*H&S 288: Or current Emergency Response or First Aid/CPR certification.*

**Courses to total 120 credits for this degree**

**Physical Education Teacher Certification Track**

PEP 484	Internship in Physical Education Teaching	1-14 cr - Max 14 cr
---------	---	------------------------

*15 credits required.*

EDCI 201	Contexts of Education	3 cr
EDCI 301	Learning, Development, and Assessment	3 cr
EDCI 401	Internship Seminar	1 cr
EDCI 463	Literacy Methods for Content Learning	3 cr
H&S 288	First Aid: Emergency Response	2 cr
MVSC 486	Healthy Active Lifestyle Assessment and Intervention	3 cr
PEP 412	Elementary Methods in Physical Activity Pedagogy	3 cr
PEP 413	Foundations and Assessment in Physical Activity Pedagogy	3 cr
PEP 421	Secondary Methods in Physical Activity Pedagogy	3 cr
PEP 424	Inclusive Physical Education and Recreation	3 cr

**One of the following (3 cr):**

ENGL 207	Persuasive Writing	3 cr
ENGL 208	Personal & Exploratory Writing	3 cr
ENGL 313	Business Writing	3 cr
ENGL 317	Technical Writing	3 cr

**Five credits of the following (5 cr):**

PEB 108	Water-Based Sports & Fit Act	1 cr
PEP 107	Movement Fundamentals	1 cr
PEP 132	Skill and Analysis of Striking and Net/Wall Activities	1 cr
PEP 133	Skill and Analysis of Target and Invasion Activities	1 cr
PEP 134	Skill and Analysis of Recreation and Outdoor Activities	1 cr

**Courses to total 121 credits for this degree**

**Additional Requirements for Health Certification:**

H&S 423	School Health Education Methods and Administration	3 cr
H&S 450	Critical Health Issues	3 cr

**One of the following:**

FCS 240	Intimate Relationships	3 cr
PSYC 330	Human Sexuality	3 cr

**Community Health Education and Promotion Track**

<u>FCS 486</u>	<u>Nutrition in the Life Cycle</u>	<u>3 cr</u>
<u>H&amp;S 301</u>	<u>Peer Health Education</u>	<u>2 cr</u>
<u>H&amp;S 328</u>	<u>Community Health-Theory, Systems &amp; Practice</u>	<u>3 cr</u>

H&S 423	School Health Education Methods & Administration	3 cr
H&S 450	Critical Health Issues	3 cr
H&S 490	Health Promotion	3 cr
H&S 498	Internship	1-9 cr
MVSC 445	Internship Preparation & Professional Development	1 cr
MVSC 486	Healthy Active Lifestyle Assessment & Intervention	3 cr
PEP 495	Practicum	1 cr
<i>Two at 1 credit each.</i>		
STAT 251	Statistical Methods	3 cr

*Courses to total 31-32 credits for this emphasis.*

---

UCC-18-029 – Movement Sciences, new course for above

College of Education, Health and Human Sciences  
Proposed Catalog Changes  
Effective Summer 2018

#### MOVEMENT SCIENCES

1. Add the following course:

H&S 328 Community Health: Theory, Systems, and Practice (3 cr)

This course examines concepts of community and public health history, philosophy, theory, science, and practice. Community health is presented as an interdisciplinary and interactive system organized to promote and protect health, prevent disease, and eliminate health disparities. It also addresses professional competencies, standards, and the important role of community health in the health care system.

Prereq: MvSc 201

Available via distance: No

Geographical Area: Moscow

Rationale: There is a proposal to add an additional emphasis area (Community Health Education and Promotion) to the BS Exercise Science and Health. As a part of this proposal, this new class will be required. The addition of this class fits within the workload of an ESH faculty member, so there will be no need for additional resources.

# Idaho State Board of Education

## Proposal for Discontinuation

Date of Proposal Submission:	Fall 2016
Institution Submitting Proposal:	University of Idaho
Name of College, School, or Division:	College of Education, Health and Human Sciences
Name of Department(s) or Area(s):	Department of Movement Sciences

**Program Identification for Proposed Discontinued Program:**

Title:	Physical Education
Degree/Certificate:	B.S.Ed.
Method of Delivery:	Face-to-Face
CIP code:	13.1314
Proposed Discontinuation Date:	Summer 2018

Indicate whether this request is a discontinuation of either of the following:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Undergraduate Program<br><input type="checkbox"/> Undergraduate Certificate<br><input type="checkbox"/> Administrative/Instructional Unit<br><input type="checkbox"/> <b>New Program (check all that apply)</b><br><input type="checkbox"/> Basic Technical Certificate<br><input type="checkbox"/> Intermediate Technical Certificate<br><input type="checkbox"/> Advanced Technical Certificate<br><input type="checkbox"/> Associate of Applied Science Degree | <input type="checkbox"/> Graduate Program<br><input type="checkbox"/> Graduate Certificate<br><input type="checkbox"/> Other<br><br><br><br><br> |
|---|--|

College Dean (Institution)	Date	Vice President for Research (as applicable)	Date
Graduate Dean (as applicable)	Date	Academic Affairs Program Manager	Date
FVP/Chief Fiscal Officer (Institution)	Date	Chief Academic Officer, OSBE	Date
Provost/VP for Instruction (Institution)	Date	SBOE/Executive Director Approval	Date
President	Date		

## 1. Provide rationale for the discontinuance.

In the fall of 2014, the Department of Movement Sciences approved the merger of the B.S. Ed. Physical Education Teacher Education with the B.S. E.S.H by creating a fourth track/emphasis area. The other three tracks/emphasis areas consist of Fitness, Health, and Human Performance; Pre-Physical Therapy; and Pre-Athletic Training. The addition of Physical Education Teacher Education as a track/emphasis area in the B.S. E.S.H Degree warrants the discontinuance of the B.S. Ed. Degree. This merger will strengthen the degree for students wanting to pursue physical education teaching as a profession. Students will have additional career opportunities in exercise science/kinesiology/movement science professions, as students in the physical education teaching track/emphasis will complete the same exercise science theory and laboratory core as B.S. E.S.H Degree students. Students will graduate with an undergraduate degree pertinent to exercise science/kinesiology/movement science professions and K-12 teacher certification in physical education.

With the recent nationwide significant downturn in teacher education enrollments, it is important to change this trend. With pending retirements, the demand for teachers will be increasing. In addition, a 6% growth is predicted for secondary teachers between 2014-2024 (<http://www.bls.gov/ooh/education-training-and-library/high-school-teachers.htm>).

It is important to maintain and increase the enrollments in this teacher preparation emphasis to meet the projected demand for physical education teachers in the state and region. K-12 Physical education teachers are gateway influencers for recruitment into Exercise Science and Health careers. The merger of this emphasis into the Exercise Science and Health Degree will provide for a dual career in a streamlined fashion.

## 2. Teach-out Plans/Options for currently enrolled students.

- a. Describe teach-out plans for continuing students. Indicate the year and semester in which the last cohort of students was admitted and the final term the college will offer the program.

The 2016-17 academic year was the last year of admittance for B.S. Ed. Physical Education students. Students admitted for the 2017+ academic years were encouraged to move into the B.S. E.S.H. Degree with an emphasis in Physical Education Teaching. The 2017-18 academic year will be the last year the College of Education, Health and Human Sciences will offer the B.S. Ed. Physical Education Degree. Teach-out of the B.S. Ed. Degree involves transitioning the 2016-17+ academic year students into the B.S. E.S.H. Degree with an emphasis in Physical Education Teaching. This emphasis area within B.S. E.S.H. will continue to allow students to meet national and state certification standards in Physical Education Teaching. The CIP Code would remain the same for this specific emphasis area (13.1314) within the B.S. E.S.H. Degree. Students that will transition to the B.S. E.S.H. degree will be able to do so without an unreasonable opportunity to graduate due to credit hours required. The integration of the B.S. Ed. PE degree into the B.S. E.S.H. is such that there would not be additional credits above and beyond what would have been required in the B.S. Ed. PE degree. Due to the high degree of overlap of the two degrees, dropping courses in the B.S. Ed. PE degree and substituting with B.S. E.S.H courses, and being able to meet CAPE and ID State Standards, the transition will be unrecognizable to students related to their graduation timeline. There should not be additional costs to the students, as long as the established curriculum is followed.

- b. Is there an alternative program/major or field of study? If so, please describe.

As stated above, students will transfer into the B.S. E.S.H. degree.

- c. How will continuing students be advised of impending changes and consulted about options or alternatives for attaining their educational goals?

Freshmen students are advised of this change at the Student Advising Center in the College of Education, Health and Human Sciences. Current sophomore through senior students are informed of the opportunity to change into the B.S. E.S.H via both the Student Advising Center in the College and advisors in the Department of Movement Sciences.

**3. Identify similar programs offered by other public colleges/universities (Not applicable to PTE programs).**

<b>Similar Programs offered by other Idaho institutions and by institutions in nearby states</b>		
<b>Institution Name</b>	<b>Degree name and Level</b>	<b>Program Name and brief description if warranted</b>
<b>Idaho State University</b>	<b>Bachelor’s Sport Science and Physical Education</b>	<p>The Sport Science and Physical Education department at Idaho State University offers a baccalaureate degree in Physical Education with a teaching emphasis. In completing the program, candidates will gain skills necessary to become qualified Physical Education teachers. Learning goals for Physical Education teaching candidates include:</p> <ol style="list-style-type: none"> <li>1.Develop teaching skills in a variety of physical activities</li> <li>2.Understand the basic foundations of human activity</li> <li>3.Develop skills required for teaching physical education</li> <li>4.Understand and develop general pedagogical skills and teacher effectiveness</li> </ol> <p>Candidates must also obtain a K-12 teacher certification through the Teacher Education program</p>
<b>Boise State University</b>	<b>B.S. in K-12 Physical Education</b>	<p>K-12 Physical Education assists students in developing the knowledge, skills, and dispositions essential for success in teaching physical education in the elementary and secondary schools. Course work combines content knowledge, theories of learning and human development, and the study of curriculum and methodology. The K-12 PE</p>

		cohort program admits up to 15 students per year as part of an application process during the sophomore year. Students must pass Praxis I, Praxis II, maintain a 3.0 overall GPA, 3.0 in Education courses, and 3.0 in all KINES courses. Students must provide a current CPR and first aid certification. Transfer coursework will not be used to fulfill the following courses: KINES 251, 351/352, and 451/452. Candidates who complete this program will meet the Idaho Beginning Teacher Standards and be recommended for state certification.
Lewis-Clark State College	Bachelor of Science	Kinesiology with Teacher Certification in K-12 Physical Education and 6-12 Health. The undergraduate course of study for secondary education teacher certification is intended for students earning their bachelor's degrees and attending on-campus classes. Courses of study that lead to secondary teaching certification, grades 6-12, are as follows. LCSC offers certification in eight different disciplines.

4. Using the chart below, provide enrollments and numbers of graduates for similar existing programs at your institution and other Idaho public institutions.

Existing Similar Programs: Historical enrollments and graduate numbers								
Institution and Program Name	Headcount Enrollment in Program				Number of Graduates From Program			
	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2012-13	FY 2013-2014	FY 2014-15	FY 2015-16
<b>BSU</b>	78	78	67	64	20	10	18	6
<b>ISU</b>	14	12	13	14	1	3	1	3
<b>UI</b>	48	47	38	36	5	5	3	5
<b>LCSC</b>	24	13	34	22		26	16	29

5. Describe the impact the discontinuance will have on (a) other programs and (b) the mission of the institution.

Impact from the discontinuance of the B.S.Ed. Physical Education Teacher Education program should be minimal as long as we provide adequate marketing of where the Physical Education Teacher Education program is housed. The Physical Education Teacher Education emphasis will increase numbers in the B.S. E.S.H degree and offer a more streamlined process for those wishing to pursue this degree and emphasis. The provision of two careers will be attractive to students already interested in working with children and youth in a number of different settings like elementary, middle and high schools, youth serving agencies, military schools, overseas school programs, correctional institution programs, fitness instructors, dance instructors, commercial and military sport clubs and programs, and health clubs. The emphasis will also capture students in Exercise Science and Health who realize in their junior year that they wish to work with children and youth. Previously such students had to switch degree programs and the additional coursework was inhibiting. Also, previous graduates with a non-physical education teaching degree and future students with non-physical education teaching degrees can apply for acceptance into our Masters in Physical Education, plus certification degree, to obtain physical education certification.

As an accredited program through the State of Idaho and the National Center for Accreditation in Teacher Education (new name, Council for the Accreditation of Educator Preparation), the program prepares professionals for schools, and exercise science/kinesiology/movement science professions in Idaho and beyond. As physical education and health educators, graduates cultivate and improve healthy and physically active lifestyles for the sustainable well-being of the people of Idaho. The preparation of physical and health educators is important to retain because as graduates they influence K-12 students into the Exercise and Health careers found in the Exercise Science and Health degree at the University of Idaho.

6. Describe the potential faculty and staff reductions or reassignments that would result from the discontinuance.

B.S. Ed. Physical Education Teacher Education faculty are reassigned to the B.S. E.S.H Degree, and will continue to deliver physical education teaching coursework that leads to teacher certification in Physical Education.

7. Fiscal Impact. Using the budget template provided, identify amount, if any, which would become available for redirection as a result of discontinuance.

Minimal fiscal impact, specifically in non-permanent funds. There will be a reduction in the number of courses/credits delivered; however, this will be minimal and mainly reduce the fiscal impact from adjunct instructor costs. The adjunct cost savings is approximately \$6,000 plus benefits for the department/college. There are no cost savings from permanent funding which impacts the general education budget. The B.S. Ed. PE faculty will still carry similar instructional loads as tenure track faculty in the department and college (i.e., 2:2 load annually or 6-7 instructional credits per semester).

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	John Cannon	Email:	johnc@uidaho.edu
College:	Education, Health, and Human Sciences		
Department/Unit:	Curriculum and Instruction		
Dept/Unit Approval Date:	May 5, 2017	Vote Record:	Unanimously with 18 votes.
College Approval Date:	CCC: September 15, 2017. TECC: September 19, 2017.	Vote Record:	Unanimous
Primary Point of Contact:	Aleksandra Hollingshead	Email:	ahollingshead@uidaho.edu
Briefly describe the change you are requesting:	Adding a teaching endorsement in special education to the existing major of secondary education (BS Ed.).		

**What is the financial impact of the requested change?**

Greater than \$250,000 per FY:	<input checked="" type="checkbox"/>	Less than \$250,000 per FY:	<input type="checkbox"/>
--------------------------------	-------------------------------------	-----------------------------	--------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact: None – all courses are currently offered at the graduate level and the undergraduate equivalents will be joint-listed

**Rationale for Program Component Request or Name Change**

This section must be completed

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

Opportunities for teacher education candidates to pursue recommendation for certification to work with exceptional children currently only include Master's level programs. This program will be available to undergraduate students in pursuit of that certification. This program will not change the workload of the program faculty in a significant way as these courses are already a part of faculty workload. To accommodate undergraduate students in the current coursework we requested to joint list two of the courses but other than that, the coursework remains the same.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

Current Name:	
New Name:	
Current Degree:	
New Degree:	

Other Details:	
Effective Date:	

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No  
 If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**\*\*Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**\*\*Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

x	Create New		Discontinue	Implementation Date:	Fall 2018		
	Graduate Level	x	Undergraduate Level	Law Level	Credit Requirement:		
Are new courses being created: (circle your response)				No	<b>Yes</b>	If yes, how many courses will be created:	2

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

Major:		CIP Code:		Degree:	
--------	--	-----------	--	---------	--

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

Option:	
Emphasis:	
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	Special Education

Provide a summary/description of the program component using 50 words or less:

This new teaching endorsement will allow elementary or secondary education majors to pursue certification in special education. This program will be offered online and will be an extension of the current graduate level program offering an initial certification in special education. Currently offered classes at a 300 and 400 level will remain the same, and the two classes at a 500 level (EDSP 548 and EDSP 530) are being considered for joint listing to accommodate undergraduate students.
--

### Learning Outcomes and Assessment Information

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

1. List the intended learning outcomes for the program component. Use learner centered statements that indicate what will
---

students know, be able to do, and value or appreciate as a result of completing the program:

Outcome 1: Philosophy and School Organization. University of Idaho special education majors demonstrate an understanding of the philosophical foundation of disabilities and special education and historical and contemporary school models that promote developmentally responsive practices for all learners. (connected to standard 6 of Idaho Special Exceptional Child Generalist Standards)

Outcome 2: Curriculum. University of Idaho special education majors demonstrate an understanding that curriculum and interventions should be relevant, inviting, challenging, integrative, and exploratory. They illustrate how to design, select and adapt curriculum for individuals in light of curriculum standards, theories, and models. (related/connected to standard 3 of Idaho Special Exceptional Child Generalist Standards)

Outcome 3: Instruction. University of Idaho special education majors demonstrate an understanding of the principles of developmentally appropriate instruction, know a wide variety of teaching and learning strategies and interventions and use technologically sound practices to teach core concepts, skills of inquiry, problem solving, collaboration, and communication. (connected to standard 5 of Idaho Special Exceptional Child Generalist Standards)

Outcome 4: Assessment. University of Idaho special education majors analyze and demonstrate an understanding of the roles of multiple assessments for identifying, monitoring and evaluating students learning in order to modify instruction; they can develop and critique formal and informal, and performance assessment techniques, including local, state, and national assessments systems. (connected to standard 4 of Idaho Special Exceptional Child Generalist Standards)

Outcome 5: Research. University of Idaho special education majors, as critical consumers and producers of educational research, examine the role of educational research for collecting, analyzing and sharing data. (connected to all standards in Idaho Special Exceptional Child Generalist Standards)

Outcome 6: Communication. University of Idaho special education majors select and apply a variety of communication techniques to foster inquiry, collaboration, and supportive interaction in and beyond the classroom. (connected to standard 7 of Idaho Special Exceptional Child Generalist Standards)

\*\*\*a list of direct and indirect measures for each outcome as well as an alignment of signature assignments to standards are attached as separate documents

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

Assessment will occur through alignment of signature assignments to Idaho Standards for Initial Preparation of Professional School Personnel in the Exceptional Child Generalist Endorsement. Candidates are expected to complete the internship semester and demonstrate proficiency through the UIdaho Teacher Performance Assessment (UI-TPA).

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

The assessment data will be considered for the annual closing of the assessment loop process and program improvement.

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

\*\*\*a list of direct and indirect measures for each outcome as well as an alignment of signature assignments to standards are attached as separate documents

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

We will conduct ongoing assessment.

**Distance Education Availability**

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

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

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

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

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

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

**Geographical Area Availability**

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

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

Moscow	x		
Coeur d'Alene			
Boise*			
Idaho Falls*			
Other**	x	Location(s):	online

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

**Exceptional Child Generalist Teaching Endorsement**

**FOR ELEMENTARY ED MAJORS**

EDSP 300	Educating for Exceptionalities	3 cr
EDSP 325	Classroom Applications of Learning Theories	2 cr
EDSP 350	Language and Communication Development and Disorders	3 cr
EDSP 423	Collaboration	3 cr
EDSP 425	Evaluation of Children and Youth	3 cr
EDSP 426	Developing Instructional Programs	3 cr
EDSP 430	Assistive Technology and UDL	2 cr
EDSP 448	Special Education Curriculum	3 cr
EDCI 463	Content Reading	3 cr

EDSP 484 Special Education Internship 6 cr

**Courses to total 31 credits**

**FOR SECONDARY ED MAJORS:**

\*would take all courses listed above plus:

MTHE 235	Mathematics for Elementary Teachers I	3 cr
MTHE 236	Mathematics for Elementary Teachers II	3 cr
EDCI 320	Teaching Reading and Literacy	3 cr

**Courses to total 40 credits**

---

UCC-19-029 new courses for above.

College of Education, Health and Human Sciences  
Proposed Catalog Changes  
Effective Summer 2018

**CURRICULUM AND INSTRUCTION**

1. Add the following courses:

EDSP J430/J530 Assistive Technology and Universal Design for Learning for PreK-12 (2 cr)

This course is designed to introduce students to assistive technology (AT), instructional technology, and universal design for learning (UDL). Together, they provide a foundational environment in which all students, including those with disabilities, can survive and thrive in the general education setting. This course will increase participants' understanding of the relationship between instructional design and technology and prepare for successful implementation. The course will move from individualized consideration of assistive technology to a naturally supported least restrictive environment.

Prereq: EDSP 300, EDSP 325, EDSP 350

Available via distance: Yes

Geographical Area: Moscow, Online with weekly synchronous sessions

Rationale: Opportunities for teacher education candidates to pursue recommendation for certification to work with exceptional children currently only include masters level programs. This course will be available to undergraduate students in pursuit of that certification.

EDSP J448/J548 Special Education Curriculum (3 cr)

This course is designed to enable professional educators to assume leadership roles in the development and implementation of instructional programs and services for students with disabilities. Attention will be given to theoretical models, curriculum approaches, practices in developing curricula, the use of technology and assistive technology in instruction, techniques for delivering instruction in a variety of educational settings, and trends and issues in special education instruction.

Prereq: EDSP 300, EDSP 325, EDSP 350

Available via distance: Yes

Geographical Area: Moscow, Online

Rationale: Opportunities for teacher education candidates to pursue recommendation for certification to work with exceptional children currently only include masters level programs. This course will be available to undergraduate students in pursuit of that certification.

2. Change the following courses:

EDSP 530 Assistive Technology and Universal Design for Learning for Pre-K12 (2 cr)

See EDSP J430/J530. This course is designed to introduce students to assistive technology and universal design for learning as they are woven into the PreK12 community to support all students including those with disabilities access and interact with the general education curriculum. This course will increase participants' understanding of the continuum of assistive technologies to universal design and expose them optimal systematic formats for successful implementation. Focus will move from an IEP team-based process, of student evaluations, reporting, training, and follow-up, to a general education classroom instructional design model with an understanding of the impact on school improvement.

Available via distance: Yes

Geographical Area: Moscow, Online

Rationale: See above.

EDSP 548 Special Education Curriculum (3 cr)

See EDSP J448/J548. Theories of curriculum; models of teaching, instructional strategies, evaluation of student progress and service delivery; issues and trends in special education. (Fall only)

Available via distance: Yes

Geographical Area: Moscow, Online

Rationale: See above.

<p><b>Program Learning Outcomes for Teaching Endorsement in Special Education</b></p>	
<p><b>Learning Outcome(s)</b>  <u>Standard 1:</u>          Philosophy and School Organization. University of Idaho special education majors demonstrate an understanding of the philosophical foundation of disabilities and special education and historical and contemporary school models that promote developmentally responsive practices for all learners.  <u>(connected to standard 6 of Idaho Special Exceptional Child Generalist Standards)</u></p> <p><b>Aligns with University Learning Outcome(s):</b>          Clarify Purpose and Perspective</p>	<p><b>Assessment Tools and Procedures</b></p> <p><b>Direct Measure</b></p> <ul style="list-style-type: none"> <li>• A score from Praxis II 5543 Special Education-Core Knowledge and Mild to Moderate Application exam and Praxis # 5001 Elementary Education: Multiple Subjects</li> <li>• A passing score in practicum and internship experiences</li> <li>• Course-based assessments through signature assignments (SA) (e.g., SA 2 &amp; 3 in EDSP 350 and SA 4 &amp; 9 in EDSP 548)- see a complete matrix of SA and course alignment to state standards)</li> </ul> <p><b>Indirect Measure</b></p> <ul style="list-style-type: none"> <li>• Minimum grade &amp; GPA requirements</li> <li>• Review of assignments and rubrics for an alignment to standards and student performance in special education coursework.</li> </ul> <p><b>Face-to-Face Measures</b></p> <ul style="list-style-type: none"> <li>• Observation of teacher candidate performance in public schools conducted by faculty, cooperating teacher, and/or university supervisor</li> </ul> <p><b>Benchmarks</b></p> <p><b>Direct Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Passing score on Praxis II Exams 5001 and 5543 to meet highly qualified requirement</li> <li>• Receive BASIC or higher score on practicum and internship evaluations utilizing Danielson framework</li> <li>• Met all dispositions assessments in course work, practicum and Internships.</li> </ul> <p><b>Indirect Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Up-to-date alignment of assignments to standards</li> <li>• Alumni surveys should indicate satisfaction with course of study and delivery and qualitative assessment of student responses noting concerns and delights.</li> <li>• Employer surveys should indicate satisfaction with alumni work and performance evaluations and qualitative feedback on preservice teacher performance in teaching special education students in public schools.</li> </ul>

<p><b>Learning Outcome(s)</b>  <u>Standard 2:</u>  Curriculum.  University of Idaho special education majors demonstrate an understanding that curriculum and interventions should be relevant, inviting, challenging, integrative, and exploratory. They illustrate how to design, select and adapt curriculum for individuals in light of curriculum standards, theories, and models.  <u>(related/connected to standard 3 of Idaho Special Exceptional Child Generalist Standards)</u></p> <p><b>Aligns with University Learning Outcome(s):</b>  Learn and Integrate</p>	<p><b>Assessment Tools and Procedures</b></p> <p><b>Direct Measure</b></p> <ul style="list-style-type: none"> <li>• A score from Praxis II 5543 Special Education-Core Knowledge and Mild to Moderate Application exam and Praxis # 5001 Elementary Education: Multiple Subjects</li> <li>• A passing score on Idaho Comprehensive Literacy Assessment (ICLA)/course and the Technology Competencies.</li> <li>• Course-based assessments through signature assignments (SA) (e.g., SA 1&amp; 2 in EDSP 426 and SA 4,6,7 in EDSP 548)- see a complete matrix of SA and course alignment to state standards)</li> </ul> <p><b>Indirect Measure</b></p> <ul style="list-style-type: none"> <li>• Minimum grade &amp; GPA requirements</li> <li>• Review of assignments and rubrics for an alignment to standards and student performance in special education coursework.</li> </ul> <p><b>Face-to-Face Measures</b></p> <ul style="list-style-type: none"> <li>• Observation of teacher candidate performance in public schools conducted by faculty, cooperating teacher, and/or university supervisor</li> </ul> <p><b>Benchmarks</b></p> <p><b>Direct Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Passing score on Praxis II Exams 5001 and 5543 to meet highly qualified requirement</li> <li>• Pass all course work for ICLA or all three tests with 70% accuracy</li> <li>• Receive BASIC or higher score on practicum and internship evaluations utilizing Danielson framework</li> <li>• Met all dispositions assessments in course work, practicum and Internships.</li> </ul> <p><b>Indirect Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Up-to-date alignment of assignments to standards</li> <li>• Alumni surveys should indicate satisfaction with course of study and delivery and qualitative assessment of student responses noting concerns and delights.</li> <li>• Employer surveys should indicate satisfaction with alumni work and performance evaluations and qualitative feedback on preservice teacher performance in teaching special education students in public schools.</li> </ul>
<p><b>Learning Outcome(s)</b>  <u>Standard 3:</u>  Instruction. University of Idaho special education majors</p>	<p><b>Assessment Tools and Procedures</b></p> <p><b>Direct Measure</b></p> <p><b>Benchmarks</b></p> <p><b>Direct Benchmarks</b></p>

<p>demonstrate an understanding of the principles of developmentally appropriate instruction, know a wide variety of teaching and learning strategies and interventions and use technologically sound practices to teach core concepts, skills of inquiry, problem solving, collaboration, and communication. <u>(connected to standard 5 of Idaho Special Exceptional Child Generalist Standards)</u></p> <p><b>Aligns with University Learning Outcome(s):</b> Think and Create</p>	<ul style="list-style-type: none"> <li>• A score from Praxis II 5543 Special Education-Core Knowledge and Mild to Moderate Application exam and Praxis # 5001 Elementary Education: Multiple Subjects</li> <li>• A passing score on Idaho Comprehensive Literacy Assessment (ICLA)/course and the Technology Competencies.</li> <li>• A passing score in practicum and internship experiences</li> <li>• Course-based assessments through signature assignments (SA) (e.g., SA 2 in EDSP 426 and SA 8 in EDSP 548)- see a complete matrix of SA and course alignment to state standards)</li> </ul> <p><b>Indirect Measure</b></p> <ul style="list-style-type: none"> <li>• Minimum grade &amp; GPA requirements</li> <li>• Review of assignments and rubrics for an alignment to standards and student performance in special education coursework.</li> </ul> <p><b>Face-to-Face Measures</b></p> <ul style="list-style-type: none"> <li>• Observation of teacher candidate performance in public schools conducted by faculty, cooperating teacher, and/or university supervisor</li> </ul>	<ul style="list-style-type: none"> <li>• Passing score on Praxis II Exams 5001 and 5543 to meet highly qualified requirement</li> <li>• Pass all course work for ICLA or all three tests with 70% accuracy</li> <li>• Receive BASIC or higher score on practicum and internship evaluations utilizing Danielson framework</li> <li>• Met all dispositions assessments in course work, practicum and Internships.</li> </ul> <p><b>Indirect Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Up-to-date alignment of assignments to standards</li> <li>• Alumni surveys should indicate satisfaction with course of study and delivery and qualitative assessment of student responses noting concerns and delights.</li> <li>• Employer surveys should indicate satisfaction with alumni work and performance evaluations and qualitative feedback on preservice teacher performance in teaching special education students in public schools.</li> </ul>
<p><b>Learning Outcome(s)</b> <u>Standard 4:</u> Assessment. University of Idaho special education majors analyze and demonstrate an understanding of the roles of multiple</p>	<p><b>Assessment Tools and Procedures</b></p> <p><b>Direct Measure</b></p> <ul style="list-style-type: none"> <li>• A score from Praxis II 5543 Special Education-Core Knowledge and Mild to Moderate Application exam and Praxis # 5001 Elementary Education: Multiple Subjects</li> </ul>	<p><b>Benchmarks</b></p> <p><b>Direct Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Passing score on Praxis II Exams 5001 and 5543 to meet highly qualified requirement</li> <li>• Pass all course work for ICLA or all three tests with 70% accuracy</li> </ul>

<p>assessments for identifying, monitoring and evaluating students learning in order to modify instruction; they can develop and critique formal and informal, and performance assessment techniques, including local, state, and national assessments systems. <u>(connected to standard 4 of Idaho Special Exceptional Child Generalist Standards)</u></p> <p><b>Aligns with University Learning Outcome(s):</b> Learn and Integrate</p>	<ul style="list-style-type: none"> <li>• A passing score on Idaho Comprehensive Literacy Assessment (ICLA)/course and the Technology Competencies.</li> <li>• A passing score in practicum and internship experiences</li> <li>• Course-based assessments through signature assignments (SA) (e.g., SA 1 in EDSP 540 and SA 2 &amp; 3 in EDSP 425)- see a complete matrix of SA and course alignment to state standards)</li> </ul> <p><b>Indirect Measure</b></p> <ul style="list-style-type: none"> <li>• Minimum grade &amp; GPA requirements</li> <li>• Review of assignments and rubrics for an alignment to standards and student performance in special education coursework.</li> <li>• Alumni and graduating student surveys.</li> <li>• Employer surveys.</li> </ul> <p><b>Face-to-Face Measures</b></p> <ul style="list-style-type: none"> <li>• Observation of teacher candidate performance in public schools conducted by faculty, cooperating teacher, and/or university supervisor</li> </ul>	<ul style="list-style-type: none"> <li>• Receive BASIC or higher score on practicum and internship evaluations utilizing Danielson framework</li> <li>• Met all dispositions assessments in course work, practicum and Internships.</li> </ul> <p><b>Indirect Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Up-to-date alignment of assignments to standards</li> <li>• Alumni surveys should indicate satisfaction with course of study and delivery and qualitative assessment of student responses noting concerns and delights.</li> <li>• Employer surveys should indicate satisfaction with alumni work and performance evaluations and qualitative feedback on preservice teacher performance in teaching special education students in public schools.</li> </ul>
<p><b>Learning Outcome(s)</b> Standard 5: Research. University of Idaho special education majors, as critical consumers and producers of educational research, examine the role of educational research</p>	<p><b>Assessment Tools and Procedures</b></p> <p><b>Direct Measure</b></p> <ul style="list-style-type: none"> <li>• A score from Praxis II 5543 Special Education-Core Knowledge and Mild to Moderate Application exam and Praxis # 5001 Elementary Education: Multiple Subjects</li> </ul>	<p><b>Benchmarks</b></p> <p><b>Direct Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Passing score on Praxis II Exams 5001 and 5543 to meet highly qualified requirement</li> <li>• Met all dispositions assessments in course work, practicum and Internships.</li> </ul>

<p>for collecting, analyzing and sharing data. <u>(connected to all standards in Idaho Special Exceptional Child Generalist Standards)</u></p> <p><b>Aligns with University Learning Outcome(s):</b> Think and Create</p>	<ul style="list-style-type: none"> <li>• Course–based assessments through signature assignments (SA) (e.g., SA 2 in EDSP 548)- see a complete matrix of SA and course alignment to state standards)</li> </ul> <p><b>Indirect Measure</b></p> <ul style="list-style-type: none"> <li>• Minimum grade &amp; GPA requirements</li> <li>• Review of assignments and rubrics for an alignment to standards and student performance in special education coursework.</li> </ul> <p><b>Face-to-Face Measures</b></p> <ul style="list-style-type: none"> <li>• Observation of teacher candidate performance in public schools conducted by faculty, cooperating teacher, and/or university supervisor</li> </ul> <p><b>Indirect Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Up-to-date alignment of assignments to standards</li> <li>• Alumni surveys should indicate satisfaction with course of study and delivery and qualitative assessment of student responses noting concerns and delights.</li> <li>• Employer surveys should indicate satisfaction with alumni work and performance evaluations and qualitative feedback on preservice teacher performance in teaching special education students in public schools.</li> </ul>
<p><b>Learning Outcome(s)</b> <u>Standard 6:</u> Communication. University of Idaho special education majors select and apply a variety of communication techniques to foster inquiry, collaboration, and supportive interaction in and beyond the classroom. <u>(connected to standard 7 of Idaho Special Exceptional Child Generalist Standards)</u></p>	<p><b>Assessment Tools and Procedures</b></p> <p><b>Direct Measure</b></p> <ul style="list-style-type: none"> <li>• A score from Praxis II 5543 Special Education-Core Knowledge and Mild to Moderate Application exam and Praxis # 5001 Elementary Education: Multiple Subjects</li> <li>• A passing score in practicum and internship experiences</li> <li>• Course–based assessments through signature assignments (SA) (e.g., SA 3 and 4 in EDSP 423 and SA 9 in EDSP 548)- see a complete matrix of SA and course alignment to state standards)</li> </ul> <p><b>Benchmarks</b></p> <p><b>Direct Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Passing score on Praxis II Exams 5001 and 5543 to meet highly qualified requirement</li> <li>• Receive BASIC or higher score on practicum and internship evaluations utilizing Danielson framework (Master’s plus certification students only)</li> <li>• Met all dispositions assessments in course work, practicum and Internships.</li> </ul> <p><b>Indirect Benchmarks</b></p> <ul style="list-style-type: none"> <li>• Up-to-date alignment of assignments to standards</li> </ul>

<p><b>Aligns with University Learning Outcome(s):</b> Communicate</p>	<p><b>Indirect Measure</b></p> <ul style="list-style-type: none"> <li>• Minimum grade &amp; GPA requirements</li> <li>• Review of assignments and rubrics for an alignment to standards and student performance in special education coursework.</li> </ul> <p><b>Face-to-Face Measures</b></p> <ul style="list-style-type: none"> <li>• Observation of teacher candidate performance in public schools conducted by faculty, cooperating teacher, and/or university supervisor</li> </ul> <ul style="list-style-type: none"> <li>• Alumni surveys should indicate satisfaction with course of study and delivery and qualitative assessment of student responses noting concerns and delights.</li> <li>• Employer surveys should indicate satisfaction with alumni work and performance evaluations and qualitative feedback on preservice teacher performance in teaching special education students in public schools.</li> </ul>
---	---

## Idaho Special Exceptional Child Generalist Standards by Knowledge and Performance Statements

### By Course in Special Education 2018-2019

** all teachers entering the program are certified in either elementary or secondary education and have meet the Idaho Teaching Standards for their area.	EDSP 325	EDSP 350	EDSP 423	EDSP 425	EDSP 426	EDSP 430	EDSP 448	EDSP 484
<i>Standard 1: Learner Development and Individual Learning Differences – The teacher understands how exceptionalities may interact with development and learning and use this knowledge to provide meaningful and challenging learning experiences for individuals with exceptionalities.</i>								
K1 The teacher understands how language, culture, and family background influence the learning of individuals with exceptionalities.		SA 1,2,3	SA 4		SA 1,2		SA 1,3,5,7,9	
K.2 The teacher has an understanding of development and individual differences to respond to the needs of individuals with exceptionalities.		SA 2	SA 4		SA 1,2		SA 4,5,6,8,9	
K.3 The teacher understands how exceptionalities can interact with development and learning.		SA 1,2			SA 1,2		SA 1,3,4,5,6,7,8,9	
P1 The teacher modifies developmentally appropriate learning environments to provide relevant, meaningful, and challenging learning experiences for individuals with exceptionalities.		SA 1	SA 5				SA 4,7,9	SA 1,2
P2 The teacher is active and resourceful in seeking to understand how primary language, culture, and family interact with exceptionality to influence the individual's academic and social abilities, attitudes, values, interests and career and post-secondary options.							SA 1,9	SA 1,2
<i>Standard 2: Learning Environments – The teacher creates safe, inclusive, culturally responsive learning environments so that individuals with exceptionalities become active and effective learners and develop emotional well-being, positive social interactions, and self-determination.</i>								
K1 The teacher understand applicable laws, rules, regulations, and procedural safeguards regarding behavior management planning for students with disabilities.	SA 1						SA 1,2	
K2 The teacher knows how to collaborate with general educators and other colleagues to create safe, inclusive, culturally responsive learning environments to engage individuals with exceptionalities in meaningful learning activities and social interactions.			SA 1,2,3,4		SA 1,2		SA 1	

K3	The teacher understands motivational and instructional interventions to teach individuals with exceptionalities how to adapt to different environments.	<b>SA 2,3</b>	<b>SA 5</b>		<b>SA 2</b>		<b>SA 1,2,4,9</b>	
K4	The teacher knows how to intervene safely and appropriately with individuals with exceptionalities in crisis (e.g. positive behavioral supports, functional behavioral assessment and behavior plans).							
P1	The teacher develops safe, inclusive, culturally responsive learning environments for all students, and collaborates with education colleagues to include individuals with exceptionalities in general education environments and engage them in meaningful learning activities and social interactions.						<b>SA 4,9</b>	<b>SA 2</b>
P2	The teacher modifies learning environments for individual needs and regards an individual's language, family, culture, and other significant contextual factors and how they interact with an individual's exceptionality. The teacher modifies learning environment, and provides for maintenance and generalization of acquired skills across environments and subjects.				<b>SA 1,2</b>		<b>SA 9</b>	<b>SA 2</b>
P3	The teacher structures learning environments to encourage the independence, self-motivation, self-direction, personal empowerment, and self-advocacy of individuals with exceptionalities and directly teach them to adapt to the exceptions and demands of different environments.				<b>SA 1,2</b>		<b>SA 4,9</b>	<b>SA 2</b>
P4	The teacher safely intervenes with individuals with exceptionalities in crisis. Special education teachers are also perceived as a resource in behavior management that include the skills and knowledge to intervene safely and effectively before or when individuals with exceptionalities experience crisis, i.e. lose rational control over their behavior.							<b>SA 2</b>
<b><i>Standard 3: Curricular Content Knowledge – The teacher uses knowledge of general and specialized curricula to individualize learning for individuals with exceptionalities.</i></b>								
K1	The teacher understands the central concepts, structures of the discipline, and tools of inquiry of the content areas they teach, and can organize this knowledge, integrate cross-disciplinary skills, and develop meaningful learning progressions for individuals with exceptionalities.	<b>SA 1,2</b>			<b>SA 1,2</b>		<b>SA 1,3,5</b>	
K2	The teacher understands and used general and specialized content knowledge for teaching across curricular content areas to individualize learning for individuals with exceptionalities.	<b>SA 1,2,3</b>			<b>SA 1,2</b>		<b>SA 4,6,7,8,9</b>	
K3	The teacher knows how to modify general and specialized curricula to make them accessible to individuals with exceptionalities.	<b>SA 1,2,3</b>			<b>SA 1,2</b>		<b>SA 7</b>	

P1	The teacher demonstrates in their planning and teaching, a solid base of understanding of the central concepts in the content areas they teach.					<b>SA 1,2</b>			<b>SA 1,2</b>
P2	The teacher collaborates with general educators in teaching and co-teaching the content of the general curriculum to individuals with exceptionalities and designs appropriate learning, accommodations, and/or modifications.					<b>SA 1,2</b>			<b>SA 1,2</b>
P3	The teacher uses a variety of specialized curricula (e.g. academic, strategic, social, emotional, and independence curricula) to individualize meaningful and challenging learning for individuals with exceptionalities.					<b>SA 2</b>			<b>SA 1,2</b>
<b><i>Standard 4: Assessment – The teacher uses multiple methods of assessment and data-sources in making educational decisions.</i></b>									
K1	The teacher knows how to select and use technically sound formal and informal assessments that minimize bias.	<b>SA 3</b>				<b>SA 2,4,7</b>		<b>SA 1,9</b>	
K2	The teacher has knowledge of measurement principles and practices, and understands how to interpret assessment results and guide educational decisions for individuals with exceptionalities.	<b>SA 4</b>				<b>SA 3,5</b>		<b>SA 9</b>	
K3	In collaboration with colleagues and families, the teacher knows how to use multiple types of assessment information in making decisions about individuals with exceptionalities.					<b>SA 6</b>			
K4	The teacher understands how to engage individuals with exceptionalities to work toward quality learning and performance and provide feedback to guide them.		<b>SA 2</b>			<b>SA 8</b>		<b>SA 3,4,5,7,8,9</b>	
K5	The teacher understands assessment information to identify supports, adaptations, and modifications required for individuals with exceptionalities to access the general curriculum and participate in school, system,. And statewide assessment programs.	<b>SA 2</b>	<b>SA 2</b>					<b>SA 4,5,6,7,9</b>	
K6	The teacher is aware of available technologies routinely used to support assessments (e.g., progress monitoring, curriculum-based assessments, etc.)								
K7	The teacher understands the legal policies of assessment related to special education referral, eligibility, individualized instruction, and placement for individuals with exceptionalities, including individuals from culturally and linguistically diverse backgrounds.					<b>SA 1,8</b>			
P1	The teacher regularly monitors the learning progress of individuals with exceptionalities in both general and specialized content and makes instructional adjustments based on these data.								<b>SA 1,2</b>

P2	The teacher gathers background information regarding academic, medical, and social history.							<b>SA 1,2</b>
P3	The teacher conducts formal and/or informal assessments of behavior, learning, achievement, and environments to individualize the learning experiences that support the growth and development of individuals with exceptionalities.						<b>SA 9</b>	<b>SA 1,2</b>
P4	The teacher integrates the results of assessments to develop a variety of individualized plans, including family service plans, transition plans, behavior change plans, etc.							<b>SA 2</b>
P5	The teacher participates as a team member in creating the assessment plan that may include ecological inventories, portfolio assessments, functional assessments, and high and low assistive technology needs to accommodate students with disabilities.							<b>SA 2</b>
<b><i>Standard 5: Instructional Planning and Strategies – The teacher selects, adapts, and uses a repertoire of evidence-based instructional strategies and interventions to advance learning of individuals with exceptionalities.</i></b>								
K1	The teacher knows how to consider an individual’s abilities, interests, learning environments, and cultural and linguistic factors in the selection, development, and adaptation of learning experiences for individuals with exceptionalities.		<b>SA 1,2,3</b>			<b>SA 2</b>	<b>SA 1,4,6,7,8,9</b>	
K2	The teacher understands technologies used to support instructional assessment, planning and delivery for individuals with exceptionalities.		<b>SA 3</b>			<b>SA 2</b>	<b>SA 9</b>	
K3	The teacher is familiar with augmentative and alternative communication systems and a variety of assistive technologies to support communication and learning of individuals with exceptionalities.		<b>SA 3</b>			<b>SA 2</b>		
K4	The teacher understands strategies to enhance language development, communication skills, and social skills of individuals with exceptionalities.		<b>SA 1,2</b>			<b>SA 2</b>	<b>SA 8</b>	
K5	The teacher knows how to develop and implement a variety of education and transition plans for individuals with exceptionalities across a wide variety of settings and different learning experiences in collaboration with individuals, families, and teams.					<b>SA 2</b>		
K6	The teacher knows how to teach to mastery and promotes generalization of learning for individuals with exceptionalities.						<b>SA 9</b>	

K7	The teacher knows how to teach cross-disciplinary knowledge and skills such as critical thinking and problem solving to individuals with exceptionalities.					SA 2		SA 7	
K8	The teacher knows how to enhance 21 <sup>st</sup> Century student outcomes such as critical thinking, creative problem solving, and collaboration skills for individuals with exceptionalities and increases their self-determination.					SA 2			
K9	The teacher understands available technologies routinely used to support and manage all phases of planning, implementing, and evaluating instruction.					SA 2			
P1	The teacher plans and uses a repertoire of evidence-based instructional strategies in promoting positive learning results in general and special curricula and in modifying learning environments for individuals with exceptionalities appropriately.								SA 1,2
P2	The teacher emphasizes explicit instruction with modeling and guided practice to assure acquisition and fluency, as well as, the development, maintenance, and generalization of knowledge and skills across environments.								SA 1,2
P3	The teacher matches their communication method to an individual’s language proficiency and linguistic differences.								SA 1,2
P4	The teacher utilizes universal design for learning, augmentative and alternative communications systems, and assistive technologies to support and enhance the language and communication of individuals with exceptionalities.								SA 1,2
P5	The teacher develops a variety of individualized transition plans, such as transitions from preschool to elementary school and from secondary settings to a variety of postsecondary work and learning contexts.								SA 2
P6	The teacher personalizes instructional planning with a collaborative context including the individuals with exceptionalities, families, professional colleagues, and personnel from other agencies as appropriate.								SA 2
<i>Standard 6: Professional Learning and Ethical Practices – The teacher uses foundational knowledge of the field and their professional Ethical Principles and Practice Standards to inform special education practice, to engage in lifelong learning, and to advance the profession.</i>									
K1	The teacher understands how foundational knowledge and current issues influence professional practice.		SA 2,3	SA 2		SA 2		SA 1,2,3,4	

K2	The teacher understands that diversity is part of families, cultures, and schools, and that complex human issues can interact with the delivery of special education services.		<b>SA 2,3</b>	<b>SA 4</b>		<b>SA 2</b>		<b>SA 1</b>	
K3	The teacher understands the significance of lifelong learning and participates in professional activities and learning communities.					<b>SA 2</b>		<b>SA 1</b>	
K4	The teacher understands how to advance the profession by engaging in activities such as advocacy and mentoring.							<b>SA 1</b>	
K5	The teacher knows how to create a manageable system to maintain all program and legal records for students with disabilities as required by current federal and state laws.					<b>SA 2</b>		<b>SA 9</b>	
P1	The teacher uses professional Ethical Principles and Professional Practice Standards to guide their practice.								<b>SA 1,2</b>
P2	The teacher provides guidance and direction to paraeducators, tutors, and volunteers.								<b>SA 2</b>
P3	The teacher plans and engages in activities that foster their professional growth and keep them current with evidence-based practices.								<b>SA 2</b>
P4	The teacher is sensitive to the aspects of diversity with individuals with exceptionalities and their families, and the provision of effective special education services for English learners with exceptionalities and their families.								<b>SA 1,2</b>
<b><i>Standard 7: Collaboration – The teacher will collaborate with families, other educators, related service providers, individuals with exceptionalities, and personnel from community agencies in culturally responsive ways to address the needs of individuals with exceptionalities across a range of learning experiences.</i></b>									
K1	The teacher understands the theory and elements of effective collaboration.			<b>SA 2,3,4,5</b>		<b>SA 2</b>			
K2	The teacher understands how to serve as a collaborative resource to colleagues.			<b>SA 2,3,4,5</b>		<b>SA 2</b>			
K3	The teacher understands how to use collaboration to promote the well-being of individuals with exceptionalities across a wide range of settings and collaborators.			<b>SA 2,3,4,5</b>		<b>SA 2</b>			
K4	The teacher understands how to collaborate with their general education colleagues to create learning environments that meaningfully include individuals with exceptionalities, and that foster cultural understanding,							<b>SA 4,9</b>	

	safety and emotional well-being, positive social interactions, and active engagement.							
K5	The teacher is familiar with the common concerns of parents/guardians of students with disabilities and knows appropriate strategies to work with parents/guardians to deal with these concerns.			<b>SA 4</b>				
K6	The teacher knows about services, networks, and organizations for individuals with disabilities and their families, including advocacy and career, vocational, and transition support.			<b>SA 4</b>				
P1	The teacher collaborates with the education team to uphold current federal and state laws pertaining to students with disabilities, including due process rights related to assessment, eligibility, and placement.							<b>SA 2</b>
P2	The teacher collaborates with related-service providers, other educators including special education paraeducators, personnel from community agencies and others to address the needs of individuals with exceptionalities.							<b>SA 2</b>
P3	The teacher involves individuals with exceptionalities and their families collaboratively in all aspects of the education of individuals with exceptionalities.							<b>SA 2</b>

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM**  
**Short Form**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using Track Change or strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, a single representative for the college will e-mail the completed form to the Office of the Provost and Executive Vice President, [provost@uidaho.edu](mailto:provost@uidaho.edu) for approval and then submission to the Academic Publications Editor in the Registrar's Office for review by the University Curriculum Committee (UCC).

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

**When applicable a Curriculum Change Form and Course Approval Forms must accompany the short form when submitted to [provost@uidaho.edu](mailto:provost@uidaho.edu)**

**Submission Information**

This section must be completed

College:	Agricultural and Life Sciences		
Department/Unit:	Agricultural and Extension Education		
Dept/Unit Approval Date:	August 18, 2017	Vote Record:	Aye = 5, No = 0
College Approval Date:	9/26/17	Vote Record:	unanimous
CIP code (Consult Institutional Research):	01.0802 Agricultural Communication/Journalism		
Primary Point of Contact (Name and Email):	James Connors, Department Head	<a href="mailto:jconnors@uidaho.edu">jconnors@uidaho.edu</a>	
Briefly describe the change you are requesting:	Create a Minor in Agricultural Communications and Leadership		

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

This section must be completed

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

The department of Agricultural & Extension Education currently offers a degree in Agricultural Sciences, Communications and Leadership, but does not have a minor in the same. We would like to offer this for students who are interested in a minor rather than the B.S. The additional workload will be minimal as the minor will encompass current courses or courses that are being developed for the major. We feel that this minor will be attractive to students in CALS majors outside the department who desire to enhance their leadership and communications skills for future employment.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

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

Current Name:	
New Name:	
Current Degree:	
New Degree:	

Other Details:	
Effective Date:	

**Program Component Request**

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

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

Create New:	<input checked="" type="checkbox"/>	Modify:	<input type="checkbox"/>	Discontinue:	<input type="checkbox"/>	Implementation Date:	Fall 2018	
Graduate Level:	<input type="checkbox"/>	Undergraduate Level:	<input checked="" type="checkbox"/>	Law Level:	<input type="checkbox"/>	Credit Requirement:	20 cr.	
Are new courses being created:	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/>	If yes, how many courses will be created:				3

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

Major:		Degree:	
--------	--	---------	--

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

Option:	
Emphasis:	
Minor:	Agricultural Communications and Leadership
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

**Learning Outcomes and Assessment Information**

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

1.	List the intended learning outcomes for the program component, using learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:
<p><b>Learn &amp; Integrate</b></p> <ul style="list-style-type: none"> <li>Students will understand and apply appropriate communication skills as they apply to agriculture</li> <li>Students will value and demonstrate leadership in agricultural organizations/groups/businesses.</li> </ul> <p><b>Think &amp; Create</b></p> <ul style="list-style-type: none"> <li>Students will apply leadership and communications principles in a variety of settings</li> <li>Students will improve as problem-solving leaders</li> </ul> <p><b>Communicate</b></p> <ul style="list-style-type: none"> <li>Students will effectively communicate and work in groups</li> <li>Students will improve their written and verbal communication skills</li> </ul> <p><b>Clarify Purpose &amp; perspective</b></p> <ul style="list-style-type: none"> <li>Students will understand the importance of leadership in agricultural contexts</li> <li>Students will develop as leaders and utilize their skills as leaders</li> </ul> <p><b>Practice citizenship</b></p> <ul style="list-style-type: none"> <li>Students will understand the importance of ethical leadership in agricultural organizations/groups/businesses.</li> <li>Students will understand the importance of communications in agricultural organizations/groups/businesses.</li> </ul>	

2.	Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
<p>The Learning outcomes will be assessed using the following.</p> <ul style="list-style-type: none"> <li>• Class projects and assignments</li> <li>• Student involvement in leadership/ communications outside the classroom</li> <li>• Exit Interviews</li> <li>• Follow-up studies</li> </ul>	
3.	How will you ensure that the assessment findings will be used to improve the program?
<p>Our department is committed to utilizing the results of assessment for program improvement. We continually assess and improve the programs in our department- so the addition of the minor would not adjust how we utilize assessment data for program improvement</p>	
4.	What direct and indirect measures will be used to assess student learning?
<p>Students will be assessed through a variety of methods including, but not limited to; papers/essays, projects, classroom activities, exams, oral presentations and participation.</p>	
5.	When will assessment activities occur and at what frequency?
<p>The program will be assessed annually.</p>	

**Financial Impact**

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

Greater than \$250,000 per FY:	Less than \$250,000 per FY:	x	
Brief Description of financial impact:	<p>There will be minimal additional financial impact as most of these courses are used in the existing B.S. program.</p>		

**Distance Education Availability**

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

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

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

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

- (1) *The internet;*
- (2) *One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;*
- (3) *Audio conferencing; or*

(4) Video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of the technologies listed in paragraphs (1) through (3).

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

**Geographical Area Availability**

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

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

Moscow	x		
Coeur d'Alene			
Boise*			
Idaho Falls*			
Other**		Location(s):	

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

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

**Agricultural Communications and Leadership Minor**

Ag Ed 251	Principles of Agricultural Science, Comm., and Leadership	3 cr
Ag Ed 252	Developing Collegiate and Community Organizations	3 cr
Ag Ed 301	Undergraduate Research	1-3, max 3
Ag Ed 350	Leadership Event Coordination	1 cr
Ag Ed 450	Developing Leaders	3 cr
Ag Ed 451	Communicating in Agriculture	3 cr
Ag Ed 406	Exploring International Agriculture	3 cr
Ag Ed 407	Global Agricultural Life Science Systems	3 cr max
Ag Ed 498	Internship	5 cr max

**Courses to total 20 credits for this minor**

**UCC-18-032 – new course for above.**

College of Agricultural and Life Sciences  
Proposed Catalog Changes  
Effective Summer 2018

**AGRICULTURAL AND EXTENSION EDUCATION**

1. Add the following course:

AGED 301 (s) Undergraduate Research (1-3 cr, max 3)  
Undergraduate research for students in agricultural education.  
Prereq: Instructor Permission

Available via distance: No

Geographical Area: Moscow

Rationale: Currently, the undergraduate research course is taught as a directed study- AGED 299. By assigning a specific number to the course it correctly reflects the course content. There is no additional workload.

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	Paul McDaniel	Email:	paulm@uidaho.edu
College:	CAL S		
Department/Unit:	Plant Sciences		
Dept/Unit Approval Date:	09/15/2017	Vote Record:	unanimous
College Approval Date:	9/26/2017	Vote Record:	unanimous
Primary Point of Contact:	Joe Kuhl	Email:	jkuhl@uidaho.edu
Briefly describe the change you are requesting:	Add a minor in Biotechnology and Plant Genomics		

**What is the financial impact of the requested change?**

Greater than \$250,000 per FY:	<input type="checkbox"/>	Less than \$250,000 per FY:	<input checked="" type="checkbox"/>
--------------------------------	--------------------------	-----------------------------	-------------------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact: None

**Rationale for Program Component Request or Name Change**

This section must be completed

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

The addition of this minor will provide students the opportunity to take a small number of classes to demonstrate their knowledge and understanding of topics in the area of Biotechnology and Plant Genomics, and have that curriculum highlighted on their transcript.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

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

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No

If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**\*\*Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**\*\*Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

X	Create New		Discontinue	Implementation Date:	August 20, 2018		
	Graduate Level	X	Undergraduate Level	Law Level	Credit Requirement:	18-19	
Are new courses being created: (circle your response)				<input checked="" type="radio"/> No	Yes	If yes, how many courses will be created:	

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

Major:		261201		Degree:	
--------	--	--------	--	---------	--

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

Option:	
Emphasis:	
Minor:	Biotechnology and Plant Genomics
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

Complete 13 credits in Biochemistry (Biol 380), Genetics (Gene 314 or Biol 310), Genetic Engineering (PISc 488) and Introduction to Biotechnology (PISc 207), and additional 6 to 7 credits in advanced courses specialized in genomics, plant biochemistry, molecular biology, and/or plant breeding.
--

### Learning Outcomes and Assessment Information

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

1. List the intended learning outcomes for the program component. Use learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:
Learn and integrate knowledge in biotechnology and plant genomics and to integrate this information across biology, plant science, biochemistry, molecular biology and chemistry.

<p>Apply thinking strategies to real-world issues to solve problems and make consequential decisions in the area of biotechnology and plant genomics.</p> <p>Students should be able to communicate basic biotechnology concepts using verbal and written methods to demonstrate understanding in a complex society.</p>
<p>2. Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:</p> <p><u>Direct Measure Process (per our current protocols and metrics):</u> Demonstrated ability to apply academic knowledge to real-world problems and controversies as assessed by final exam questions in Genetic Engineering (Gene 488); performance on parts of standardized exams that assess ability to integrate and synthesize various concepts.</p> <p><u>Indirect Measure Process (per our current protocols and metrics):</u> Student evaluations of teaching; student grades in core courses, including performance on lecture exams, laboratory exams, class projects, and term papers.</p> <p><u>Face-to-Face Measures (per our current protocols and metrics):</u> Exit interviews with graduating seniors, including overall assessment of minor program. Academic advising will also be assessed in order to improve student knowledge about careers in the proposed minor.</p>
<p>3. How will you ensure that the assessment findings will be used to improve the program?</p> <p>The new Department of Plant Sciences Curriculum Committee will oversee assessment measures and outcomes as well as recommend curricular changes to improve the minor as needed.</p>
<p>4. What direct and indirect measures will be used to assess student learning?</p> <p><u>Direct Benchmarks (per our current protocols and metrics):</u> At least 80% of students pass standardized tests; at least 80% of employers are satisfied with performance of student interns.</p> <p><u>Indirect Benchmarks (per our current protocols and metrics):</u> Student evaluations of course and instructor quality in courses required by minor should be 3 or higher; students receive a grade of C or higher in all courses required for the minor. At least 75% of students actively participate in club/organization and/or service learning activities.</p>
<p>5. When will assessment activities occur and at what frequency?</p> <p>Learning Outcomes Assessment as outlined will occur throughout the academic year with metrics annually reported during September for the prior Academic Year. New or adjusted procedures and metrics will be developed by Plant Sciences faculty members during FY18 and beyond as needed for the three proposed plant science majors.</p>

### Distance Education Availability

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

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

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

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

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

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

### Geographical Area Availability

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

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

Moscow	X		
Coeur d'Alene			
Boise*			
Idaho Falls*			
Other**		Location(s):	

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

### Biotechnology and Plant Genomics Minor

Biol 380	Biochemistry I	4 cr
PISc 207	Introduction to Biotechnology	3 cr
PISc 488	Genetic Engineering	3 cr

### One of the following (3 cr):

Gene 314	General Genetics	3 cr
Biol 310	Genetics	3 cr

### Two of the following courses (6-7 cr):

Biol 444	Genomics	3 cr
Biol 487	Eukaryotic Molecular Genetics	3 cr
PISc 440	Advanced Laboratory Techniques	4 cr
PISc 486	Plant Biochemistry	3 cr
PISc 446/ 546	Plant Breeding	3 cr

### Courses to total 19-20 credits

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	Sonya Meyer	Email:	sonyam@uidaho.edu
College:	College of Agriculture and Life Sciences		
Department/Unit:	Margaret Ritchie School of Family and Consumer Sciences		
Dept/Unit Approval Date:	9/13/2017	Vote Record:	Unanimous
College Approval Date:	9/19/2017	Vote Record:	Unanimous
Primary Point of Contact:	Hydee Becker	Email:	<a href="mailto:hydeeb@uidaho.edu">hydeeb@uidaho.edu</a>
Briefly describe the change you are requesting:	Discontinue Option A: Coordinated Program in Dietetics, Discontinue Option B: Nutrition, and expand the current Nutrition curriculum to take their place.		

**What is the financial impact of the requested change?**

Greater than \$250,000 per FY:	<input checked="" type="checkbox"/>	Less than \$250,000 per FY:	<input type="checkbox"/>
--------------------------------	-------------------------------------	-----------------------------	--------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact: Minimal financial impact is expected since this degree of B.S.F.C.S. with a major in Food and Nutrition is already offered.

**Rationale for Program Component Request or Name Change**

This section must be completed

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

The Margaret Ritchie School of Family and Consumer Sciences offers a degree in Food and Nutrition (B.S.F.C.S.). Students completing this degree currently have two options. The first is option A. Coordinated Program in Dietetics. The second is option B. Nutrition Option. Option A is an accredited program for students who wish to become Registered Dietitian Nutritionists. Option B is for students who wish to work with government agencies, commodity groups, health and fitness agencies and businesses and some components of the food industry or who wish to pursue advanced degrees in medicine or nutrition. We are proposing to discontinue option A. Coordinated Program in Dietetics and expand the current option B. Nutrition option. There will be one curriculum for all Food and Nutrition majors.

The rationale to discontinue option A. Coordinated Program in Dietetics is due to the fact that the Accreditation Council for Education in Nutrition and Dietetics (ACEND) will mandate in 2024 a master's degree and an accredited program for students wishing to become Registered Dietitian Nutritionists. The proposed Food and Nutrition major will prepare students to apply to an accredited master's degree program in nutrition and dietetics. We plan to implement an accredited master's degree program in nutrition and dietetics to begin Fall 2021. Students can graduate with a BSFCS and a major in food and nutrition and then go on to enroll in the accredited program in nutrition and dietetics at the master's level.

Our ACEND accredited coordinated program in dietetics will continue for undergraduates until the current freshman with a catalog year of 2017-2018 have had an opportunity to complete their degree of B.S.F.C.S. Food and Nutrition: Dietetics Option. The last group of students who have selected the dietetics option are expected to graduate May 2021 but would technically have the option to graduate as late as 2024 as the courses and supervised practice required for the dietetics option will continue to be offered. In this case, there will be no harm or loss to the current student who desires to graduate as an undergraduate from an accredited coordinated program in dietetics.

The added workload is expected to be minimal, as the number of undergraduates interested in food and nutrition and dietetics will likely remain the stable.

### Name or Degree Change Only Requests

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

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

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No

If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**\*\*Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**\*\*Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

Create New	<input checked="" type="checkbox"/>	Discontinue and Modify	Implementation Date:	Fall 2018
Graduate Level	<input checked="" type="checkbox"/>	Undergraduate Level	Law Level	Credit Requirement: 120
Are new courses being created: (circle your response)	No	<input checked="" type="checkbox"/> Yes	If yes, how many courses will be created:	1 (FCS 389 App. UCC-18-014)

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

Major:	Food and Nutrition	CIP 190101	Degree:	B.S.F.C.S.
--------	--------------------	---------------	---------	------------

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

Option:	A. <del>Coordinated Program in Dietetics</del> B. <del>Nutrition Option</del>
Emphasis:	

Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

Courses that meet the core knowledge requirements for the Accreditation Council on Education in Nutrition and Dietetics (ACEND) were added to the curriculum requirements to the existing Option B. Nutrition Option. The Food and Nutrition major will prepare students to apply to a master's program that is accredited by ACEND.

**Learning Outcomes and Assessment Information**

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

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

Food and Nutrition Students will:

1. Recognize, identify and integrate basic food science concepts and terminology used by professionals in the nutrition, foodservice, culinary arts, and food science fields.
2. Plan, prepare, and serve aesthetically pleasing meals, within constraints of cost, time, and material, to meet the nutritional needs and preferences of individuals and groups of various ages and cultures.
3. Apply the management process to the production of meals.
4. Describe digestion, absorption, transport, function, metabolism, excretion, deficiency, toxicity, and assessment of nutritional status, as well as the latest RDA or AI for vitamins and minerals.
5. Describe the etiology, risk factors, medical treatment, and nutrition treatment of common conditions through the nutrition care process.
6. Use critical thinking to solve nutrition problems.
7. Develop food and nutrition education curriculums for specific populations.

Students who complete this degree will be eligible to apply for a graduate degree in an allied health profession or further their studies in food, nutrition, and dietetics to become a Registered Dietitian Nutritionist.

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

Faculty in food, nutrition, and dietetics will meet annually to assess student achievement of learning outcomes. Data will be collected by each faculty member based on who is the instructor of record. The data will be collected on one form and reviewed by the group.

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

Faculty in food, nutrition, and dietetics will meet annually to review curriculum. The results of the assessment findings will be used to identify opportunities for improvement in the curriculum. An action plan will be developed. Individual faculty will be responsible for implementing the plan, as it pertains to their courses. Documentation of assessment findings, proposed curriculum changes based on assessment findings, and action plan will be submitted to the site for university assessment of student learning.

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

1. Recognize, identify and integrate basic food science concepts and terminology used by professionals in the nutrition, foodservice, culinary arts, and food science fields. Assessment strategy: Recipe breakdown activities in FCS 270: Scientific Principles of Food Preparation
2. Plan, prepare, and serve aesthetically pleasing meals, within constraints of cost, time, and material, to meet the nutritional needs and preferences of individuals and groups of various ages and cultures. Assessment strategy: Theme meal project in FCS 385: Quantity Food Production and Equipment Lab
3. Apply the management process to the production of meals. Assessment strategy: Theme meal project in FCS 385: Quantity Food Production and Equipment Lab

<p>4. Describe digestion, absorption, transport, function, metabolism, excretion, deficiency, toxicity, and assessment of nutritional status, as well as the latest RDA or AI for vitamins and minerals. Assessment strategy: identified exam questions, as identified by the faculty, in FCS 361: Advanced Nutrition and Human Metabolism</p> <p>5. Describe the etiology, risk factors, medical treatment, and nutrition treatment of common conditions through the nutrition care process. Assessment strategy: Assessment strategy: Problem-based learning case studies in FCS 362: Introduction to Clinical Dietetics</p> <p>6. Use critical thinking to solve nutrition problems. Assessment strategy: Problem-based learning case studies in FCS 362: Introduction to Clinical Dietetics</p> <p>7. Develop food and nutrition education curriculums for specific populations. Assessment strategy: Nutrition Education Curriculum Project in FCS 492: Nutrition Education Through the Life Cycle</p>
<p>5. When will assessment activities occur and at what frequency?</p> <p>Assessment activities will occur throughout the semester in which the course is taught. The courses taught in the fall are: FCS 270, FCS 385, and FCS 361. The data will be reported at the end of the fall semester. The courses taught in the spring are: FCS 362 and FCS 492. The data will be reported at the end of the spring semester. Each outcome will be assessed annually in the beginning of the fall semester.</p>

**Distance Education Availability**

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

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

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

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

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

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

**Geographical Area Availability**

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

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

Moscow	x		
Coeur d'Alene			
Boise*			
Idaho Falls*			
Other**		Location(s):	

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

## Family and Consumer Sciences Undergraduate Curricular Requirements

Required course work includes the university requirements (see regulation J-3) and ~~one of the following options:~~

### ~~A. Coordinated Program in Dietetics~~

~~Upon acceptance to the professional phase of the CPD during the second semester of the sophomore year, students must maintain a cumulative grade point average of at least 2.80 to remain in and graduate from the program. Students must also obtain at least a B (80%) in all CPD courses required by the Accreditation Council for Education in Nutrition and Dietetics.~~

<del>ACCT 201</del>	<del>Introduction to Financial Accounting</del>	<del>3 cr</del>
<del>BIOL 120</del>	<del>Human Anatomy</del>	<del>4 cr</del>
<del>BIOL 121</del>	<del>Human Physiology</del>	<del>4 cr</del>
<del>BIOL 300</del>	<del>Survey of Biochemistry</del>	<del>3 cr</del>
<del>FCS 205</del>	<del>Concepts in Human Nutrition</del>	<del>3 cr</del>
<del>FCS 270</del>	<del>Scientific Principles of Food Preparation</del>	<del>3 cr</del>
<del>FCS 275</del>	<del>Experimental Foods</del>	<del>2 cr</del>
<del>FCS 301</del>	<del>Professional Skills in Dietetics I</del>	<del>1 cr</del>
<del>FCS 361</del>	<del>Advanced Nutrition</del>	<del>3 cr</del>
<del>FCS 362</del>	<del>Introduction to Clinical Dietetics</del>	<del>3 cr</del>
<del>FCS 363</del>	<del>Medical Nutrition Therapy</del>	<del>4 cr</del>
<del>FCS 364</del>	<del>Clinical Dietetics I</del>	<del>4 cr</del>
<del>FCS 365</del>	<del>Advanced Nutrition Lab</del>	<del>1 cr</del>
<del>FCS 384</del>	<del>Quantity Food Production and Equipment</del>	<del>3 cr</del>
<del>FCS 385</del>	<del>Intro Dietetics Supervised Practice I</del>	<del>2 cr</del>
<del>FCS 387</del>	<del>Food Systems Management</del>	<del>3 cr</del>
<del>FCS 388</del>	<del>Intro Dietetics Supervised Practice II</del>	<del>1 cr</del>
<del>FCS 411</del>	<del>Global Nutrition</del>	<del>3 cr</del>
<del>FCS 463</del>	<del>Helping Skills in Dietetics</del>	<del>2 cr</del>
<del>FCS 472</del>	<del>Clinical Dietetics II</del>	<del>8 cr</del>
<del>FCS 473</del>	<del>Community Nutrition</del>	<del>3 cr</del>
<del>FCS 486</del>	<del>Nutrition in the Life Cycle</del>	<del>3 cr</del>
<del>FCS 487</del>	<del>Community Nutrition Supervised Practice</del>	<del>4 cr</del>
<del>FCS 488</del>	<del>Management Supervised Practice II</del>	<del>8 cr</del>
<del>FCS 491</del>	<del>Research Methods in Food Nutrition</del>	<del>3 cr</del>
<del>FCS 492</del>	<del>Nutrition Education in the Life Cycle</del>	<del>3 cr</del>
<del>PSYC 101</del>	<del>Introduction to Psychology</del>	<del>3 cr</del>
<del>SOC 101</del>	<del>Introduction to Sociology</del>	<del>3 cr</del>
<del>STAT 251</del>	<del>Statistical Methods</del>	<del>3 cr</del>
<del>One of the following (4 cr):</del>		
<del>CHEM 101</del>	<del>Introduction to Chemistry I</del>	<del>4 cr</del>
<del>CHEM 111</del>	<del>Principles of Chemistry I</del>	<del>4 cr</del>
<del>One of the following (3 cr):</del>		
<del>CHEM 275</del>	<del>Carbon Compounds</del>	<del>3 cr</del>
<del>CHEM 277</del>	<del>Organic Chemistry I</del>	<del>3 cr</del>
<del>One of the following (3 cr):</del>		
<del>FCS 105</del>	<del>Individual and Family Development</del>	<del>3 cr</del>
<del>PSYC 305</del>	<del>Developmental Psychology</del>	<del>3 cr</del>
<del>One of the following (3-4 cr):</del>		

MATH 143	<del>Pre-calculus Algebra and Analytic Geometry</del>	<del>3 cr</del>
MATH 170	<del>Analytic Geometry and Calculus I</del>	<del>4 cr</del>
One of the following (4-5 cr):		
BIOL 154	<del>Introductory Microbiology</del>	<del>3 cr</del>
AND		
BIOL 155	<del>Introductory Microbiology Laboratory</del>	<del>1 cr</del>
-		
BIOL 250	<del>General Microbiology</del>	<del>3 cr</del>
AND		
BIOL 255	<del>General Microbiology Lab</del>	<del>2 cr</del>
Two credits selected from the following:		
FCS 305	<del>Nutrition Related to Fitness and Sport</del>	<del>2 cr</del>
FCS 435	<del>Feeding Young Children in Group Settings</del>	<del>1 cr</del>
FCS 462	<del>Eating Disorders</del>	<del>2 cr</del>
FCS 475	<del>Food Preservation</del>	<del>1 cr</del>
FCS 484	<del>Vegetarian Food and Nutrition</del>	<del>3 cr</del>
<b>Courses to total 128 credits for this degree</b>		

#### ~~B. Nutrition Option~~

This ~~option~~ major prepares students for careers with government agencies, commodity groups, health and fitness agencies and businesses, and some components of the food industry. In addition, the course work ~~would~~ provides excellent background for those wishing to pursue advanced degrees in medicine or nutrition or dietetics. Students wishing to become a Registered Dietitian Nutritionist will be prepared to apply to an accredited master's program in nutrition and dietetics.

<u>ACCT 201</u>	<u>Introduction to Financial Accounting</u>	<u>3 cr</u>
BIOL 120	Human Anatomy	4 cr
BIOL 121	Human Physiology	4 cr
BIOL 300	Survey of Biochemistry	3 cr
FCS 205	Concepts in Human Nutrition	3 cr
FCS 270	Scientific Principles of Food Preparation	3 cr
FCS 275	Experimental Foods	2 cr
<del>FCS 305</del>	<del>Nutrition Related to Fitness and Sport</del>	<del>2 cr</del>
FCS 361	Advanced Nutrition	3 cr
<u>FCS 362</u>	<u>Introduction to Clinical Nutrition</u>	<u>3 cr</u>
<u>FCS 384</u>	<u>Quantity Food Production and Equipment</u>	<u>3 cr</u>
<u>FCS 385</u>	<u>Quantity Food Production and Equipment Lab</u>	<u>2 cr</u>
<u>FCS 387</u>	<u>Food Systems Management</u>	<u>3 cr</u>
<u>FCS 389</u>	<u>Introduction to Clinical Nutrition Lab</u>	<u>1 cr</u>
<u>FCS 411</u>	<u>Global Nutrition</u>	<u>3 cr</u>
<u>FCS 463</u>	<u>Helping Skills in Dietetics</u>	<u>2 cr</u>
<u>FCS 473</u>	<u>Community Nutrition</u>	<u>3 cr</u>
FCS 486	Nutrition in the Life Cycle	3 cr
FCS 492	Nutrition Education in the Life Cycle	3 cr
<del>STAT 251</del>	<del>Statistical Methods</del>	<del>3 cr</del>
FCS	FCS Electives	<u>8</u> <del>12</del> cr
<u>PSYC 101</u>	<u>Introduction to Psychology</u>	<u>3 cr</u>

<u>SOC 101</u>	<u>Introduction to Sociology</u>	<u>3 cr</u>
<u>STAT 251</u>	<u>Statistical Methods</u>	<u>3 cr</u>

**One of the following (3 cr):**

CHEM 101	Introduction to Chemistry I	4 cr
CHEM 111	Principles of Chemistry I	4 cr

**One of the following (3 cr):**

CHEM 275	Carbon Compounds	3 cr
CHEM 277	Organic Chemistry I	3 cr

**One of the following (3 cr):**

FCS 105	Individual and Family Development	3 cr
PSYC 305	Developmental Psychology	3 cr

**One of the following (3-4 cr):**

MATH 143	Pre-calculus Algebra and Analytic Geometry	3 cr
MATH 170	Analytic Geometry and Calculus I	4 cr

**One of the following (4-5 cr):**

BIOL 154	Introductory Microbiology	3 cr
	AND	
BIOL 155	Introductory Microbiology Laboratory	1 cr
BIOL 250	General Microbiology	3 cr
	AND	
BIOL 255	General Microbiology Lab	2 cr

**Courses to total 120 credits for this degree**

# University of Idaho

## 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]

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

Minor Amendment

**Chapter & Title:** \_\_\_\_\_

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

Minor Amendment

**Chapter & Title:** APM 95.21 – University Closures

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):**

(Please see FSH 1460 C)

**Telephone & Email:**

Matt Dorschel/Mary George 8/18/17

Name Date

[mdorschel@uidaho.edu](mailto:mdorschel@uidaho.edu) 5-7209

[maryg@uidaho.edu](mailto:maryg@uidaho.edu) 5-5222

**Policy Sponsor:** (If different than originator.)

**Telephone & Email:**

Dan Ewart 8/18/17

Name Date

[dewart@uidaho.edu](mailto:dewart@uidaho.edu) 5-2271

**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.**

*Updated university closure policies and consolidated or removed extraneous informational items on the current policy.*

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

*No fiscal impact is anticipated.*

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

*FSH 4610 D.; FSH 3470; APM 40.28 (Doesn't specifically address closures, but maybe should?)*

**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]

APM

F&A Appr.: \_\_\_\_\_  
[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)

## 95.21 -- University Closures

Rewrote in August 2017 ~~March 14, 2016~~

~~General~~**General**. In the event of a reported emergency or a weather-related emergency, or if an emergency situation appears imminent, the Executive Director of Public Safety & Security, or designee (~~Safety~~), may make a recommendation to the President, or designated senior officer, for taking the appropriate action (~~President~~). The action could include the cancellation of classes and/or the closure of a ~~University~~ **university** ~~facility~~. This policy covers all facilities, sites, ~~and~~ campuses located around the State ~~that are occupied, or used by, University of Idaho (UI) employees; However, see below BC 12 (d) 1. for exceptions of specific shared facilities. [rev. 10-13, 3-16]~~

### A. Definitions

**A-1. Essential Personnel.** ~~Essential p~~Personnel is defined as ~~UI~~ **UI** employees **designated** by department ~~unit administrators~~ ~~heads~~ to be critical to the continuation of key operations and services in the event of a suspension of operations.

### A-2 Consideration of Conditions:

A decision to close a ~~U~~university facility may be based on any, or all, of the following ~~consideration of~~ conditions:

- a. ~~Weather information gathered from official weather reports and forecasts. In most cases, university facilities will not close for winter conditions unless there is a severe weather event or hazardous conditions. [ed. 3-16]~~
- b. ~~Decisions from city, county, regional, and state agencies.~~
- c. ~~Local police and county sheriff's departments surrounding the affected campuses and facilities.~~
- d. ~~Consultation with UI Public Safety and Security (PSS) and Facilities Services.~~

**B. Definitions.** NOAA's National Weather Service urges individuals to keep abreast of local forecasts and warnings and familiarize themselves with key weather terminology. ~~[B add. 10-13]~~

**B-1. Blizzard Warning:** Issued for sustained or gusty winds of 35 mph or more, and falling or blowing snow creating visibilities at or below ¼ mile; these conditions should persist for at least three hours.

**B-2. Blowing Snow:** Wind driven snow that reduces visibility and causes significant drifting. Blowing snow may be snow that is falling and/or loose snow on the ground picked up by the wind.

**B-3. Dense Fog Advisory:** Issued when fog will reduce visibility to ¼ mile or less over a widespread area.

**B-4. Freezing Rain:** Rain that falls onto a surface with a temperature below freezing. This causes it to freeze to surfaces, such as trees, cars, and roads, forming a coating or glaze of ice. Even small accumulations of ice can cause a significant hazard.

**B-5. Sleet:** Rain drops that freeze into ice pellets before reaching the ground. Sleet usually bounces when hitting a surface and does not stick to objects. However, it can accumulate like snow and cause a hazard to motorists.

**B-6. Snow Flurries:** Light snow falling for short durations. No accumulation or light dusting is all that is expected.

**B-7. Snow Showers:** Snow falling at varying intensities for brief periods of time. Some accumulation is possible.

**B-8. Snow Squalls:** Brief, intense snow showers accompanied by strong, gusty winds. Accumulation may be significant.

**B-9. University Facility:** Includes all facilities, sites, or campuses located around the State that are occupied or used by University of Idaho employees. ~~[add. 3-16]~~

**B-10. Wind Chill Advisory:** Issued when wind chill temperatures are expected to be a significant inconvenience to life with prolonged exposure, and, if caution is not exercised, could lead to hazardous exposure. ~~[ron. 3-16]~~

**B-11. Wind Chill Warning:** Issued when wind chill temperatures are expected to be hazardous to life within several minutes of exposure. ~~[ron. 3-16]~~

**B-12. Winter Storm Outlook:** Issued prior to a Winter Storm Watch. The Outlook is given when forecasters believe winter storm conditions are possible and are usually issued 3 to 5 days in advance of a winter storm. *[rev. 3-16]*

**B-13. Winter Storm Warning:** Issued when hazardous winter weather in the form of heavy snow, heavy freezing rain, or heavy sleet is imminent or occurring. Winter Storm Warnings are usually issued 12 to 24 hours before the event is expected to begin. *[rev. 3-16]*

**B-14. Winter Storm Watch:** Alerts the public to the possibility of a blizzard, heavy snow, heavy freezing rain, or heavy sleet. Winter Storm Watches are usually issued 12 to 48 hours before the beginning of a Winter Storm. *[rev. 3-16]*

**B-15. Winter Weather Advisories:** Issued for accumulations of snow, freezing rain, freezing drizzle, and sleet which will cause significant inconveniences and, if caution is not exercised, could lead to life-threatening situations. *[rev. 3-16]*

## **BC. Policy Procedures.** *[rev. 10-13]*

### **B-1. Consideration of Conditions:** *[add. 10-13]*

A decision to close a University Facility may be based on any or all of the following: weather information gathered from the NWS Weekly Briefings, including official weather reports and forecasts decisions from city, county, regional, and state agencies local Police and County Sheriff's Departments surrounding the affected campuses and facilities consultation with the Office of Public Safety and Security (OPSS) and Facilities Services.

In most cases, university facilities will not close for winter conditions unless there is a Level 1 emergency. *[ed. 3-16]*

(b) Below are the winter weather conditions classified by Safety based on NOAA's National Weather Service: *[ed. 3-16]*

(i) Level 3 – Winter Storm Watch. Alerts the public to the possibility of a blizzard, heavy snow, heavy freezing rain, or heavy sleet. Winter Storm Watches are usually issued 12 to 48 hours before the beginning of a Winter Storm.

(ii) Level 2 – Winter Storm Warning. Issued when hazardous winter weather in the form of heavy snow, heavy freezing rain, or heavy sleet is imminent or occurring. Winter Storm Warnings are usually issued 12 to 24 hours before the event is expected to begin.

(iii) Level 1 – Winter Storm Advisory. Issued for accumulations of snow, freezing rain, freezing drizzle, and sleet which will cause significant inconveniences and, if caution is not exercised, could lead to life-threatening situations.

(c) If a level 1 emergency is not declared, additional factors that will enter into the decision to close a University Facility are: hazardous road conditions; the presence of ice, snow, or both; amount of wind; presence of daylight; the weather forecast; severe cold; and consultation with Facilities Services and OPSS. *[ed. 3-16]*

### **BC-21. Cancellations and Closures:**

(a) Authority. When conditions necessitate, a uUniversity fFacility may be ordered closed or its~~their~~ opening may be delayed for a period of time. The decision to close or delay opening a uUniversity fFacility is at the discretion of the President, or designee. In the event of a uUniversity closure, only designated essential personnel will be allowed to remain on campus, or occupy a closed university facility. see exceptions below in (ed). *[rev. 3-16]*

(i) In the event the President is not available to make a decision regarding closure, the authority lies with the Vice President for Infrastructure. *[ed. 12-10, 3-16]*

(ii) In the event neither the President nor the Vice President for Infrastructure is available to make a decision regarding closure, the authority lies with the Provost & Executive Vice President. *[ed. 12-10, rev. 3-16]*

**B-1. (b) Supervisor Jurisdiction.** Individual units do not have independent authority to make decisions concerning University fFacility closures, postponements, and/or cancellations; however, supervisors do have the authority to approve requests from employees who wish early release from work due to severe weather conditions. (See FSH 3470) ~~[ed. 10-13, rev. & ed. 3-16]~~

**B-2. (e) Administrative Leave with Pay.** When the President, or designee, makes a decision to close, cancel classes, or postpone opening any university fFacility, administrative leave for the affected employees may be authorized to use Administrative Leave with pay (see FSH 3710) will be determined pursuant to FSH 3470 and 3710 as applicable. ~~[rev. & ed. 3-16]~~

**B-3. (d) Locations other than Moscow.** The location executive officer, director, or manager, or designee, will make a recommendation, to the President, or designee, to close the facility(s) ~~they oversee to the President~~. After approval, the executive officer, director, manager, or designee, will contact OPSS Safety and provides the following information on the nature of the event, affected locations, recommended actions (closure, delayed opening), duration of action, and any other relevant details. ~~;~~ ~~[rev. & rev. 3-16]~~

Nature of the event

Affected locations

Actions recommended (closed, delayed)

Length of action (when the University is expected to return to normal operations)

Other relevant details

**1. Exceptions:**

a. ~~\_\_\_\_\_~~ i) **Coeur d'Alene (CDA) Campus.** ~~Due to shared facilities,~~ University of Idaho CDA ~~facilities/classrooms~~ may be closed due to a North Idaho College (NIC) closure. In the event of a NIC closure, the CDA ~~e~~Executive ~~o~~fficer, or designee, will notify the President, or designee, and OPSS Safety.

a. ~~\_\_\_\_\_~~ ii) **Idaho Falls (IF) Campus.** ~~University of Idaho~~ ~~Due to shared facilities, the IF Idaho Falls facilities~~ Executive Officer (or Associate Registrar in the absence of the Executive Officer ~~may be closed due to an ISU-Idaho Falls (ISU) closure.~~) ~~will consult with the Vice Provost for ISU-Idaho Falls.~~ In the event of an ISU-Idaho Falls closure, the Idaho Falls ~~e~~Executive officer, or designee, will notify the President, or designee, and OPSS Safety.

b-c. **Co-Located UI Offices.** ~~University of Idaho offices co-located with federal, state, or county offices may be closed due to a building closure. In the event of a closure, the UI executive officer at the co-located facility, or designee, will notify the President, or designee, and PSS.~~

**C-2. Consideration of Conditions:** ~~[add. 10-13]~~

(a) ~~The Director, Emergency Management & Security Systems, or designee (Emergency Management), participates in the National Weather Service (NWS) Spokane Weekly Weather Briefing. If significant weather is forecast, then additional briefings may be scheduled by the NWS. The NWS office in Spokane serves Latah County and seven others in North Idaho. Emergency Management works closely with Latah County Disaster Services, the Idaho State Bureau of Homeland Security Field Representative for Latah County, Whitman County, Washington and Washington State University.~~ ~~[rev. 3-16]~~

(b) ~~A decision to close a University Facility may be based on weather information gathered from the NWS Weekly Briefings including official weather reports and forecasts and decisions from county, regional, and state agencies, the North Latah County Highway District, Moscow Police and Latah County Sheriff's Departments surrounding the main campus, the City of Moscow, and consultation with Safety, and Facilities Services. In most cases, the University Facility will not close for winter conditions unless there is a Level 1 emergency.~~ ~~[ed. 3-16]~~

(c) ~~Below are the winter weather conditions classified by Safety based on NOAA's National Weather Service:~~ ~~[ed. 3-16]~~

~~(i) Level 3 – Winter Storm Watch.~~ Alerts the public to the possibility of a blizzard, heavy snow, heavy freezing rain, or heavy sleet. Winter Storm Watches are usually issued 12 to 48 hours before the beginning of a Winter Storm.

~~(ii) Level 2 – Winter Storm Warning.~~ Issued when hazardous winter weather in the form of heavy snow, heavy freezing rain, or heavy sleet is imminent or occurring. Winter Storm Warnings are usually issued 12 to 24 hours before the event is expected to begin.

~~(iii) Level 1 – Winter Storm Advisory.~~ Issued for accumulations of snow, freezing rain, freezing drizzle, and sleet which will cause significant inconveniences and, if caution is not exercised, could lead to life-threatening situations.

~~(d) If a level 1 emergency is not declared, additional factors that will enter into the decision to close a University Facility are: hazardous road conditions; the presence of ice, snow, or both; amount of wind; presence of daylight; the weather forecast; severe cold; and, consultation with Facilities Services and Safety. [ed. 3-16]~~

**BC-34. Alerts and Notifications:** ~~[add. 10-13]~~

~~(a) In the event of severe weather, the President's decision to close any University Facility, faculty, staff, and students will be notified of the closure by email, phone, and/or text message sent to subscribers of the uUniversity's Vandal Alert (emergency alert system,  ), and a Additional information related to the emergency and facility closure updates and contact information will be posted on the uUniversity's University home page. (<http://www.uidaho.edu/>), website <http://www.uidaho.edu/>. The status will also be included on the University Emergency Updates line 208-885-1010. [ed. 3-16]~~

~~(b) Safety will notify University Communications & Marketing (Communications) no later than 5:30 a.m. MST. This triggers Communications protocols to notify media outlets, send email, and post web announcements and text messages by 6:30 a.m. on the day of closing. In the event of an evening closure, Communications will attempt to notify the campus and the media by 4:00 p.m. [rev. 3-16]~~

~~(bc) All university community members are encouraged to call the University Emergency Updates line 208-885-1010 to confirm whether the University Facility is closed or open. Employees and students should verify media announcements by consulting multiple official sources. [ed. 3-16]~~

~~(cd) If the University Facility is open but an individual faculty member cancels class, the faculty member will make a reasonable effort to notify students enrolled in the class. All departments are encouraged to create and follow their own telephone contact trees in the event of a cancellation or closure. [ed. 3-16]~~

~~C. Essential Personnel. Essential Personnel is defined as UI employees designated by department heads to be critical to the continuation of key operations and services in the event of a suspension of operations. In the event of a University closure, only designated essential personnel will be allowed to remain on campus or occupy a university facility. Essential personnel will be identified by their department or college and a list of names and positions will be submitted to Human Resources. All University departments/units will maintain an updated list of designated essential personnel.~~

~~D. Contact Information:~~

~~The Office of Public Safety and Security  
875 Perimeter Drive, MS 2285  
Moscow, ID 83844-2285  
208-885-2254  
Fax: 208-885-7001~~

## 95.21 -- University Closures

Rewrote in October 2017

**General.** In the event of a reported emergency or a weather-related emergency, or if an emergency situation appears imminent, the Executive Director of Public Safety & Security, or designee, may make a recommendation to the President, or designated senior officer, for taking the appropriate action. The action could include the cancellation of classes and/or the closure of a university facility. This policy covers all facilities, sites, and campuses located around the State occupied, or used by, University of Idaho (UI) employees.

### A. Definitions

**A-1. Essential Personnel.** Essential personnel is defined as UI employees **designated** by unit administrators to be critical to the continuation of key operations and services in the event of a suspension of operations.

**A-2 Consideration of Conditions:**

A decision to close a university facility may be based on any, or all, of the following conditions:

- a. Weather information gathered from official weather reports and forecasts. In most cases, university facilities will not close for winter conditions unless there is a severe weather event or hazardous conditions.
- b. Decisions from city, county, regional, and state agencies.
- c. Local police and county sheriff's departments surrounding the affected campuses and facilities.
- d. Consultation with UI Public Safety and Security (PSS) and Facilities Services.

**B. Policy.** When conditions necessitate, a university facility may be closed or its opening delayed. The decision to close or delay opening a university facility is at the discretion of the President, or designee. In the event of a university closure, only designated essential personnel will be allowed to remain on campus, or occupy a closed university facility.

**B-1. Supervisor Jurisdiction.** Individual units do not have independent authority to make decisions concerning university facility closures, postponements, and/or cancellations; however, supervisors do have the authority to approve requests from employees who wish early release from work due to severe weather conditions. (See [FSH 3470](#))

**B-2. Administrative Leave with Pay.** When the President, or designee, makes a decision to close, cancel classes, or postpone opening any university facility, administrative leave for the affected employees will be determined pursuant to [FSH 3470](#) and [3710](#) as applicable.

**B-3. Locations other than Moscow.** The location executive officer, or designee, will make a recommendation, to the President, or designee, to close the facility(s). After approval, the executive officer, or designee, will contact PSS and provide information on the nature of the event, affected locations, recommended actions (closure, delayed opening), duration of action, and any other relevant details.

### Exceptions:

- a. **Coeur d'Alene (CDA) Campus.** University of Idaho CDA facilities may be closed due to a North Idaho College (NIC) closure. In the event of a NIC closure, the CDA executive officer, or designee, will notify the President, or designee, and PSS.
- b. **Idaho Falls (IF) Campus.** University of IF facilities may be closed due to an ISU-Idaho Falls (ISU) closure. In the event of an ISU closure, the Idaho Falls executive officer, or designee, will notify the President, or designee, and PSS.
- c. **Co-Located UI Offices.** University of Idaho offices co-located with federal, state, or county offices may be closed due to a building closure. In the event of a closure, the UI executive officer at the co-located facility, or designee, will notify the President, or designee, and PSS.

**B-4. Alerts and Notifications:** In the event of a decision to close any university facility, faculty, staff, and students will be notified of the closure by the university's emergency alert system. Additional information related to the emergency and facility closure updates, and contact information, will be posted on the university's home page. (<http://www.uidaho.edu/>).

# University of Idaho

## 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]

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
Minor Amendment

**Chapter & Title:** APM 35.91 Bomb Threat Procedures

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** Matt Dorschel, Mary George 8/30/17

(Please see FSH 1460 C)

Name Date

**Telephone & Email:**

5-7209 mdorschel@uidaho.edu

5-5222 maryg@uidaho.edu

**Policy Sponsor:** (If different than originator.)

Dan Ewart 8/30/17

Name Date

**Telephone & Email:**

5-2271 dewart@uidaho.edu

**Reviewed by General Counsel** \_\_\_Yes \_\_\_X\_\_\_No Name & Date:

(Mary spoke briefly about this deletion w/ Kent Nelson on 8/23/17, who indicated that he agreed with us that bomb-threat procedures should not be in the APM, but Kent has not reviewed this specific policy section or vetted this request for this APM section deletion.)

*This request has been vetted by Matt Dorschel, Executive Director Public Safety and Security and Dan Ewart, Vice President for Infrastructure.*

**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.

*APM 35.91 describes bomb threat procedures in the case of an incident. There is no "policy" language in this section. The procedures are covered on Public Safety's website, which come up when the term "bomb threat" is entered into the university's search engine. We believe these should not be in the APM.*

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

*There is no fiscal impact apparent with this change.*

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

*We could find no other policies related to this one. When the term "bomb threat" is entered into the university's search engine, the following web site comes up. "In Case of Emergency" <https://www.uidaho.edu/infrastructure/pss/emergency-management/in-case-of-emergency>. We feel this is a more appropriate place to keep emergency procedure information.*

**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. \_\_\_\_\_

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]

## **35.91 -- Bomb Threat Procedures**

Last updated August 18, 2005

**A. General.** Bomb threats usually occur by telephone. Be prepared. Obtain and review the Bomb Threat Checklist. Keep this checklist near or under the phone, where it can be quickly located. Copies of this checklist can be obtained from the Administrative Affairs Office (208) 885-7177.

**B. Process.** An employee receiving a bomb threat informs the police. The police inform university personnel who determine the appropriate response. Representatives from Facilities Management, Administrative Affairs and Environmental Health and Safety, and the administrator of the department occupying the threatened area participate in development of the response.

**C. Procedure.** If you receive a bomb threat, remain calm and do the following.

**C-1. Check the exact time.**

**C-2. Listen carefully to the caller's voice.**

**C-3. Write down the caller's exact words.**

**C-4. Use the Bomb Threat Checklist.**

**C-5. Ask questions, particularly about:**

- i) location of device,
- ii) time of detonation, and
- iii) type of device.

**C-6. Listen for background noises.**

**C-7. Note the time the caller hangs up.**

**C-8. Hang up the phone.** Immediately, before the next call comes in:

- i) Pick up the phone and dial \*57.
- ii) Listen and write down what the recorded message says.
- iii) Hang up and pick up the phone and dial \*69.
- iv) Listen and write down what the recorded message says.

**C-9. Call the Police Department (9-911) and report:**

- i) Your name.
- ii) Location and telephone number you are calling from.
- iii) The situation (the fact that you have received a bomb threat).
- iv) Location of the device, if known.
- v) Time it is set to detonate, if known.

~~vi) Type of device, if known.~~

~~vii) Exact time you received the call.~~

~~viii) The information received after you dialed \*57 and \*69.~~

~~ix) Any other information on the Bomb Threat Checklist.~~

~~C-10. Contact the Administrative Affairs Office at (208) 885-7177 or the Environmental Health and Safety Office at (208) 885-6524. C-11. Inform your supervisor. C-12. Take further action as instructed.~~

~~D. Information. For further information, please contact the Administrative Affairs Office at (208) 885-7177, [admaff@uidaho.edu](mailto:admaff@uidaho.edu).~~

## POLICY COVER SHEET

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

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
Minor Amendment   
**Chapter & Title:** \_\_\_\_\_

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
Minor Amendment   
**Chapter & Title:** APM 45.01 – Animal Care and Use

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

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

**Originator(s):** \_\_\_\_\_ Audrey Harris \_\_\_\_\_ 01/02/2018  
(Please see FSH 1460 C) Name Date  
**Telephone & Email:** \_\_\_\_\_ 208-885-4054 ajharris@uidaho.edu

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_ Janet E. Nelson \_\_\_\_\_ 01/03/2018  
Name Date  
**Telephone & Email:** \_\_\_\_\_ 208-885-6689 janetenelson@uidaho.edu

**Reviewed by General Counsel**  Yes  No Name & Date: Casey Inge 01/02/2018

**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.  
Revisions have been made to clarify how the University defines “personnel”, as well as changes to the occupational health program; additionally, removal of the Caine Center exemption, and inclusion of an exemption for general veterinary care and treatment. These changes have been made to be in accordance with the *Public Health Service Policy on the Humane Care and Use of Laboratory Animals*, which the University maintains an Assurance with. By following this policy, we are able to attain grant funding from DHHS, NIH, and NSF to work with animals.

**II. Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?  
The revision allows us to maintain our DHHS, NIH, and NSF grant funding for working with animals. The surveillance cost is ~\$35/person, and currently there are under 50 people that need surveillance (~\$1750). The cost associated with surveillance is born at the departmental level.

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

**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.

**We need this policy to be effective no later than 1/31/18, as our PHS Assurance Conditional Approval ends on 1/31/18 and the University needs to address these issues to maintain the Assurance.**

If not a minor amendment forward to: \_\_\_\_\_

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

*APM*

F&A Appr.: \_\_\_\_\_  
[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)

## Chapter 45.01 -- Animal Care and Use

~~January 7~~ ~~January XX, 2018~~

*Preamble: This policy sets forth the policy and procedures for the University of Idaho to ensure compliance with federal and state laws, statutes and regulations regarding the care and use of animals in research, teaching, demonstrations, and testing.*

### Contents:

- A. Definitions
- B. Authority
- C. Components
- D. Animal Procurement and Care
- E. Occupational Health
- F. Exceptions
- G. Contact Information

### A. Definitions.

**A-1. Animal.** An animal is any vertebrate creature.

**A-2. Animal Activity.** Animal activity means teaching, research, demonstration or testing procedures using live or dead animals that are performed on University owned property or engaged in by University personnel. University Owned Property excludes land and facilities leased to third parties for commercial enterprise purposes.

**A-3. Personnel.** Personnel includes all University employees, students, and volunteers working on University sanctioned activities [\(see E-2 and E-3\)](#).

### B. Authority.

**B-1.** The University maintains policies and procedures to ensure compliance with the Animal Welfare Act (Title 7 CFR, Chapter 54), the Health Research Extension Act of 1985 (Public Law 99-158), the U.S. Government Principles for the Utilization and Care of Vertebrate Animals in Testing, Research and Training, [the Public Health Service Policy on Humane Care and Use of Laboratory Animals](#), and Title 25 (Animals) of the Idaho Statutes.

**B-2.** All personnel engaged in animal activities must comply with this policy.

### C. Components.

#### C-1. Institutional Official.

- a. The Institutional Official is appointed in writing by the President. The Institutional Official is authorized on behalf of the President to ensure

that all programmatic and regulatory requirements of animal activities are met.

**C-2. Institutional Animal Care and Use Committee** (see FSH 1640.12).

a. The University's institutional Animal Care and Use Committee (IACUC) is granted all rights and responsibilities as defined under federal, state and local law by the President.

b. The IACUC's responsibilities include, but are not limited to:

(1) Reviewing, at least once every six months, the University's program for the humane care and use of animals and the status of the institution's animal facilities, including satellite facilities, laboratories and areas where survival surgery is conducted.

(2) Reviewing and approving, requiring modifications to secure approval, or withholding approval of animal activities.

(3) Development of procedures and guidelines based on Federal, State, and University policies.

(4) Investigating reported concerns regarding the care and use of animals within the University.

(5) Advising the Institutional Official regarding all aspects of the University of Idaho animal care and use program.

c. Only procedures reviewed and approved by the IACUC may be conducted. IACUC approved activities may be subject to further review and approval by university officials; however, those officials may not approve any animal activity if it has not been approved by the IACUC.

**C-3. Attending Veterinarian**

a. The Attending Veterinarian (AV) has direct or delegated authority for animal activities in the University. The AV is responsible for oversight of animal disease control and prevention, euthanasia, the appropriate use of pain relieving drugs, and other aspects of veterinary care.

b. The AV is an ex officio member of the IACUC.

c. The AV has appropriate authority to ensure the provision of adequate veterinary care and oversee the adequacy of other aspects of animal care and use.

**D. Animal Procurement, Care and Disposition.**

**D-1. Procurement**

a. Animals may not be procured for, or transferred to, personnel who do not have IACUC approval.

b. Animal procurement and disposition must be in accordance with Purchasing Services (APM 60.44) and IACUC policies and procedures.

## **D-2. Housing, Care and Disposition.**

a. The housing and care of animals must be in accordance with IACUC policies and procedures.

b. Animals must be disposed in accordance with federal, state and IACUC policies and procedures.

## **E. Occupational Health**

**E-1.** The University Animal Care and Use Occupational Health Program An occupational health and safety program is provided through the Safety Office, in coordination with the Office of Research Assurances. The program consists of three elements: 1) submission of a completed consent form 2) submission of a completed medical history screening form and satisfaction of any other requirements of a University approved medical professional, and 3) completion of training deemed appropriate for the risks to which individuals may be exposed as part of their animal work, which will include, at a minimum provision of information about zoonotic diseases, physical hazards, and other hazards associated with an individual's animal care responsibilities.

**E-2.** Paid personnel participating in animal activities may not be denied participation in the occupational health and safety program. For purposes of compliance with applicable federal law and University's Public Health Service-approved assurance, the University considers the following to be personnel who must participate in all three of the above-described elements of the University Animal Care and Use Occupational Health Program:

a. All University employees or individuals (including faculty, staff, and students) who are listed as internal personnel on active IACUC protocols and who come into contact with live or dead animals, animal tissues, or animal excrement as a result of their normal duties.

b. Animal facility staff who come into contact with live or dead animals, animal tissues, or animal excrement as a result of their normal duties, even if not listed on an active IACUC protocol.

**E-3.** The University considers the following categories to be individuals who must participate in the training element of the University Animal Care and Use Occupational Health Program, but may choose to voluntarily participate in the other elements of the program:

a. Students enrolled in courses with animal exposure, volunteers, and other individuals not described in section E-2 who have significant animal contact for their University related duties (e.g. facilities personnel working in animal facilities and contractors with long term projects remodeling

animal facilities). As necessary, these individuals are provided appropriate personal protective equipment, such as equipment provided to those individuals described in E-3 to mitigate risks associated with their animal work.

b. Individuals listed on active University IACUC protocols, who are neither University employees nor individuals listed as internal personnel on a University IACUC protocol. Such individuals may provide documentation, or allow the IACUC office to request documentation of, participation in their home institution's occupational health program and its provision of appropriate training, in satisfaction of the requirements under this section. If no such program exists, or no documentation is available, such individuals are treated as described in E-3.a.

## **F. Exceptions**

### **F-1. ~~Veterinary Care Teaching Curriculum.~~**

a. Standard veterinary care performed by the campus veterinarian or another veterinarian listed on an approved IACUC protocol does not constitute teaching, research, demonstration or testing procedures. These activities are part of the veterinary care program, and as such not regulated by this policy.

~~Veterinary medical care provided by veterinarians and veterinary staff and students under veterinary supervision at the Caine Veterinary Teaching Center to client-owned animals is not regulated by this policy.~~

### **F-2. Authority to Grant Exceptions.**

a. Exceptions to this policy may only be granted by the Institutional Official for Animal Care and Use.

**G. Contact Information.** For further information regarding implementation of this policy see the Institutional Animal Care and Use Committee website or contact the committee ([IACUC@uidaho.edu](mailto:IACUC@uidaho.edu) or +208-885-8958/7258).

**Senate Retreat 8/15/17 Topics List**  
**Update to Senate January 2018**

**Academic Initiatives – Cher Hendricks: - not policy, administrative - presentation on Oct. 17<sup>th</sup>**

- Revisit rubric for credit hours considering online vs. face-to-face:
  - Awareness of/clarification
  - Seat time
  - Workload
  - Rigor to credit hours for online
  - Support/resources for online content (DEE)
- Help facilitate new Distance Education opportunities for all colleges.

**Cher Hendricks, Bob Hails to be invited back to Senate for update.**

**Centers and Off-Site**

- Stronger representation and voice of Centers – **meeting with Provost**
  - Award funding for 5 travel opportunities, VP at Center to decide
  - Suggest President devote/focus Leadership Breakfast to off-sites
  - Boise feedback there is unrealized marketing opportunities, explore further
  - Policy Group is exploring tuition issues and reciprocity with other Idaho institutes with support from VP Foisy.
- Opportunities of offsite faculty, staff, students. **Senate/staff leadership will be participating in the Extension Conference.**

**Classroom Spaces and hoarding/fractional sharing.** Senate Leadership (SL) met fall semester with Dan Ewart, Brian Johnson, and Heather Chermak. Reviewed current committee structures and functions. A first draft attempt of several committees has been prepared (Space Advisory Council, Campus Planning, Classroom Committee, Classroom Improvement Work Group and Multi-use Scheduling Policy Committee) and will be discussed in the near future. Brian Foisy has replaced Dan Ewart due to the recent restructuring changes, a meeting is scheduled Feb. 27<sup>th</sup> to continue this discussion.

**Communication:** Great Colleges to work for survey listed this as an issue.

- Consider alternative approaches for communication (Facebook, group chats, or other to reach more) and to emails for internal communications.→ **The weekly Talking Points have been well received, although they are not being circulated broadly in some colleges; barriers preventing their circulation must be eliminated.**
- Emphasize representative role of senators. **emphasized many times by chair**
- Provost will ask deans/VPs to support senators by arranging for some communication tool by which you will be able to send to your college and/or constituent body. **Have senators received support from their college/VP units?**

**Disability Advocacy:** not just compliance, money, place in administration, committee? **Sent to Ubuntu, no feedback yet.**

**Employment-related issues: - not policy issue, training and implementation.** The Provost has formed a task group to develop a Cascaded Strategic Plan to address workplace issues that have surfaced in the Great College's Survey. That group is meeting and the plan will be forthcoming.

- help people integrate well to the university/community; improve quality of life – **steps have been taken, new employee orientation has returned to live in person sessions**
- spousal accommodation (HR efforts have not been helpful) – **administrative issue**
- improve work/life balance, e.g., exercise release time and better communication of wellness opportunities. **Great College's Survey Group.**
- Quantify and make visible the unnecessary obstruction, bureaucracy → shadow work **Efforts of Provost & Faculty Secretary Office to streamline processes, online forms.**
- Culture of – yes-we-can, yes-you-may, respect and collaboration. **Great College's Survey Group.**

**International Students:** What is/will be done to help transition International students to be successful at the UI? **NAVITAS is a resource. IPO presented to Senate on Sept. 12.**

**Enrollment:** What are the University's plans if enrollment targets are met? How are resources, support, rooms, etc. to be distributed. **Enrollment is down.**

**Faculty Issues:**

- Administration's position on tenure (in light of forces in some states wishing to remove tenure system, e.g., Wisconsin) **No action, not a policy issue.**
- Conceal/open carry weapons law – provide support for the anxiety, concerns, fear that some employees feel. **Matt Dorschel updated Senate on what is going on in this realm and on training and safety initiatives. Sent to Rich Seamon, Chair of Safety Committee to consider.**
- Alternative career path – teaching or research. Development of three-tier instructional career path with long-term contracts (non-tenurable). **Senate Leadership has asked FAC to consider forming a taskforce with appropriate representation from those most affected e.g. clinical, instructor, research faculty to look at the many issues that have arisen.**
- Availability of start-ups for social sciences and humanities – **No action, not a policy issue. VP Foisy will be leading a broader discussion how we will be funding units and central services in the future.**
- Strategies to improve and facilitate faculty interdisciplinary collaboration - **Great colleges to work for Cascaded work group might have some suggestions.**
- Digital Measures (DM) vs. Alternatives, Academic Analytics (AA). **Workgroup formed to do a needs analysis and examine available products, to make a recommendation to the provost.**
- New faculty evaluation form revisit/discussion, evaluation form relationship to FSH (policy). **FAC is considering small changes to the form and will update the PD and AE policies to conform.**

**Program Prioritization:**

- Concerns about results of PP ranking and what will be done with those rankings.
- Fallout, lower quintile targets of opportunity? Either a plan or an OK.

**Provost addressed 9/20/17 University Faculty Meeting → fulfilment of cascaded plans likely important. Units are encouraged to be forward-looking, and to strive to be as valuable as possible. If a unit is not strong, it will show in PP ranking. To improve, it might be necessary to raise standards & formulate ambitious waypoints e.g. full professor should require international/national works. IPEC is in current discussions on process, the Provost will be asked to provide an update before the end of the semester.**

**Teaching & Advising Committee: Sent to TEAC, no feedback yet.**

- Evaluations:
  - fix the online participation rate
  - approaches and incentives vs. rigor (beyond just the form);
  - revisit process/timing
- +/- grading system: survey more students (Centers; Facebook polls, other outlets).

**Misc.:**

- Facilities – issues with snow and ice, slow response time. **Facilities has addressed.**
- University Senate vs. Faculty Senate. **Results from Great colleges to work for survey and personal communication with Staff Council leadership, indicates that greater staff involvement in shared governance process is critical to improve employee morale and scores on the survey. Increased (and more demographically representative) staff representation on FS (expansion); increased interactions between staff council and VP's and Provost.**

**University of Idaho**  
**2017-2018 FACULTY SENATE AGENDA**

**Meeting #15**

**3:30 p.m. - Tuesday, January 16, 2018**  
**Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #14, December 5, 2017 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

- Legislative Session Report (Stegner - Boise)

**VI. Committee Reports.**

**Faculty Affairs (vote)**

- **FS-18-017** – FSH 1570 - Faculty Secretary (Hrdlicka)

**University Curriculum Committee (vote)**

- **FS-18-020** (UCC-18-026b): Education - Movement Science: Exercise Science & Health emphasis Pre-Physical Therapy; Fitness, Health, and Human Performance; Pre-Athletic Training; Physical Education Teacher Certification; Community Health Education and Promotion (Scruggs)
- **FS-18-025** (UCC-18-013): CLASS – Women's and Gender Studies to Women's, Gender, and Sexuality Studies (Hormel)

**VII. Special Orders.**

- **FS-18-026** - FSH 5200 – Human Participant (Subject) Research (Inge/Walker/Harris)(FYI)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #14  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #14, Tuesday, December 5, 2017**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Baird, Brandt (w/o vote), Brown, Caplan, De Angelis, Dezanni for Foster (w/o vote), Ellison, Grieb, Hrdlicka, Jeffrey, Johnson, Kern (Coeur d'Alene), Morgan, Morrison, Nicotra, Panttaja, Seamon, Wiencek, Tenuto for Cannon (w/o Vote) (Boise), Tibbals, Vella. **Absent:** Barbour, Bugingo, Cannon (Boise), Foster, Leonor, Mahoney, Watson, Zhao (Idaho Falls).  
**Guests:** 12

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. A motion (Seamon/Tibbals) to approve the minutes passed with 4 abstentions.

**Consent Agenda.** The following items were approved via the Consent Agenda.

- Fall 2017 Graduates
- Sabbatical 2018-19

**Chair's Report.**

- [Committee preference forms](#) are still being accepted
- Fall Commencement is on December 9
- Fall semester grades due by noon on December 19

A senator asked how many more nominees are needed for committee service. The chair deferred to Anna Thompson, UI Policy Assistant and Faculty Secretary Assistant. She indicated that 108 preference forms had been received. A number of those expressed the desire not to serve on a committee. There are approximately 470 committee appointments. Many assignments have specific qualifications to ensure that the particular committee is representative, or has the expertise necessary, to support its work. [NB: Committee on Committees Chair, Miranda Anderson indicated that approximately 75 committee positions are open this year.]

The chair invited Vice President Dan Ewart to speak to a new task force that will explore a move toward a chosen or preferred name system at the UI. Faculty, staff, and students may use their chosen or preferred name, as opposed to their legal name, for institutional purposes. VP Ewart asked for volunteers saying he estimated the time commitment will likely involve 8-10 meetings over the coming semester. The first meeting is planned for Wednesday, December 13. In response to questions, Ewart explained that the committee would not be addressing gender identification issues at this time. Senator Jodie Nicotra volunteered.

**Provost's Report.**

- The administration is in the final phase of completing the mid-year raise process. Deans will be sharing data with chairs. Faculty can expect to receive information regarding mid-year compensation from their dean, or chair, in the near future. The process of implementing the market compensation model for mid-year compensation has uncovered several issues. First, the system used for determining clinical faculty market compensation has led to results that are not consistent with external market information in some areas. Second, similar issues have arisen for faculty with joint appointments. The Faculty Compensation Task Force will follow up on these issues.
- Institutional Planning and Effectiveness Committee (IPEC) has begun discussion of how cascaded plans will be used as part of the Program Prioritization process. IPEC will be reaching out to various constituencies as it examines how to move forward.
- Changes are taking place in undergraduate admissions. In the past, applicants have completed a specific University of Idaho application. This year, the State Board of Education has moved to a

unified application for all state colleges and universities. This unified application system does not contain the same questions as are included on UI's specific application. In particular, the UI asks applicants to disclose whether they have a criminal record. This question is not included in the unified application. Strategic Enrollment Management (SEM) has decided that it will admit applicants based on the unified application. However, at the time of admission, these applicants will be asked to log into VandalWeb to provide additional information, including whether they have a criminal record. The provost also shared copies of the admission letters that will go out to students. He concluded by noting that the good news is that the number of applications received to date is significantly higher than in past years. He cautioned that we still must be careful about how to interpret these numbers, because we do not have a full understanding of how the new unified application has impacted the application rate. Even so, these larger numbers give the UI an opportunity to make direct contact with a larger group of applicants to convince them to attend UI.

In response to a question from a senator, the Provost indicated that market compensation information should be available very soon.

#### **University Curriculum Committee Report.**

- **FS-18-019 (UCC-18-026a):** Education - Movement Science: Exercise Science & Health to Exercise, Sport, and Health Sciences. This is a proposal to change the name of a degree. Phillip Scruggs, Chair of Movement Science, explained that the Movement Science Department is restructuring its offerings. The proposed name will align more closely with the developing curriculum and with the new name of the college to the College of Health, Human Services and Education. The proposal passed unanimously.
- **FS-18-021 (UCC-18-019a):** Engineering - Mechanical Engineering. Discontinue Manufacturing Engineering minor. Michael Anderson, a senator and faculty member in the Department of Mechanical Engineering explained that the minor was being dropped because no students have completed it in a number of years. A senator pointed out that perhaps lack of interest is found on the College of Engineering's website which indicates that the minor is not accredited. The change passed unanimously
- The senate considered three proposed curriculum changes from Statistical Science and Math departments as a group.
  - **FS-18-022 (UCC-18-030a):** Science - BS Statistics
  - **FS-18-023 (UCC-18-030b):** Science - Discontinue Applied-Actuarial Science & Financial option in Math
  - **FS-18-024 (UCC-18-030c):** Science - Discontinue Applied-Statistics option in Mathematics Professor Chris Williams, Chair of the Department of Statistical Science and Department of Mathematics explained that the Statistical Science Department is creating a completely new major and in doing so the Math Department will be eliminating two options that will be folded into the new major in Statistics. The courses comprising the options will be absorbed in the new statistics major. This change will facilitate better advising and mentoring for students interested in statistics. The Statistical Science Department is also seeking a small amount of funding to support the creation of a capstone course for the Statistics major.

A senator asked what steps had been taken by the Statistical Science Department to obtain funding for the capstone course. Professor Williams stated that they have just begun exploring the possibilities for funding. The funding is not necessary to move ahead with the major.

A senator asked whether the department would be providing additional support for students wishing to take the actuary qualifying examinations. Williams responded that they haven't addressed that at this point in time. He added that the new major has been constructed to make it an attractive second major for students. The proposal passed unanimously.

**Multi-factor Authentication (MFA):** Dan Ewart, Vice President for Infrastructure, and Mitch Parks, Chief Information Security Officer, answered questions regarding the new multi-factor authentication (MFA) system being implemented by the University. The Faculty Senate webpage contains a [powerpoint](#) with useful information about the MFA system. Officer Parks addressed the shortage of hardware tokens stating that the experience of other universities has been that less than 10% of the users have opted for the hardware key. In response to the unexpected demand here, Information Technology Services (ITS) has identified a cost-effective hardware key that will be made available free to faculty and staff starting in mid-December. VP Ewart added that individuals who already purchased a key will be entitled to a refund of the purchase price. ITS will be offering drop-in sessions for assistance with enrolling in MFA for faculty, staff, and students in January. [NB: Flyers advertising these sessions are posted on the Faculty Senate webpage.]

A senator asked about the available backup methods for employees to ensure they have access. Ewart responded that users may install the 'Duo App' on multiple devices (phones, tablets, home computers, etc.), they may use a hardware key, or they may generate a software key using the 'Duo App' even if not connected to the internet. A senator commented that faculty and staff who enrolled in MFA early experienced a number of "bugs." She wanted to know whether these have been worked out. Parks commented that most of the problems were related to the use of older email and calendar software. ITS has worked to resolve these issues. Employees using older email software should choose the "legacy email" option when enrolling. The senator described several other issues. Parks indicated he would follow up on these after the meeting.

In response to a question, Parks indicated that computer support technicians have participated in additional training on implementation of MFA. In addition, ITS is working to foster fast communication and collaboration by the support staff. They also have provided techs with support documents.

A senator asked what will happen on January 31 if students have not enrolled? Parks responded that students would see a prompt requiring them to enroll in 'Duo' when they seek to access the UI network. ITS anticipates that the "go live" date will be the most demanding day for the support staff. They are preparing for this increased demand. Lynn Baird, Dean of the Library, who is also a faculty senator, offered to sponsor drop in support at the Library on the 31<sup>st</sup>.

**UI Brand Refresh.** Stefany Bales, Executive Director of Communications and Marketing (UCM), updated senate on a refresh of the UI Brand. The refresh was undertaken in response to a statewide poll regarding how well Idahoans perceive the University of Idaho. Bales underscored that the core identity of the university would not change. The logo will be changing and additional color options, descriptive terminology and visual effects will be added to the brand. The refreshed brand will focus on an explorer archetype. The objective is to bolster the prominence of the institution. Information on the new brand is available on the [UCM website](#).

A number of senators were pleased with the refresh. A senator asked about whether UCM had considered that the university is experiencing "brand fatigue" and also whether there was room for individual departments and units to personalize their message. Others commented on the need for flexibility to highlight the individuality of each program. Bales stated that it is important for the UI to portray a consistent message. She offered to work with units who may have needs to personalize the brand for their

unit message. A senator also suggested that, consistent with the “explorer” prototype, the university should establish a series of talks by well-known explorers and schedule these talks across the state. Another senator stated that the brand refresh seems to be focused very tightly on Idaho and on undergraduate education. Bales responded that this is just a first step in establishing our refreshed brand. It will be expanded from this initial rollout.

Having completed the meeting’s business, a motion to adjourn (Morrison/Baird) was made and the meeting was adjourned at 5:12.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

# University of Idaho

## 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]

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

Minor Amendment

Chapter & Title: FSH 1570 – Secretary of the Faculty

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

Originator(s):

Senate Leadership, Chair Hrdlicka & Liz Brandt, Faculty Secretary

(Please see FSH 1460 C)

Name

Date

Telephone & Email:

[hrdlicka@uidaho.edu](mailto:hrdlicka@uidaho.edu) & [ebrandt@uidaho.edu](mailto:ebrandt@uidaho.edu)

Policy Sponsor: (If different than originator.)

Name

Date

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.

Update policy to reflect current roles and responsibilities of the Faculty Secretary, including oversight of policy process and the role this position plays in achieving positive outcomes.

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. FSH 1460

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. \_\_\_\_\_

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]

UI FACULTY-STAFF HANDBOOK

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

1570

SECRETARY OF THE FACULTY

PREAMBLE: This section outlines the appointment, responsibilities, and duties of the Secretary of the Faculty. The faculty secretaryship is a position of long standing in the university and this section appeared first in the 1979 edition of the Handbook. The first substantial revision was that of November, 1991, where the faculty secretaryship was redefined as a half-time position (allowing for the creation of a half-time ombudsman position) and the responsibilities of the office were substantially changed. The second substantial revision was done in 2003 to reflect current practice and responsibilities. In 2009 responsibility for vita preparation was removed from the Office of the Faculty Secretary and placed with the faculty. Except where noted, the text remains as it was in 1996. For further information, contact the Office of the Faculty Secretary (208-885-6151). [ed. 7-00, 7-03, rev. 7-11]

CONTENTS:

- A. Appointment
- B. Responsibilities and Duties
- C. Nomination Process for Secretary of the Faculty

A. APPOINTMENT.

A-1. The secretary of the faculty (aka faculty secretary, policy coordinator see FSH 1460) is appointed on a fiscal-year basis by the president from among the tenured members of the university faculty or faculty emeriti [see 1520 II-1 and III-2]. The president appoints the secretary of the faculty from a list of candidates recommended by a nominating committee and ratified by the Faculty Senate [see C below]. [rev. 7-02, ed. 7-09]

A-2. Release time for the faculty secretary will be at least one-half time and may be greater, at the discretion of the president, depending on the circumstances, the needs of the Faculty Senate, and the needs of the faculty member appointed. [ed. 7-09]

A-3. The term of service is three years and is renewable. [rev. 7-02]

A-4. The faculty secretary serves at the pleasure of the president and reports to the chair of the Faculty Senate and to the provost. The provost, in consultation with the chair and vice chair of the Faculty Senate, conducts an annual review of the faculty secretary. Early in the third year of service, an in-depth evaluation is conducted by the provost and the chair of the Faculty Senate. Included are evaluations by the senate as a whole, by other appropriate administrators and faculty, and by the incumbent. A confidential evaluation report is given to the president for review and discussion with the incumbent by the first week in October in the third year of service. [rev. 7-02, ed. 7-09]

B. RESPONSIBILITIES AND DUTIES. The Secretary of the Faculty shall: [rev. 7-02]

B-1. Serve as a major significant source of information for UI administrators, faculty, staff personnel and students concerning policies, regulations, and procedures; serve as a channel of communication to the members of the university faculty concerning administrative and regents' actions; work with the administration and Faculty Senate in achieving positive outcomes to university policies and procedures; and serve as a liaison with the President's Office to ensure facilitate proper maintenance and publication of the policy and procedures handbooks (see FSH 1460).

B-2. Serve as Policy Coordinator (FSH 1460 B-5) with oversight the editor of the Faculty-Staff Handbook (FSH) and Administrative Procedures Manual (APM) to ensure facilitate the timely and orderly adoption of policies and procedures including, but not limited to: 1) consulting and collaborating with the administration to identify and address policy issues; 2) keeping upper administrative officials informed of policy proposals being developed by university committees and others; 3) advising on the development and drafting of policy; 4) identifying policies in need of revision and ensuring that such revisions are addressed; 5) ensuring monitoring that institutional processes for

Commented [AT1]: This first part is from B-10.

Commented [TA(2)]: This middle sentence was part of original B-1.

Commented [TA(3)]: The Fac. Sec. works with Counsel, Provost, FAC, UCC, and is part of Sen. Leadership who work through items of concern that arise from changes submitted by a policy sponsor (HR, Research, Infrastructure, DOS, et al). This role is crucial to ensure everyone's work to-date is not lost and to avoid presidential disapproval.

Commented [AT4]: Last sentence here was in original B-8 moved to B-2 below.

Commented [TA(5)]: Was B-8, everything that follows below is linked to this and the above role, including the UFM which is the last Faculty Governance approval process before the President.

Formatted: Highlight

Formatted: Highlight

## UI FACULTY-STAFF HANDBOOK

### Chapter I: HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE Section 1570: Secretary of the Faculty

~~the timely development of policies and procedures are followed; and 6) keeping the university community informed. Inform Faculty Senate of any additions and changes to the handbook, policy and procedures. See 1460 for a more detailed description on the university-wide policy process which includes students, Staff Council, Faculty Senate, University Faculty, the President and Regents. Serve as a major resource to the faculty and administrators with respect to the contents of the handbook and participate in keeping it up to date. Serve as a liaison with the President's Office to ensure proper maintenance and publication of the handbooks. [ren. and rev. 7-02, ed. 7-09]~~

Formatted: Highlight

Formatted: Highlight

~~B-13. Prepare, with the president's approval, and oversee the preparation of the agenda and supporting documents for each meeting of the university faculty, for with the approval by of the president; record and publish the minutes of meetings; ensure that forward reports of actions of the university faculty are forwarded to the president; and the Department of Special Collections and Archives in the University Library; and other interested parties with copies of the minutes of the university faculty meetings; and [rev. 7-02, 7-11]~~

Commented [TA(6)]: Combined and moved these last two sentences into B-1 above.

Commented [TA(7)]: This is part of B-1 that was moved here to follow the policy process mentioned above.

Formatted: Highlight

Formatted: Highlight

Commented [TA(8)]: No longer happens, available on the web.

~~B-3. Oversee the placement of Faculty-Staff Handbook sections and keywords on the UI policy and regulations website. [add. 7-02]~~

~~B-49. Prepare. Ensure the accurate and timely preparation and distribution of for publication General Policy Reports for publication and distribution to the for review and approval of university faculty for review and approval. [add 7-02, 7-11]~~

Commented [TA(9)]: Was B-9.

~~B-45. Serve as an ex-officio nonvoting member of the Faculty Senate, work closely with and advise the chair and vice chair of Faculty Senate on policy matters and on the conduct of senate business, -and, as his or her primary responsibility, provide services related to shared governance on request from for the Faculty Senate, -and other faculty bodies, faculty, staff, students, and administration. [ren. 7-02, ed. 7-09]~~

Commented [AT10]: There was nothing after this and I assumed it should be administration.

Formatted: Highlight

~~B-56. Serve as secretary to an ex officio nonvoting member of the Committee on Committees. Oversee the process for solicitation of faculty members to serve on university-wide standing committees and the publication of committee function statements and membership lists. [ren. and rev. 7-02]~~

~~B-67. Serve as an ex-officio nonvoting member of the University Curriculum Committee, and cooperate work closely with UI officials to ensure facilitate the accuracy of all published academic information. [ren. and rev. 7-02]~~

Formatted: Highlight

~~B-78. Serve as chair of the University Multi-campus Communications Committee, 1640.94. [add. 1-10]~~

~~B-29. Oversee and ensure the accuracy of the Faculty Senate, Faculty Secretary, Faculty-Staff Handbook, Administrative Procedures Manual and University Policy websites. Oversee the placement of material on those websites and historical records. [add. 7-02, ed. 7-09, rev. 7-17]~~

Commented [AT11]: Was B-2

~~B-11. Perform such other duties related to faculty governance as may be assigned by the president or the president's designee or the university faculty. [ren. 7-02]~~

Formatted: Highlight

Commented [AT12]: Reinstated.

Formatted: Highlight

#### C. NOMINATION PROCESS FOR SECRETARY OF THE FACULTY.

C-1. The chair of the Faculty Senate appoints a five-member nominating committee, with the approval of the Faculty Senate. The committee is composed of the provost and four other members of the senate, one of whom shall be the Faculty Senate Chair, or his/her designee, who shall serve as the committee chair. [ed. 7-09, rev. 7-17]

C-2. The nomination committee should seek out and give preference to nominees who have the following qualifications; (1) attained the rank of full professor or are faculty emeriti, (2) communication skills, (3) supervisory experience, (4) extensive experience in university service, and (5) excellent understanding and commitment to the role and mission of the University of Idaho. [add. 7-02, rev. 7-17]

C-3. The committee advertises the position, solicits and accepts applications and nominations, and screens candidates. The committee functions in a confidential manner. [ren. 7-02]

## **UI FACULTY-STAFF HANDBOOK**

### Chapter I: HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE Section 1570: Secretary of the Faculty

---

**C-4.** The committee recommends a list of candidates for ratification by the Faculty Senate. The senate may meet in executive session to discuss candidates recommended by the nominating committee. The senate may not add names to those recommended by the nominating committee but may choose to delete any of the candidates nominated by the committee. *[ren. and rev. 7-02]*

**C-5.** The Faculty Senate forwards the names of nominees ratified by the Faculty Senate to the president. The president selects the faculty secretary from that list or requests that a new group of nominees be selected following the procedures outlined in C-1 through C-4. *[ren. 7-02, ed. 7-09]*

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM  
Short Form**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using Track Change or strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, a single representative for the college will e-mail the completed form to the Office of the Provost and Executive Vice President, [provost@uidaho.edu](mailto:provost@uidaho.edu) for approval and then submission to the Academic Publications Editor in the Registrar's Office for review by the University Curriculum Committee (UCC).

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

**When applicable a Curriculum Change Form and Course Approval Forms must accompany the short form when submitted to [provost@uidaho.edu](mailto:provost@uidaho.edu)**

**Submission Information**

This section must be completed

College:	Education		
Department/Unit:	Movement Sciences		
Dept/Unit Approval Date:	August 30, 2017	Vote Record:	
College Approval Date:	September 29, 2017	Vote Record:	
CIP code (Consult Institutional Research):	1. Pre-Physical Therapy	CIP Code: 26.0908	
	2. Fitness, Health, and Human Performance	CIP Code: 26.0908	
	3. Pre-Athletic Training	CIP Code: 31.0505	
	4. Physical Education Teacher Education	CIP Code: 13.1314	
Primary Point of Contact (Name and Email):	Philip Scruggs, <a href="mailto:pwscruggs@uidaho.edu">pwscruggs@uidaho.edu</a>		

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

This section must be completed

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

The BS Exercise Science and Health currently has four emphasis areas (Pre-Physical Therapy; Pre-Athletic Training; Fitness, Health, and Human Performance; Physical Education Teacher Certification) and we are concurrently requesting a fifth emphasis area in a separate application. Currently, the emphasis areas are not transcripted. Therefore to simplify the advising process and make the degree audits simpler for students to understand, we would like to transcript the tracks.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

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

Current Name:	Exercise Science and Health
New Name:	

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

### Program Component Request

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

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

Create New:		Modify:	<input checked="" type="checkbox"/>	Discontinue:		Implementation Date:	
Graduate Level:		Undergraduate Level:	<input checked="" type="checkbox"/>	Law Level:		Credit Requirement:	
Are new courses being created:		No	<input checked="" type="checkbox"/>	Yes		If yes, how many courses will be created:	

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

Major:	Exercise Science and Health	Degree:	BS ESH
--------	-----------------------------	---------	--------

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

Option:	
Emphasis:	Pre-Physical Therapy; Fitness, Health, and Human Performance; Pre-Athletic Training; Physical Education Teacher Certification; Community Health Education and Promotion (Proposed)
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

### Learning Outcomes and Assessment Information

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

1.	List the intended learning outcomes for the program component, using learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:  Learning outcome #1: To understand the biological, sociological, and psychological contributions and consequences of health and exercise behavior. Learning outcome #2: To be able to critically evaluate current trends, information, sources, and research related to exercise science and health. Learning outcome #3: To be able to integrate and apply knowledge, skills, and critical thinking to (assess and plan for) individual and community exercise, health, and wellness. Learning outcome #4: To demonstrate personal growth and professional development.
2.	Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:  1. Course assessments will evaluate have students will achieve the intended learning outcomes from; a) lecture exams and quizzes, b) journal reflections, c) laboratory assignments, d) research projects and presentations, e) project assessment assignments. 2. As a program capstone, students will complete and internship experience that is assessed by; a) journal reflections, b) supervisor evaluations, and c) project. 3. A program assessment survey completed by graduating students.
3.	How will you ensure that the assessment findings will be used to improve the program?

1. ESH faculty meet multiple times per year to discuss assessment results and implement changes if necessary.	
4.	What direct and indirect measures will be used to assess student learning? 1. Direct measures include: a) Lecture quizzes and exams, b) laboratory assignments, c) journal logs and reflections, d) course objective evaluations, e) group research projects and presentations, f) health assessment assignments 2. Indirect measures include : a) UI student evaluations, b) graduating student survey
5.	When will assessment activities occur and at what frequency? 1. Direct measures will be conducted every semester in each class. 2. Indirect measures will be conducted every semester.

**Financial Impact**

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

Greater than \$250,000 per FY:	Less than \$250,000 per FY:	x
Brief Description of financial impact:	Limited financial program impact as we are simply requesting transcription of the degree.	

**Distance Education Availability**

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

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

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

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

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

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

**Geographical Area Availability**

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

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

Moscow	<input checked="" type="checkbox"/>		
Coeur d'Alene	<input type="checkbox"/>		
Boise*	<input type="checkbox"/>		
Idaho Falls*	<input type="checkbox"/>		
Other**	<input type="checkbox"/>	Location(s):	

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

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

**Office of the Registrar Information**

Implementation Effective Date:			
Date Received by the Office of the Provost and Executive Vice President:			
Date Received by Budget Office, if applicable:			
Date Received by Institutional Research and Assessment:			
Date Received by UCC Secretary:			
UCC Item Number:			
UCC Approval Date:		Vote Record:	
Faculty Senate Item Number:			
Faculty Senate Approval Date:		Vote Record:	
General Policy Report Number or Faculty Meeting Date:			
Office of the President Approval Date:			
State Board of Education Approval/Acknowledgement Date:			

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	Leontina Hormel, Director of Women's & Gender Studies	Email:	lhormel@uidaho.edu
College:	CLASS		
Department/Unit:	Women's and Gender Studies (interdisciplinary minor program, not governed by department)		
Dept/Unit Approval Date:	August 29, 2017	Vote Record:	16 yes/1 abstention
College Approval Date:	9/27/17	Vote Record:	7 yes/0 no/abstention
Primary Point of Contact:	Leontina Hormel	Email:	lhormel@uidaho.edu
Briefly describe the change you are requesting:	We wish to change the current name for our minor "Women's and Gender Studies" to "Women's, Gender, and Sexuality Studies." Attached forms indicate change of subject prefix and course titles for WGSS courses, as well as updated curriculum and description of minor program.		

**What is the financial impact of the requested change?**

Greater than \$250,000 per FY:	<input checked="" type="checkbox"/>	Less than \$250,000 per FY:
--------------------------------	-------------------------------------	-----------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact: None

**Rationale for Program Component Request or Name Change**

This section must be completed

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

Adding Sexuality to our program's title allows us to feature a subject area faculty have already been building into existing course curricula and courses that are being entered into our curriculum next year. This will not add workload or any other additional resources, since this is an interdisciplinary program relying mostly on multiple departments' existing courses.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

Current Name:	Women's and Gender Studies
New Name:	Women's, Gender, and Sexuality Studies
Current Degree:	Minor Program
New Degree:	
Other Details:	

Effective Date:	Summer 2018
-----------------	-------------

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No  
 If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

<input type="checkbox"/>	Create New	<input type="checkbox"/>	Discontinue	Implementation Date:		
<input type="checkbox"/>	Graduate Level	<input type="checkbox"/>	Undergraduate Level	<input type="checkbox"/>	Law Level	Credit Requirement:
Are new courses being created: (circle your response)				No	Yes	If yes, how many courses will be created:

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

Major:		CIP Code:		Degree:	
--------	--	-----------	--	---------	--

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

Option:	
Emphasis:	
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

--

### Learning Outcomes and Assessment Information

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

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

2. Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
3. How will you ensure that the assessment findings will be used to improve the program?
4. What direct and indirect measures will be used to assess student learning?
5. When will assessment activities occur and at what frequency?

### Distance Education Availability

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

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

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

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

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

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

### Geographical Area Availability

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

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

Moscow	
Coeur d'Alene	
Boise*	
Idaho Falls*	

Other**		Location(s):	
---------	--	--------------	--

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

September 27, 2017

**Memo**

To: Office of the Registrar

From: Leontina Hormel, Director, Women's and Gender Studies

RE: Program Name Change and Subsequent Prefix Change for 2018-2019 catalog and beyond

Affiliate faculty have voted to change the name of the Women's and Gender Studies minor program to Women's, Gender, and Sexuality Studies. To avoid confusion when students seek opportunities to enroll in minor program courses, I request the courses currently attached to the former Women's Studies minor program (prefix WMST) be updated to WGSS (Women's, Gender, and Sexuality Studies). This would require changes to seven existing courses in our minor program, which are documented in this memo and necessary catalog revisions are attached to this memo to assist the process of applying consistent language and revisions that will be reflected in the 2018-2019 catalog.

The name change for the minor was approved September 27, 2017 by the CLASS Curriculum Committee.

**PROGRAM IN WOMEN'S AND GENDER STUDIES:**

1. Change the following courses:

**WmSt 201 Introduction to Women's, ~~and~~ Gender, and Sexuality Studies (3 cr)**

Gen Ed: Humanities, American Diversity

Survey of and introduction to the study of women's lives and the social construction of gender and sexuality across times and cultures. Thematic examination of the diversity of women's experiences in families, at work, with the law, in health care, in literature, in the media, in language; exploration of differences and similarities, including ethnicity, sexuality, class, and age. Examination of ideals of femininity and masculinity in the US and elsewhere.

**WmSt 367 (s) Topics in Women's, ~~and~~ Gender, and Sexuality Studies (3 cr, max arr)**Topical examination of issues in women's, ~~and~~ gender, and sexuality studies.**WmSt 498 (s) Internship in Women's, ~~and~~ Gender and Sexuality Studies (1-6 cr, max arr)**

Directed student internship in approved setting relevant to women's, ~~and~~ gender, and sexuality studies with campus, local, national, or international organizations or offices. Various credits depending on the length and type of internship.

**Prereq:** WGSS 201, Permission of the Coordinator of Women's, Gender, and Sexuality Studies**Available via distance:** No**Geographical Area:** Moscow

**Rationale:** Affiliate faculty have voted to change Women's and Gender Studies minor program title to Women's, Gender, and Sexuality Studies. All titles in earlier titled program must be revised to reflect the new program title.

2. Make the following curricular changes to the **Women's and Gender Studies Minor:**

WMST 201	Introduction to Women's and Gender Studies	3 cr
----------	--	------

**Elective Courses**

~~Select Chosen from~~ a minimum of three different subject prefixes from the list of courses below ~~two~~ disciplines (15 cr):

<u>ANTH 428</u>	<u>Social and Political Organization</u>	<u>3 cr</u>
COMM 432	Gender and Communication	3 cr
<u>ENGL 382</u>	<u>Queer Literature</u>	<u>3 cr</u>
ENGL 481	Women's Literature	3-6 cr - Max 98 cr
FCS 240	Intimate Relationships	3 cr
FCS 340	Parent-Child Relationships in Family and Community	3 cr
<u>FCS 346</u>	<u>Personal and Family Finance and Management</u>	<u>4 cr</u>
FCS 436	Theories of Child and Family Development	3 cr
FCS 440	Contemporary Family Relationships	3 cr
FCS 445	Issues in Work and Family Life	3 cr
FCS 462	Eating Disorders	2 cr
HIST 357	Women in Pre-Modern European History	3 cr

HIST 420	History of Women in American Society	3 cr
JAMM 340	Cultural Diversity and the Media	3 cr
<a href="#">JAMM 441</a>	<a href="#">Women in the Media</a>	<a href="#">3 cr</a>
<a href="#">Phil 405</a>	<a href="#">Feminism and Philosophy</a>	<a href="#">3 cr</a>
POLS 423	Politics, Policy and Gender	3 cr
PSYC 315	Psychology of Women	3 cr
PSYC 320	Introduction to Social Psychology	3 cr
<a href="#">SOC 240</a>	<a href="#">Global Sociology: Gender, Race, and Class Around the World</a>	<a href="#">3 cr</a>
SOC 301	Introduction to Diversity and Stratification	3 cr
SOC 325	Family, Violence, and Society	3 cr
<a href="#">SOC 327</a>	<a href="#">Sociology of the Family</a>	<a href="#">3 cr</a>
<a href="#">SOC 342</a>	<a href="#">Gender and Science</a>	<a href="#">3 cr</a>
<a href="#">SOC 421</a>	<a href="#">Gender and Crime</a>	<a href="#">3 cr</a>
<a href="#">SOC 424</a>	<a href="#">Sociology of Gender</a>	<a href="#">3 cr</a>
SOC 427	Racial and Ethnic Relations	3 cr
<a href="#">SOC 424</a>	<a href="#">Sociology of Gender</a>	<del>3 cr</del>
<a href="#">WGSS 367</a>	<a href="#">Topics in Women's, Gender, and Sexuality Studies</a>	<a href="#">3 cr</a>
<a href="#">WGSS 404</a>	<a href="#">Special Topics</a>	<a href="#">cr arr</a>
<a href="#">WGSS 410</a>	<a href="#">Feminist Theory and Action</a>	<a href="#">3 cr</a>
<a href="#">WGSS 498</a>	<a href="#">Internship in Women's, Gender, and Sexuality Studies</a>	<a href="#">1-6 cr</a>
<del>WMST</del> <a href="#">WGSS</a> 499	Directed Study	1-16 cr
<a href="#">WGSS 502</a>	<a href="#">Directed Study</a>	<a href="#">1-16 cr</a>

*ENGL 481: May be retaken once to total 6 credits.*

#### Courses to total 18 credits for this minor

With prior approval of the Women's and Gender Studies committee, a student may also include credit from survey courses, special topics courses, or seminars meeting the guidelines for inclusion of courses in a Women's and Gender Studies minor. No more than 3 credits may count toward both the student's major and minor.

**Distance Education:** 50% or more of curricular requirements cannot be completed via distance

**Geographical Area:** Moscow

**Rationale:** Minor Program Title Change and Course Prefix: A majority of Affiliate Faculty for Women's and Gender Studies voted in favor of changing the Minor Program Title to expand the program's inclusivity for University of Idaho students and to reflect courses and course content that are increasingly available at University of Idaho.

To create consistency between the Minor Program Title and Course Prefixes within the Minor Program, we want to change the prefix from "WMST" to "WGSS."

Course Additions to Curriculum update offerings, which reflect the growth of faculty and disciplinary contributions in the areas of Women's, Gender, and Sexuality Studies.

Formatted Table

UCC-18-013

Affiliate Faculty wish to remove the requirement that “No more than 3 credits may count toward both the student’s major and minor.” We wish to move toward a program that enables student completion of the minor, which allows them to focus on Women’s, Gender, and Sexuality Studies within their majors and receive recognition for this specialization. The program still requires that students take electives from at least three disciplines.

These changes strengthen the coherence of our program mission and improves students’ chances at successful and timely completion.

## 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]

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

**Chapter & Title: Chapter Five: 5200 Human Participant Research**

---

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
Minor Amendment

**Chapter & Title:** \_\_\_\_\_

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** \_\_\_\_\_ **Jennifer Walker** \_\_\_\_\_ **11/17/2017**  
(Please see FSH 1460 C) Name Date  
**Telephone & Email:** \_\_\_\_\_ **208-885-6340 irb@uidaho.edu**

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_ **Janet E. Nelson** \_\_\_\_\_ **12/15/2017**  
Name Date  
**Telephone & Email:** \_\_\_\_\_ **208-885-6689 janetenelson@uidaho.edu**

**Reviewed by General Counsel**  Yes  No Name & Date: Casey Inge 11/17/2017

**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.  
The U.S. Department of Health and Human Services have issued final revisions to the Federal Policy for the Protection of Human Subjects (the Common Rule). The Final Rule was published in the Federal Register on January 19, 2017 and is effective on January 19, 2018. It implements new steps to better protect human subjects involved in research, while facilitating valuable research and reducing burden, delay, and ambiguity for investigators. The revisions to the FSH are necessary for University compliance with the Final Rule.

**II. Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?  
No impact.

**III. Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change.  
**FSH 1640.54 – minor changes.**

**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.  
January 1 since the effective date of the regulatory changes is January 19, 2018.

If not a minor amendment forward to: \_\_\_\_\_

Policy Coordinator Appr. & Date: _____ <i>[Office Use Only]</i>
--

APM F&A Appr.: _____ _____ <i>[Office Use Only]</i>
--

FSH Appr. _____ FC _____ GFM _____ Pres./Prov. _____ _____ _____ <i>[Office Use Only]</i>
--

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

5200

HUMAN ~~SUBJECT~~ PARTICIPANT RESEARCH

*PREAMBLE: This section outlines the considerations, legal and ethical, that need to be taken into account in any research that involves human subjects. It was original to the 1979 Handbook and was revised in July of 1995, and again in July 2003, to reflect changes in applicable federal law. In 2009 the Human Assurances Committee (HAC) was renamed to Institutional Review Board (IRB). In February of 2010 it has been rewritten in accordance with federal law and University policies. In 2018 changes were made to bring this policy into compliance with recent federal regulation changes. For further information, contact the Research Office (208-885-6651). [rev. 7-03, 1-09, 7-10, 1-18]*

**Commented [WJ(1):** The office of the VP suggested that we change the word "participant" to "subject" since this is what is used in the CFR. I have made this change throughout the document to be consistent.

CONTENTS:

- A. General Policy, Legal Authority and Ethical Principles
- B. Covered Activities
- C. Scope of Responsibility and Authority
- D. Institutional Review Board
- E. Organization and Membership of the IRB
- F. IRB Standard Operating Procedures
- G. Contact Information

**A. GENERAL POLICY, LEGAL AUTHORITY AND ETHICAL PRINCIPLES**

**A-1. GENERAL POLICY.** The University of Idaho, in the course of carrying out its teaching, research, and service missions, engages in human subject or participant research across a wide array of academic disciplines ~~and administrative functions~~. Recognizing that engaging in research involving human ~~subjects participants~~ imposes responsibility for safeguarding the rights and welfare of these persons, the University of Idaho ("University") is committed to the protection of human research ~~participants-subjects~~ through compliance with applicable federal and state regulations and observance of ethical principles for the conduct of human research. ~~(that are recognized and adopted by the University through its federal wide assurance)~~. This policy governs all human ~~participant-subject~~ research performed under the auspices of the University. *[ed. 1-18]*

**Formatted:** Font: Italic

**A-2. LEGAL AUTHORITY.** All research subject to this policy shall be conducted in accordance with federal, state, and local law.

In fulfilling its commitment to protect the rights and welfare of human research ~~participants~~ subjects, the University applies the regulations promulgated by the United States Department of Health and Human Services (HHS) for Protection of Human Subjects ~~(45 C.F.R. 46) to all federally funded research~~. Under the approved federal-wide assurance ~~(FWA00005639)~~ provided by the University to HHS, all ~~federally funded~~ human ~~participant-subject~~ research, ~~regardless of funding source~~, and the oversight of such research shall be performed in a manner that complies with the ~~applicable federal~~ regulations ~~set forth by HHS at 45 C.F.R. 46~~. The University also complies with human ~~participant-subject~~ research regulations established by the Food and Drug Administration for clinical investigations involving drugs, biologics, medical devices, and other test articles. ~~(21 C.F.R. 50; 56; 312; and 812). University investigators may not initiate FDA regulated human subjects research without prior approval from the Office of Research and Economic Development. [rev. 1-18]~~

**Commented [AT2]:** Casey noted to remove the FWA reference.

**Commented [IC(3):** Revised to be consistent with the new regulations for human subject research (Revised Common Rule" or "RCR"), which no longer permits extension of regulations to all research activity through selection of this option under the Federalwide Assurance ("FWA").

**Commented [IC(4):** To be addressed through ORED procedures and later revision of FSH 5200.

**Formatted:** Font: Italic

**Formatted:** Font: 9 pt

~~By this policy, the University also requires that all non-federally funded and unfunded research comply with these regulations, unless otherwise specified by University policy, including but not limited to University of Idaho IRB Standard Operating Procedures (see Section F, below). The University acts in conformance with other federal laws and regulations germane to human ~~participant-subject~~ research and with ~~applicable~~ state and local law ~~that serves to elucidate and supplement federal regulations for human subject research. [rev. 1-18]~~~~

**Commented [IC(5):** Clarification that the University will continue to apply these requirements to unfunded and non-federally funded research; does not substantially change the approach from the prior version of the policy. This does allow for increased flexibility in application.

**A-3. ETHICAL PRINCIPLES.** Consistent with its federal-wide assurance ~~and this policy~~, the University shall

**UI FACULTY-STAFF HANDBOOK**  
Chapter 5: RESEARCH POLICIES  
Section 5200: Human Participant Research

---

be guided by the ethical principles governing the evaluation and conduct of research involving human ~~participants~~ **subjects**, whether or not such research is subject to federal regulation, set forth in *The Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research* of the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research ~~on at the~~ [HHS www.hhs.gov](http://www.hhs.gov) website ~~or contact~~ [Office of Research Assurances](#) (see G below). While the principles announced in *The Belmont Report* serve to guide human ~~participant-subject~~ **research** at the University, these principles are never held to or construed so as to supersede any local, state, or federal law or to supersede any regulations or policies promulgated by federal agencies. [\[ed. 1-18\]](#)

**B. COVERED ACTIVITIES.**

**B-1. HUMAN PARTICIPANT-SUBJECT RESEARCH ACTIVITIES.** ~~Irrespective of funding source, a~~ **All** activities that meet the criteria for: (i) “research” involving “human subjects,” as defined in HHS regulations ~~(45 CFR 46.102)~~, or (ii) a “clinical investigation” involving “human subjects” or “subjects,” as defined in FDA regulations ~~(21 CFR 50.3; 21 CFR 56.103; 21 CFR 312.3; 21 CFR 812.3)~~, shall be subject to this policy. [\[ed. 1-18\]](#)

**a. ~~HHS Definition of “Research” Involving “Human Subjects:”~~**

~~(1) “research:” a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge. [45 CFR 46.102(d)]. This includes qualitative research methods such as constructivist, participatory and action research that may not be considered generalizable. It also includes other methodologies that may not be considered generalizable but have the intent of adding to a body of knowledge.~~

~~— Note: Certain activities by policy do not fall under the definition of research and are not subject to IRB review and approval. For example projects carried out as part of coursework with the sole intent of teaching students research skills may be covered under the Course-Related Research Practica policy. Projects carried out as part of a University Quality Improvement or Quality Assurance project may be covered under the policy for such activities.~~

~~(2) “human subject:” a living individual about whom an investigator (whether professional or student) conducting research obtains (i) data through intervention or interaction, or (ii) identifiable private information [45 CFR 46.102(f)].~~

~~(i) “Intervention” includes both physical procedures by which data are gathered (for example, venipuncture) and manipulations of the subject or the subject’s environment that are performed for research purposes.~~

~~(ii) “Interaction” includes communication or interpersonal contact between investigator and subject.~~

~~(iii) “Private information” includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a medical record). Private information must be individually identifiable (i.e., the identity of the subject is or may readily be ascertained by the investigator or associated with the information) in order for obtaining the information to constitute research involving human subjects.~~

**b. ~~FDA Definition of “Clinical Investigation” Involving “Human Subjects” or “Subjects:”~~**

~~(1) “clinical investigation” (deemed by the FDA to be synonymous with “research”): any experiment that involves a test article and one or more human subjects, and that either must meet the requirements for prior submission to the FDA under section 505(i) or 520(g) of the act, or need not meet the requirements for prior submission to the Food and Drug Administration under these sections of the act.~~

**Commented [IC(6):** Deleted; merely reproduces definitions contained in the applicable regulations. Also avoids potential for confusion of FDA definition of clinical investigation with similar definitions, such as NIH’s definition of clinical investigation. The IRB will offer guidance on the various definitions (and their differences) critical to the RCR.

**UI FACULTY-STAFF HANDBOOK**  
Chapter 5: RESEARCH POLICIES  
Section 5200: Human Participant Research

---

~~but the results of which are intended to be later submitted to, or held for inspection by, the FDA as part of an application for a research or marketing permit. [21 CFR 50.3(e); 21 CFR 102(e); 21 CFR 312.3(b); and 21 CFR 812(h)].~~

~~(i) "Test article" is defined as any drug (including a biological product for human use), medical device for human use, human food additive, color additive, electronic product, or any other article subject to FDA regulation. [21 CFR 50.3(j) and 56.102(l)].~~

~~(2) "human subject" or "subject:" an individual who becomes a participant in research, either as a recipient of a test article or as a control. [21 CFR 50.3(g) and 56.102(e)]; a human who participates in an investigation, either as a recipient of the investigational new drug or as a control. [21 CFR 312.3(b)]; or a human who participates in an investigation, either as an individual on whom or on whose specimen an investigational device is used or as a control. (21 CFR 812.3).~~

**B-2. EXEMPT HUMAN PARTICIPANT-SUBJECT RESEARCH.** Activities that meet the criteria for "human subject research" described ~~in the HHS and FDA regulations above~~ may nevertheless be exempted from compliance with federal human ~~participant-subject~~ regulations, if the only involvement of human ~~participants subjects~~ will be in one or more prescribed categories. ~~For a list of "exempt" research categories see, [45 CFR 46.101(b)].~~ The IRB, or designee of the IRB, shall make the determination as to whether a particular research activity involving human ~~participants-subjects~~ is exempt. Even when research is determined by the IRB to be exempt, the ethical principles of *The Belmont Report* shall be applied by the investigator to the research activities. [\[ed. 1-18\]](#)

### C. SCOPE OF AUTHORITY AND RESPONSIBILITY.

#### C-1. INSTITUTIONAL REVIEW BOARD (IRB) ~~(see FSH 1640.54), [ed. 1-18]~~

a. The IRB is the principle mechanism by which the University ensures that all human ~~participant-subject~~ research activity is planned and conducted in a manner consistent with applicable law and policy and that the rights and welfare of human research ~~participants-subjects~~ are adequately protected. [\[ed. 1-18\]](#)

b. The responsibilities of the IRB include but are not limited to:

(1) reviewing, approving, requesting modifications, as well as disapproving human subject/participant research. ~~[45 CFR 46.109(a)]; [ed. 1-18]~~

(i) research that has been approved by the IRB may be subject to further review and approval or disapproval by University officials. University officials may not approve research that has not been approved by the IRB ~~(45 CFR 46.109(a)); [ed. 1-18]~~

(2) conducting continuing review of research approved by the IRB, ~~according to federal regulations and at intervals appropriate to the degree of risk not less than once per year~~, including as necessary observing, or having a third party observe, the consent process and research activity; or requesting and inspecting information related to human ~~participant-subject~~ research activity ~~[45 CFR 46.109(e)]; [rev. 1-18]~~

(3) investigating instances of non-compliance, whether discovered during monitoring by the IRB or reported to the IRB, including unanticipated problems involving risks to research ~~participants-subjects~~ or others and serious or continuing noncompliance with this policy or the requirements or determinations of the IRB; [\[ed. 1-18\]](#)

(4) suspending or terminating approval of research activity that is not being conducted in accordance with the requirements established by the IRB for a particular research activity or has been associated with serious

**Commented [IC(7)]:** Changed to recognize that the RCR permits review periods to be established based on the degree of risk presented by the research and no longer requires annual review for all protocols.

**UI FACULTY-STAFF HANDBOOK**  
Chapter 5: RESEARCH POLICIES  
Section 5200: Human Participant Research

---

harm to research ~~participants-subjects~~ or that is not otherwise in accordance with federal human subject research regulations or University policy (~~45 CFR 46.113~~); [\[ed. 1-18\]](#)

(5) reporting to appropriate University and ~~for federally funded research~~, federal government officials; [\[rev. 1-18\]](#)

- (i) unanticipated problems involving risks to research ~~participants-subjects~~ or others and serious or continuing noncompliance; and [\[ed. 1-18\]](#)
- (ii) suspension or termination of IRB Approval ~~[45 CFR 46.103(b)(5)]~~; [\[ed. 1-18\]](#)

(6) developing and implementing administrative policies and procedures to implement this policy.

**C-2. SIGNATORY OFFICIAL.** The Signatory Official is the [Vice President](#) of Research and Economic Development or designee. ~~This individual cannot be a voting member of the IRB and shall have the legal authority to represent the University in providing assurance to the federal government that the University will comply with federal human subject research regulations and shall be responsible for ensuring that all regulatory and programmatic requirements for the conduct of human participant-subject research at the University are met.~~ [\[ed. 1-18\]](#)  
~~[45 CFR 46.103(b)(2)(c)].~~

**C-3. OFFICE OF RESEARCH ASSURANCES.** ~~The Office of Research Assurances shall provide administrative support necessary for the IRB to fulfill its duties.~~ ~~[45 CFR 46.103(b)(2)]~~; [\[ed. 1-18\]](#)

**C-4. UNIVERSITY INVESTIGATORS (FACULTY, STUDENTS, AND STAFF).** Any person who engages in human ~~participant-subject~~ research (See B. Covered Activities, above) under the auspices of the University (including faculty, students, and staff) shall comply with applicable federal, state, and local law, with University policy, and with the requirements of the IRB. [\[ed. 1-18\]](#)

**D. ORGANIZATION AND MEMBERSHIP OF THE IRB.** The IRB shall be organized and its membership determined in accordance with federal regulations and University policy (~~45 CFR 46.107, 21 CFR 56.107, and FSH 1640.54~~). [\[ed. 1-18\]](#)

**E. REVIEW OF HUMAN PARTICIPANT-SUBJECT RESEARCH.** [\[ed. 1-18\]](#)

**E-1.** The IRB shall conduct initial and continuing review of human ~~participant-subject~~ research activity, following established procedures appropriate to the degree of risk involved in the research. IRB review of research shall be prospective, and no human ~~participant-subject~~ research activity may be carried out by an investigator without prior approval from the IRB. The IRB shall not provide retrospective approval of human ~~participant-subject~~ research. [\[ed. 1-18\]](#)

**E-2.** The IRB, or its designee, shall review all research that meets the regulatory definition for human subject research but may be eligible for exemption from further review and oversight (see B. Covered Activities above). The IRB, ~~or its designee~~, shall make the final determination as to whether a particular research activity involving human ~~participants-subjects~~ is exempt. For activities determined to be exempt, the IRB shall provide the investigator with a certification of exemption from continuing IRB oversight. [\[ed. 1-18\]](#)

**E-3.** The IRB, or its designee, shall provide guidance to investigators as to what activities do not constitute human subject research and, therefore, do not require IRB oversight. The IRB shall provide, as necessary, certification to investigators that research activity is not human subject research.

**F. UNIVERSITY OF IDAHO IRB STANDARD OPERATING PROCEDURES.** The administrative policies, guidelines, and procedures developed to implement this policy shall be set forth in the University of Idaho IRB Standard Operating Procedures, which shall be maintained and made available to investigators by the Office of

**Commented [IC(8):** Added to recognize the change in scope of the RCR and the reporting to appropriate federal agencies only for federally funded research

**UI FACULTY-STAFF HANDBOOK**  
Chapter 5: RESEARCH POLICIES  
Section 5200: Human Participant Research

---

Research Assurances. The University of Idaho IRB Standard Operating Procedures shall be reviewed and approved by the Signatory Official or designee in consultation with the IRB.

**G. CONTACT INFORMATION.** For further information regarding implementation of this policy, you may [visit the IRB website](#) or contact the [Office of Research Assurances](#) at 208-885-6340 or [irb@uidaho.edu](mailto:irb@uidaho.edu) or ~~visit the IRB website.~~ *[ed. 1-18]*

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #14**

**3:30 p.m. - Tuesday, December 5, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #13, November 14, 2017 (vote)

**III. Consent Agenda.**

- Fall Graduates
- Sabbatical 2018-19

**IV. Chair's Report.**

**V. Provost's Report.**

**VI. Other Announcements and Communications.**

**VII. Committee Reports.**

**University Curriculum Committee:**

- **FS-18-019** (UCC-18-026a): Education - Movement Science: Exercise Science & Health to Exercise, Sport, and Health Sciences (Scruggs)
- **FS-18-021** (UCC-18-019a): Engineering - Mechanical Engr. Discontinue Manufacturing Engr. minor (Beyerlein)
- **FS-18-022** (UCC-18-030a): Science - BS Statistics (Williams)
- **FS-18-023** (UCC-18-030b): Science - Discontinue Applied-Actuarial Science & Financial option in Math (Williams)
- **FS-18-024** (UCC-18-030c): Science - Discontinue Applied-Statistics option in Math (Williams)

**VIII. Special Orders.**

- University of Idaho Brand Refresh (Bales)(FYI)
- Multi-factor Authentication (Ewart/Parks)(FYI)

**IX. Unfinished Business and General Orders.**

**X. New Business.**

**XI. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #13  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #13, Tuesday, November 14, 2017**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Baird, Barbour (Twin Falls), Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Ellison, Foster, Grieb, Hrdlicka, Jeffrey, Kern (Coeur d'Alene), Kuhl (for Johnson, w/o vote), Leonor, Nicotra, Mahoney, Seamon, Stevenson (for Wiencek, w/o vote), Tibbals, Vella, Watson, Wilson (for Morgan, w/o vote). **Absent:** Bugingo, Johnson, Morgan, Morrison, Panttaja, Wiencek, Zhao (Idaho Falls). **Guests:** 7

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. A motion (Baird/Nicotra) to approve the minutes passed. The chair thanked Professor Kenton Bird who substituted for the Faculty Secretary at the November 7<sup>th</sup> meeting.

**Chair's Report:**

- Nominations for honorary degrees are due by November 15.
- University Faculty Meeting # 2 will be held on Wednesday, November 29 at the Vandal Ballroom in the Pitman Center.
- Faculty Senate will not meet on Tuesday November 21 or Tuesday, November 28. The next Senate meeting will be on Tuesday December 5.
- Senators are asked to encourage their colleagues to complete the University Committee Service [Preference form](#) by December 1, 2017. The Committee on Committees has received 50 completed preference forms to date.

**Provost's Report:**

Jeanne Stevenson gave the report. Provost Wiencek is attending a national meeting of land grant institutions. He extended his best wishes for the upcoming holiday.

A senator asked whether the committee preference form could be attached to the Senate Talking Points. The chair answered that a link to the form will be included in the talking points and that a copy of the form could be attached.

A senator asked about the new multi-factor authentication protocol being implemented by Information Technology Services (ITS) for signing into university networks. He believes the details of the new system have not been adequately communicated and stated that many in his college are experiencing difficulties. Hardware tokens, which are one method of authentication, have not been available for purchase. He reported that the university bookstore had indicated that they are not going to be handling the sale of tokens moving forward. The chair deferred to the faculty secretary who explained that very recently, ITS changed its approach and will be providing hardware tokens to faculty and staff upon request. They will no longer sell the tokens and will refund the purchase price to those who have purchased a token.

The chair announced that an open session and demonstration of multi-factor authentication will be held on November 15 at 1:00 pm in the Aurora room.

Senators offered a number of comments regarding their experiences with the multi-factor authentication process:

- Duo, the application being used by the university to facilitate multi-factor authentication, seems to be causing issues for Apple users.
- Implementation of the system off campus has been a problem.

- Faculty and staff who have been travelling during the implementation period have experienced difficulties.
- Communication has been incomplete – faculty were not aware that authentication could be authorized for 14 days at a time so users do not have to use a multi-factor sign-in every time they access the network. Earlier versions of Outlook may interfere with the selection of the 14-day authentication option.
- Faculty have been told that the multi-factor authentication system does not support the most up-to-date Apple email application. Apple users have to use an older email application, which is a security downgrade.
- Using a browser-based system to remember the authentication raised issues.
- Relying on an external application such as Duo raises security concerns.
- Students also are experiencing problems with multi-factor authentication.

The chair responded that Vice President Dan Ewart presented at the morning's Presidential Leadership Breakfast regarding security of the various devices employees of the University use to connect to the network. Information regarding Duo had been provided in an email to employees. During the discussion, several senators commented that they had been able to smoothly implement multi-factor authentication and expressed surprise that others were experiencing difficulties. A senator commented that he understood that the university is dealing with time deadlines to implement better security and that there may have been a security crisis that precipitated the university's implementation. The deadline for employees to enroll in Duo has been extended to Wednesday, January 17, 2018 to allow more time for the transition. The deadline for students to enroll is Wednesday, January 31, 2018.

**FS-18-014 – FSH 1640.41 – Faculty-Staff Policy Group.** Miranda Anderson, Vice-Chair of Senate and Chair of the Committee on Committees, presented revisions to the committee structure for the Faculty-Staff Policy Group. The proposal is that the Faculty Secretary serve as chair of the committee without vote. A previous version of the proposal did not provide that the Faculty Secretary served without vote. This caused the faculty and staff representation on the committee to become unbalanced. Anderson explained that Staff Council, the Policy Group and the Committee on Committees approved the proposed revision. The proposal passed unanimously.

**FS-18-016 – FSH 1640.87 – Teaching and Advising Committee.** Next, a proposal to update the Teaching and Advising committee's membership, and conforming its functions to current practice and to reflect the creation of the Center for Excellence in Teaching and Learning, was presented. Anderson explained that the Teaching and Advising Committee (TeAC) originally proposed eliminating the function of serving as an advisory resource for the registrar on classroom use. The Committee on Committees consulted with TeAC and suggested that this provision be retained as issues regarding the availability of classroom space have arisen. Senate Leadership and others are working with Vice President Ewart on developing a new approach to facilities issues that impact teaching and advising. The proposal passed unanimously.

**FS-18-018 – FSH 2700 – Student Evaluations of Teaching.** Allan Caplan, a senator and member of TeAC, presented the proposal to remove the currently employed transitional student evaluation of teaching form from the policy. Caplan explained that two years ago TeAC was charged with revising the university form for student evaluation of teaching. The committee made a proposal that was not approved by the President. In response to the President's concerns, a new form was devised by the committee. The "new form" was discussed and approved by the Senate on [February 17, 2015](#). Because of the role of student evaluations in the tenure and promotion President Staben charged TeAC to determine whether and how evaluations on the original form and the new form correlate. As part of this process, a "transitional form" containing components of both the original and the "new form" was created and included in the policy.

The “transitional form” was discussed and approved by the senate at two meetings – [February 2, 2016](#) and [February 23, 2016](#). The study was conducted by Dale Pietrzak, Director of Institutional Effectiveness and Accreditation. Senate was updated on the study on [October 11, 2016](#). An executive summary of the study and Director Pietrzak’s recommendations were included with the agenda. Based on this past work, TeAC recommends that the “transitional form” be removed from the policy.

A senator asked Director Pietrzak about his recommendation that 0.4 points be added to each mean score on the “new form”. Pietrzak explained that this enables scores on the original and the “new form” to be compared. The senator followed up asking how this process would be implemented. Pietrzak responded that the provost’s office could ensure that this addition is highlighted as part of the tenure and promotion process.

A senator asked whether TeAC discussed the low student response rate on evaluations. Caplan indicated that the committee has discussed the issue but does not have a recommendation on how to address it at this time. Several suggestions were made including holding grades until a student has completed evaluations or using class time to complete evaluations.

A senator asked whether the response rates for the validation survey were good. Pietrzak indicated that the response rates were appropriate for the study. Chair Hrdlicka added that only the executive summary from the study was provided with the agenda and that the entire study would be made available to senators. The senator complimented Director Pietrzak for the depth and thoroughness of the study.

A senator asked whether TeAC has considered eliminating student evaluations given that some research suggests that they do not provide an accurate portrayal of faculty teaching abilities. Pietrzak indicated that while the data do not provide a basis for measuring teachers’ skills or student learning, it does provide a strong indication of the students’ perception that the faculty member is able to assist students in learning.

A senator asked whether faculty members will have the ability to customize the questions. Pietrzak responded that for the time being faculty will be able to select from a list of predetermined questions for inclusion on the evaluation, but not create their own. However, he added that changes in the university’s administrative computing software, Banner, may lead to changes in the customization of evaluations. TeAC is examining how evaluations will be made available to students once Banner is upgraded, as it will no longer support UI’s unique student evaluation system. There are a number of possibilities, but not all support customization of the evaluations.

A senator noted that the study showed that questions 1 and 2 had no predictive power on quality of performance in the course. He asked whether the committee considered eliminating those questions. Caplan responded that the committee believes the questions provide useful qualitative information about the student and the course. They also impose an expectation that the student evaluate their own participation in class and prepare students for answering the rest of the evaluation – for the amount of effort you put in, did you get what you expected.

The elimination of the transitional form was approved with three abstentions.

**Great College to Work For Report.** Director Pietrzak presented the results of the Great College to Work For Survey. He noted that, in general the results are similar to the 2016 survey results. The university had a higher response rate on the 2017 survey, but it was similarly representative. The error rate for comparing the 2016 and 2017 results is 2.2 %. If a difference in scores from the two years is less than 2.2% in any category it cannot be considered statistically significant. He concluded that across the different job

categories, faculty seem to feel slightly better about their work, administrators do not feel quite as good, and exempt and non-exempt staff show a fairly significant decrease in their feelings about work.

A senator expressed frustration that the data do not tell us why employees report dissatisfaction. She asked how the institution plans to follow up on the survey results. Pietrzak agreed that the survey is basically a screening tool that pinpoints issues and areas of concern. He stated that some follow-up is already underway. He reminded the senate that last year the university convened focus groups to explore more deeply the reasons for low employee morale. The provost has created a cascaded planning group charged with looking into the reasons for low morale and recommending how the institution might respond. He also commented that in looking at the overall results of the study, the communication issues stand out as an area of concern. It appears that the institution is siloed -- we trust our closest colleagues but not others outside our immediate workgroups.

Chair Hrdlicka added that he is a member of the 'Great Colleges' Cascaded Plan Workgroup. Last week the group met with a representative from the survey company who led the group through a detailed analysis of the extensive data set provided to the institution. Director Pietrzak also provided the following error rates for those interested in comparing responses across job categories: administrators -- 4.49%, faculty - 3.33%, exempt staff -- 5.61%, and non-exempt staff -- 5.2%.

A senator stated that she has heard many comments from faculty regarding compensation, benefits and work/life balance. Faculty believe they are continually being asked to do more with less. The President's statements in the State of the University address indicating that the institution is placing a cap on faculty and staff hires has contributed to negative faculty perceptions. The announcement of the hiring cap was surprising to many faculty and staff. She encouraged the cascaded planning committee to address these sorts of sudden messages about major policy changes.

Director Pietrzak concluded his presentation by offering to be available to speak to smaller groups to answer additional questions.

Having completed the meeting's business, a motion to adjourn (Foster/DeAngelis) was made and the meeting was adjourned at 4:34.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

## Provost and Executive Vice President

Administration Building, Suite 105  
875 Perimeter Drive MS 3152  
Moscow, ID 83844-3152

Phone: 208-885-6448  
Fax : 208-885-6558  
provost@uidaho.edu  
www.provost.uidaho.edu

**MEMORANDUM**

**TO:** Liz Brandt, Faculty Secretary  
Patrick Hrdlicka, Chair, Faculty Senate  
Miranda Anderson, Vice Chair, Faculty Senate

**FROM:** John Wiencek  
Provost and Executive Vice President

**DATE:** November 29, 2017

**SUBJECT:** Items for Faculty Senate

This is a request for approval by Faculty Senate. The following members of the faculty have been recommended for sabbatical leave for 2018-19.

Last Name	First Name	Department	Term
Adams	Anne	Curriculum and Instruction	Fall 2018
Celaya	Lori	Modern Languages and Cultures	Spring 2019
Chung	Yunhyung	Business	AY 18-19
Foster	James	Biological Sciences	Spring 2019
Heckendorn	Robert	Computer Science	Fall 2018
Miura	Tanya	Biological Sciences	Fall 2018
Nguyen	Linh	Mathematics	AY 18-19
Slovic	Scott	English	Spring 2019
Stuen	Eric	Business	AY 18-19
Teague	Alexandra	English	AY 18-19
Waits	Lisette	Fish & Wildlife Sciences	Spring 2019
Wharton	Phillip	Aberdeen Extension	FY 18-19
Wilhelm	Frank	Fish & Wildlife Sciences	Fall 2018
Yopp	David	Mathematics	AY 18-19

cc: Ann Thompson, Faculty Secretary Office  
Mary Stout, Provost's Office  
Jill Robertson, Budget Office  
Erin James, Chair, Sabbatical Leave Evaluation Committee

## PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM Short Form

**Instructions:** Please use one form for each request/action. Clearly mark all changes using Track Change or strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, a single representative for the college will e-mail the completed form to the Office of the Provost and Executive Vice President, [provost@uidaho.edu](mailto:provost@uidaho.edu) for approval and then submission to the Academic Publications Editor in the Registrar's Office for review by the University Curriculum Committee (UCC).

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

**When applicable a Curriculum Change Form and Course Approval Forms must accompany the short form when submitted to [provost@uidaho.edu](mailto:provost@uidaho.edu)**

### Submission Information

This section must be completed

College:	Education		
Department/Unit:	Movement Sciences		
Dept/Unit Approval Date:	August 30, 2017	Vote Record:	
College Approval Date:	CCC: September 15, 2017.	Vote Record:	
CIP code (Consult Institutional Research):			
Primary Point of Contact (Name and Email):	Philip Scruggs, <a href="mailto:pwscruggs@uidaho.edu">pwscruggs@uidaho.edu</a>		

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

This section must be completed

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

ESH faculty would like to change the name of the BS Exercise Science and Health degree to Exercise, Sport, and Health Sciences. This name change will better reflect the curricula and career options for current and prospective students. There are no additional requests for changes in workload, program components, or admission requirements.

### Name or Degree Change Only Requests

Leave blank if not making a name and/or degree change only request

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

Current Name:	Exercise Science and Health
New Name:	Exercise, Sport, and Health Sciences
Current Degree:	BS ESH
New Degree:	BS ESHS
Other Details:	
Effective Date:	

**Program Component Request**

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

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

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

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

Major:	Exercise Science and Health	Degree:	BS ESH
--------	-----------------------------	---------	--------

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

Option:	
Emphasis:	
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

**Learning Outcomes and Assessment Information**

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

1.	List the intended learning outcomes for the program component, using learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:
2.	Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
3.	How will you ensure that the assessment findings will be used to improve the program?
4.	What direct and indirect measures will be used to assess student learning?
5.	When will assessment activities occur and at what frequency?

--

**Financial Impact**

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

Greater than \$250,000 per FY:	Less than \$250,000 per FY:	x	
Brief Description of financial impact:	Changing the name of the degree does not impact coursework or faculty loads, so there is a limited financial impact.		

**Distance Education Availability**

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

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

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

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

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

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

**Geographical Area Availability**

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

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

Moscow	x			
Coeur d'Alene				
Boise*				
Idaho Falls*				
Other**		Location(s):		

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

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

**Office of the Registrar Information**

Implementation Effective Date:			
Date Received by the Office of the Provost and Executive Vice President:			
Date Received by Budget Office, if applicable:			
Date Received by Institutional Research and Assessment:			
Date Received by UCC Secretary:			
UCC Item Number:			
UCC Approval Date:		Vote Record:	
Faculty Senate Item Number:			
Faculty Senate Approval Date:		Vote Record:	
General Policy Report Number or Faculty Meeting Date:			
Office of the President Approval Date:			
State Board of Education Approval/Acknowledgement Date:			

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	Steven Beyerlein	Email:	<a href="mailto:sbeyer@uidaho.edu">sbeyer@uidaho.edu</a>
College:	Engineering		
Department/Unit:	Mechanical Engineering		
Dept/Unit Approval Date:	8/29/17	Vote Record:	12 in favor out of 12 in attendance
College Approval Date:	9/29/2017	Vote Record:	Unanimous
Primary Point of Contact:	Steve Beyerlein	Email:	sbeyer@uidaho.edu
Briefly describe the change you are requesting:	Discontinue the Manufacturing Engineering minor in Mechanical Engineering		

**What is the financial impact of the requested change?**

Greater than \$250,000 per FY:	<input type="checkbox"/>	Less than \$250,000 per FY:	<input checked="" type="checkbox"/>
--------------------------------	--------------------------	-----------------------------	-------------------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact:

**Rationale for Program Component Request or Name Change**

This section must be completed

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

The ME dept would like to discontinue the Manufacturing Engineering minor. To the department's knowledge no student has pursued a Manufacturing Engineering minor in the past 12+ years. This will streamline the department's offerings to one minor only.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

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

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No

If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**\*\*Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**\*\*Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

<input type="checkbox"/>	Create New	<input checked="" type="checkbox"/>	Discontinue	Implementation Date:	Immediately or new AY catalog 2018-19		
<input type="checkbox"/>	Graduate Level	<input type="checkbox"/>	Undergraduate Level	<input type="checkbox"/>	Law Level	Credit Requirement:	18
Are new courses being created: (circle your response)				<u>No</u>	Yes	If yes, how many courses will be created:	

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

Major:		CIP Code:	14.0101	Degree:	
--------	--	-----------	---------	---------	--

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

Option:	
Emphasis:	
Minor:	Manufacturing Engineering
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

### Learning Outcomes and Assessment Information

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

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

2.	Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
3.	How will you ensure that the assessment findings will be used to improve the program?
4.	What direct and indirect measures will be used to assess student learning?
5.	When will assessment activities occur and at what frequency?

**Distance Education Availability**

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

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

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

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

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

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

**Geographical Area Availability**

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

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

Moscow	X		
Coeur d'Alene			
Boise*			
Idaho Falls*			
Other**		Location(s):	

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

# Idaho State Board of Education

## Proposal for Undergraduate/Graduate Degree Program

Date of Proposal Submission:	
Institution Submitting Proposal:	University of Idaho
Name of College, School, or Division:	College of Science
Name of Department(s) or Area(s):	Statistical Science

**Program Identification for Proposed New or Modified Program:**

Program Title:	BS Statistics				
Degree:	BS	Degree Designation	X	Undergraduate	Graduate
Indicate if Online Program:	Yes		No X		
CIP code (consult IR /Registrar):	27.0501 General Statistics				
Proposed Starting Date:	Summer 2018				
Geographical Delivery:	Location(s)	Moscow, ID	Region(s)	II	
Indicate (X) if the program is/has:		Self-Support		Professional Fee	
Indicate (X) if the program is:	x	Regional Responsibility		Statewide Responsibility	

**Indicate whether this request is either of the following:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> New Degree Program<br><input type="checkbox"/> Undergraduate/Graduate Certificates (30 credits or more)<br><input type="checkbox"/> Expansion of Existing Program | <input type="checkbox"/> Consolidation of Existing Program<br><input type="checkbox"/> New Off-Campus Instructional Program<br><input type="checkbox"/> Other (i.e., Contract Program/Collaborative) |
|---|--|

College Dean (Institution)	Date
Graduate Dean or other official (Institution; as applicable)	Date
FVP/Chief Fiscal Officer (Institution)	Date
Provost/VP for Instruction (Institution)	Date
President	Date

Vice President for Research (Institution; as applicable)	Date
Academic Affairs Program Manager, OSBE	Date
Chief Academic Officer, OSBE	Date
SBOE/Executive Director Approval	Date

**Before completing this form, refer to Board Policy Section III.G., Postsecondary Program Approval and Discontinuance.** This proposal form must be completed for the creation of each new program. All questions must be answered.

## **Rationale for Creation or Modification of the Program**

- 1. Describe the request and give an overview of the changes that will result.** Will this program be related or tied to other programs on campus? Identify any existing program that this program will replace.

*We are proposing creation of a Bachelor of Science degree in Statistics in the Department of Statistical Science. This degree will have two options: the General option and the Actuarial Science option. The Actuarial Science option is being directly transferred from the option of the same name from the BS in Mathematics, while the General option will be similar to the Applied Statistics option in the BS Mathematics degree, with curricular changes. We are essentially planning to transfer two options in the current BS in Mathematics to create a BS in Statistics. This move will give the degree a higher profile, more flexibility, and will move it into the department where it most naturally resides and where advisors are experts in the area and understand course content and appropriateness for career and future goals for students.*

- 2. Need for the Program.** Describe the student, regional, and statewide needs that will be addressed by this proposal and address the ways in which the proposed program will meet those needs.

*These two degree options have good graduation numbers as options within the BS degree in Mathematics. Given more visibility and tailored to the needs of data-rich fields, the degree will meet an important demand in many fields. The field of Statistics is a major part of emerging areas such as Data Science and Analytics. As noted in the market analysis by Hanover, "... **statistics graduates will require a broader range of skills**" to fill future Data Science positions. The newly configured General option will be very flexible, allowing students to acquire a variety of skills. Having faculty from the Department of Statistical Science direct this degree will open new possibilities for students in the areas of undergraduate research and the ability to tailor the degree to their interests.*

- a. Workforce need:** Provide verification of state workforce needs that will be met by this program. Include [State](#) and [National Department of Labor](#) research on employment potential. Using the chart below, indicate the total projected annual job openings (including growth and replacement demands in your regional area, the state, and nation. Job openings should represent positions which require graduation from a program such as the one proposed. Data should be derived from a source that can be validated and must be no more than two years old.

List the job titles for which this degree is relevant:

- 1. Statistician*
- 2. Actuary (for the Actuarial Science option)*
- 3. Insurance Underwriter*
- 4. Data Analyst*
- 5. Data Scientist*
- 6. Statistical Programmer*

7. Survey Researcher
8. Mathematician
9. Any other fields where data is used

	State DOL data	Federal DOL data	Other data source: (describe)
Local (Service Area)			Regionally, 240/year a
State	21 /year b		
Nation		1640/year c, d, e	f, g

Provide (as appropriate) additional narrative as to the workforce needs that will be met by the proposed program.

- a. From the market analysis by Hanover, by selecting the occupations ‘Actuary,’ ‘Statistician,’ Insurance Underwriter’, and ‘Survey Researcher’ which were used in their report. However there are many other job titles that pertain to this degree, such as Data Scientist, Data Analyst, and Statistical Programmer.
- b. The State DOL data was obtained by selecting the occupations ‘Actuary,’ ‘Statistician,’ Insurance Underwriter’, and ‘Survey Researcher’ which were used in the external report by Hanover Research. However there are many other job titles that pertain to this degree, such as Data Scientist, Data Analyst, and Statistical Programmer.
- c. using <https://www.bls.gov/ooh/math/statisticians.htm> and
- d. <https://www.bls.gov/ooh/math/actuaries.htm> and
- e. <https://www.bls.gov/ooh/life-physical-and-social-science/survey-researchers.htm>  
In each case the 10 year job change was divided by 10 to obtain a yearly change.
- f. Many surveys of best careers include both Statisticians and Actuaries. For example, Careercast.com’s report on the best jobs of 2016 (<http://www.careercast.com/jobs-rated/jobs-rated-report-2016-ranking-200-jobs>) has Data Scientist as #1, Statistician as #2, and Actuary as #10.
- g. Statisticians are listed as one of the five fastest growing occupations requiring a Bachelor’s degree or higher, [https://www.bls.gov/emp/images/top\\_occupations.jpg](https://www.bls.gov/emp/images/top_occupations.jpg)

- b. **Student need.** What is the most likely source of students who will be expected to enroll (full-time, part-time, outreach, etc.). Document student demand by providing information you have about student interest in the proposed program from inside and outside the institution. If a survey of s was used, please attach a copy of the survey instrument with a summary of results as **Appendix A**.

*Initially these two options will have enrollment numbers similar to the analogous options for the BS degree in Mathematics. With greater visibility and tailoring of the General option for Data Science and other applications, enrollment should grow. Nationally, the bachelor’s degree in statistics is one of the fastest growing majors, with a 40% growth between 2009 and 2011 (<http://magazine.amstat.org/blog/2013/05/01/stats-degrees/>) .*

- c. **Economic Need:** Describe how the proposed program will act to stimulate the state economy by advancing the field, providing research results, etc.

*More and more data is being collected in many fields. The demand for graduates who are trained to understand these data sets will grow. Each year representatives and recruiters come to the University of Idaho and request to meet with our Actuarial Science and Statistics majors as they are looking to hire and have hired our graduates in the past.*

**d. Societal Need:** Describe additional societal benefits and cultural benefits of the program.

*Statisticians are in demand in virtually every field to understand information, from both large and small data sets. Societal benefits accrue from the proper collection and accurate reporting of data, and cultural benefits can come from, for example, being able to accurately report information to citizens and stakeholders.*

**e. If Associate's degree, transferability:**

N/A

**3. Similar Programs.** Identify similar programs offered within Idaho and in the region by other in-state or bordering state colleges/universities.

Using data from the external report by Hanover Research:

Similar Programs offered <u>by Idaho public institutions</u> (list the proposed program as well)		
Institution Name	Degree name and Level	Program Name and brief description if warranted
University of Idaho	B.S. in Statistics	Proposed program
Idaho State University	B.S. in Statistics	Department of Mathematics and Statistics

Similar Programs offered <u>by other Idaho institutions and by institutions in nearby states</u>		
Institution Name	Degree name and Level	Program Name and brief description if warranted
University of Northern Colorado	B.S. Mathematics, Applied Statistics	School of Mathematical Sciences
Montana State University	Mathematical Sciences, Statistics option	Department of Mathematical Sciences
University of Montana	B.A. Mathematics, Statistics option	Department of Mathematical Sciences
Washington State	B.S. Mathematics, Actuarial Science	Department of Mathematics and Statistics

<b>University</b>	<b>option</b>	
<b>University of Wyoming</b>	<b>B.S./B.A. Statistics</b>	<b>Department of Statistics</b>
<b>BYU Idaho</b>	<b>Bachelor's in Mathematical Sciences with Applied Statistics emphasis</b>	<b>Department of Mathematics</b>

4. **Justification for Duplication with another institution listed above.** (if applicable). If the proposed program is similar to another program offered by an Idaho public institution, provide a rationale as to why any resulting duplication is a net benefit to the state and its citizens. Describe why it is not feasible for existing programs at other institutions to fulfill the need for the proposed program.

*The Applied Statistics and Actuarial Science options have existed within the B.S. in Mathematics at the University of Idaho for many years, so there is no new duplication from this proposal.*

5. **Describe how this request supports the institution's vision and/or strategic plan.**

*Our vision statement describes where the university plans to arrive within the next decade: "The University of Idaho will expand the institution's intellectual and economic impact and make higher education relevant and accessible to qualified students of all backgrounds." Virtually every field of study needs people with statistical skills, and our ability to provide degrees in this field aligns with our institutional mission of economic impact. Regarding the strategic plan, this new program will provide new opportunities for students to engage in undergraduate research (Strategic Plan Goal 1).*

6. **Assurance of Quality.** Describe how the institution will ensure the quality of the program. Describe the institutional process of program review. Where appropriate, describe applicable specialized accreditation and explain why you do or do not plan to seek accreditation.

*External Program Review, along with ongoing annual planning and academic outcomes assessment are steps to ensure quality of the program. Although there is no specialized accreditation process for Statistics programs, External Program Reviews are conducted on a seven-year cycle and academic outcomes assessments occur annually.*

7. **In accordance with Board Policy III.G., an external peer review is required for any new doctoral program.** Attach the peer review report as **Appendix B**.

8. **Teacher Education/Certification Programs** All Educator Preparation programs that lead to certification require review and recommendation from the Professional Standards Commission (PSC) and approval from the Board.

Will this program lead to certification?

Yes\_\_\_\_\_ No\_\_X\_\_\_\_

If yes, on what date was the Program Approval for Certification Request submitted to the Professional Standards Commission?

**9. Five-Year Plan: Is the proposed program on your institution’s approved 5-year plan? Indicate below.**

Yes  X  No \_\_\_\_\_

Proposed programs submitted to OSBE that are not on the five-year plan must respond to the following questions and meet at least one criterion listed below.

- a. Describe why the proposed program is not on the institution's five year plan.**  
When did consideration of and planning for the new program begin?
- b. Describe the immediacy of need for the program.** What would be lost were the institution to delay the proposal for implementation of the new program until it fits within the five-year planning cycle? What would be gained by an early consideration?

**Criteria.** As appropriate, discuss the following:

- i. How important is the program in meeting your institution’s regional or statewide program responsibilities? Describe whether the proposed program is in response to a specific industry need or workforce opportunity.
- ii. Explain if the proposed program is reliant on external funding (grants, donations) with a deadline for acceptance of funding.
- iii. Is there a contractual obligation or partnership opportunity to justify the program?
- iv. Is the program request or program change in response to accreditation requirements or recommendations?
- v. Is the program request or program change in response to recent changes to teacher certification/endorsement requirements?

**Curriculum, Intended Learning Outcomes, and Assessment Plan**

**10. Curriculum for the proposed program and its delivery.**

- a. Summary of requirements.** Provide a summary of program requirements using the following table.

Credit hours in required courses offered by the department (s) offering the program.	24 – 39
Credit hours in required courses offered by other departments:	14 - 33
Credit hours in institutional general education curriculum	36
Credit hours in free electives	32 - 36
Total credit hours required for degree program:	120

*The range of credits required in Statistics as well as in other departments varies according to student interests. Four elective courses are required in the General option, and they can be all from Statistics, or all from Mathematics, or mostly in computer science courses in several departments. The likely net effect of this reconfigured Statistics General option in comparison to the Statistics option currently in the BS degree in Mathematics should be that some more credit hours occur in Statistics courses that formerly were in Mathematics courses.*

- b. Additional requirements.** Describe additional requirements such as comprehensive examination, senior thesis or other capstone experience, practicum, or internship, some of which may carry credit hours included in the list above.

*A Senior Experience course is required of all majors. We will create a Senior Experience course for Statistics majors to enable them to work in teams to collect, process, and analyze data for research studies. This will be a three-credit course.*

## 11. Program Intended Learning Outcomes and Connection to Curriculum.

- a. Intended Learning Outcomes.** List the Intended Learning Outcomes for the proposed program, using learner-centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program.
- 1. The student can apply fundamental theory in probability and statistical inference.*
  - 2. The student can apply and evaluate statistical models.*
  - 3. The student can apply statistical computing skills for data analysis and data science.*
  - 4. The student has developed effective communication skills.*

## 12. Assessment plans

- a. Assessment Process.** Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program.

*Our assessment plan will align the learning outcomes with specific courses in the program. From the set of learning outcomes shown above, LO 1 would align with skills from Math 451 and Stat 452, LO 2 aligns with skills from Stat 422 and Stat 437, LO 3 aligns with skills from Stat 426 and Stat 427, and LO 4 aligns with skills developed in projects in several courses as well as the Senior Experience course. Specific exam questions and project outcomes could be used to measure LO attainment. We already have a similar system in place for assessment of our MS degree. Exam questions and projects will be selected and data will be collected yearly for each outcome. Instructors of these courses will select exam questions and/or projects and present findings in our yearly faculty meeting on assessment. Initially we will collect data on all students in the major, and we may consider sampling students as the program grows. We will start with a set of benchmarks similar to those in our MS program (e.g. At least 70% of majors have a satisfactory score on the given exam questions/projects), and consider adjustments as we collect more data.*

- b. Closing the loop.** How will you ensure that the assessment findings will be used to improve the program?

*Yearly evaluation of direct and indirect measures will point out areas that can benefit*

from improvement. As outlined above, learning outcomes are mostly aligned with specific courses. If benchmarks are not attained for a specific learning outcome, the faculty will discuss this at our annual meeting on assessment. The instructors of LO-aligned courses will play an important role in these discussions. If benchmarks for a particular outcome are not attained, then faculty discussion may lead to the suggestion that more time be spent on particular topics, or that they be presented in different ways in aligned courses, for example.

- c. Measures used.** What direct and indirect measures will be used to assess student learning?

As mentioned above, measures would come from courses aligned with specific learning outcomes. For LO's 1 – 3, our initial direct measures would come from selected exam questions in the aligned course as indicated above. For LO 4, a direct measure could come from student work in the Senior Experience course, or based on the student's ability to explain findings in a written report or oral presentation in courses such as Stat 437: Design of Experiments. Our initial indirect measures for each LO will come from exit interviews, with more indirect measures to be possibly added later.

- d. Timing and frequency.** When will assessment activities occur and at what frequency?

We plan to assess all LOs on a yearly basis. Most of these courses are taught once per year, so some outcomes would have data collected in the Fall semester while others would have data collected in the Spring semester. The yearly faculty assessment meeting will occur either in late Spring or early Fall. Changes to the program suggested by assessment results can then be implemented in courses the next time they are taught.

**Enrollments and Graduates**

- 13. Existing similar programs at Idaho Public Institutions.** Using the chart below, provide enrollments and numbers of graduates for similar existing programs at your institution and other Idaho public institutions.

Existing Similar Programs: Historical enrollments and graduate numbers								
Institution and Program Name	Fall Headcount Enrollment in Program				Number of Graduates From Program (Summer, Fall, Spring)			
	FY12	FY13	FY14	FY15 (most recent)	FY12	FY13	FY14	FY15 (most recent)
BSU								
ISU					2	2	7	4

<b>UI</b>	34	34	39	31	4	10	9	9
<b>LCSC</b>								

- 14. Projections for proposed program:** Using the chart below, provide projected enrollments and number of graduates for the proposed program:

Proposed Program: Projected Enrollments and Graduates First Five Years											
Program Name:											
Projected Fall Term Headcount Enrollment in Program						Projected Annual Number of Graduates From Program					
FY19 (first year)	FY20	FY21	FY22	FY23	FY24	FY19 (first year)	FY20	FY21	FY22	FY23	FY24
31	35	40	45	50	55	7	8	10	11	12	14

- 15. Describe the methodology for determining enrollment and graduation projections.** Refer to information provided in Question #2 “Need” above. What is the capacity for the program? Describe your recruitment efforts? How did you determine the projected numbers above?

*The initial enrollment projections are based on the number of students in the existing options in the B.S. degree in Mathematics. Future projections are based on assuming modest increases over time, which seems reasonable given the increasing numbers nationally. Enrollment increases will fit within existing course capacity for the first several years. Beyond the first several years a few courses may need an extra section each year. Initial recruitment efforts will be to create a brochure describing the new degree and its options to be used in College of Science recruiting events.*

- 16. Minimum Enrollments and Graduates.** Have you determined minimums that the program will need to meet in order to be continued? What are those minimums, what is the logical basis for those minimums, what is the time frame, and what is the action that would result?

*Versions of these two options currently exist as options in the BS degree in Mathematics. Those options, with edits, will become the two options in this new BS degree in Statistics. Thus there is already a record of steady enrollment in these options, which will increase as the General option in the BS Statistics degree attracts a more diverse population of students. Even if these two options were to suddenly suffer a drop in enrolled students (reversing the steady enrollments of at least 15 years and at odds with national trends), almost all of the actual courses offered by Statistics faculty would still be needed for other programs across campus. For example, the Stat 507 Experimental Design course (which will now be joint listed as Stat 437/507) has 21 students in Fall 2017, only five of whom are in undergraduate or*

*graduate Statistics programs. If both degree options were to suffer sustained drops, the senior experience course that we will create would discontinue if the BS degree were discontinued, but those are the only likely curricular actions that would result.*

## **Resources Required for Implementation – fiscal impact and budget**

### **17. Physical Resources.**

- a. Existing resources.** Describe equipment, space, laboratory instruments, computer(s), or other physical equipment presently available to support the successful implementation of the program.

**b.**  
*Our current space should be sufficient, since this degree is replacing existing degree options.*

- c. Impact of new program.** What will be the impact on existing programs of increased use of physical resources by the proposed program? How will the increased use be accommodated?

*No additional impact is expected.*

- d. Needed resources.** List equipment, space, laboratory instruments, etc., that must be obtained to support the proposed program. Enter the costs of those physical resources into the budget sheet.

*A small amount of money will be needed to provide support for recruiting, undergraduate research, having a Statistics club, and other student activities. According to our calculations, a small increase in enrollment would more than pay for this additional support if funds are reallocated to the department.*

### **18. Library resources**

- a. Existing resources and impact of new program.** Evaluate library resources, including personnel and space. Are they adequate for the operation of the present program? Will there be an impact on existing programs of increased library usage caused by the proposed program? For off-campus programs, clearly indicate how the library resources are to be provided.

*The library resources at the University of Idaho are adequate. There should be very little impact as this degree is similar to the options it would replace.*

- b. Needed resources.** What new library resources will be required to ensure successful implementation of the program? Enter the costs of those library resources into the budget sheet.

*Existing resources should be adequate.*

### **19. Personnel resources**

- a. **Needed resources.** Give an overview of the personnel resources that will be needed to implement the program. How many additional sections of existing courses will be needed? Referring to the list of new courses to be created, what instructional capacity will be needed to offer the necessary number of sections?

*Our proposed budget (outlined on the Budget spreadsheet) requests a modest amount of funding for two objectives. The first objective is for Statistics to take over funding for Math 455, which is a course taught to Actuarial Science students. Currently Mathematics provides funding to staff the course. The second objective is funding to support creation of a Statistics capstone course, which will entail buying out a faculty member from a different course. The Statistics capstone course is expected to be highly interdisciplinary and may attract students from multiple majors. **Existing resources.** Describe the existing instructional, support, and administrative resources that can be brought to bear to support the successful implementation of the program.*

*Existing instructional, support, and administrative resources should be adequate for everything except the three funding objectives listed above.*

- b. **Impact on existing programs.** What will be the impact on existing programs of increased use of existing personnel resources by the proposed program? How will quality and productivity of existing programs be maintained?

*This program would likely lead to enrollment increases in several Statistics courses, but these courses could accommodate projected increases for at least the first three or four years, at which point one or two new sections may be needed.*

- c. **Needed resources.** List the new personnel that must be hired to support the proposed program. Enter the costs of those personnel resources into the budget sheet.

*Our proposal lists only resources to offer one new course (a capstone course) and to take over funding for an existing course (Math 455). With the proposed increased funding, personnel can be identified to cover these courses.*

## 20. **Revenue Sources**

- a) **Reallocation of funds:** If funding is to come from the reallocation of existing state appropriated funds, please indicate the sources of the reallocation. What impact will the reallocation of funds in support of the program have on other programs?

*A funding source will need to be identified, but anticipated enrollment increases will more than pay for this funding if a portion of the revenue is allocated to the department*

- b) **New appropriation.** If an above Maintenance of Current Operations (MCO) appropriation is required to fund the program, indicate when the institution plans to include the program in the legislative budget request.

*Unknown.*

- c) **Non-ongoing sources:**

- i. If the funding is to come from one-time sources such as a donation, indicate the sources of other funding. What are the institution's plans for sustaining the program

when that funding ends?

- ii. Describe the federal grant, other grant(s), special fee arrangements, or contract(s) that will be valid to fund the program. What does the institution propose to do with the program upon termination of those funds?

NA

d) **Student Fees:**

- i. If the proposed program is intended to levy any institutional local fees, explain how doing so meets the requirements of Board Policy V.R., 3.b.
- ii. Provide estimated cost to students and total revenue for self-support programs and for professional fees and other fees anticipated to be requested under Board Policy V.R., if applicable.

*General degree costs: For a degree completed in 4 years:*

*Idaho Residents: \$28,928*

*Non-Idaho Residents: \$88,160*

*Additional Web-based courses: ~\$210 Stat 251 or 301, Stat 431.*

21. Using the budget template provided by the Office of the State Board of Education, provide the following information:

- Indicate all resources needed including the planned FTE enrollment, projected revenues, and estimated expenditures for the first **four** fiscal years of the program.
- Include reallocation of existing personnel and resources and anticipated or requested new resources.
- Second and third year estimates should be in constant dollars.
- Amounts should reconcile subsequent pages where budget explanations are provided.
- If the program is contract related, explain the fiscal sources and the year-to-year commitment from the contracting agency(ies) or party(ies).
- Provide an explanation of the fiscal impact of any proposed discontinuance to include impacts to faculty (i.e., salary savings, re-assignments).

**Statistics B.S.****Basic Courses (14 cr)**

MATH 170	Analytic Geometry and Calculus I	4 cr
MATH 175	Analytic Geometry and Calculus II	4 cr
MATH 275	Analytic Geometry and Calculus III	3 cr
MATH 330	Linear Algebra	3 cr

**A. General Option****Statistics Courses (21 cr)**

STAT 301	Probability and Statistics	3 cr
STAT 422	Sample Survey Methods	3 cr
STAT 431	Statistical Analysis	3 cr
<a href="#">STAT 436</a>	<a href="#">Applied Regression Modeling</a>	3 cr
<a href="#">STAT 437</a>	<a href="#">Experimental Design</a>	3 cr
STAT 451	Probability Theory	3 cr
STAT 452	Mathematical Statistics	3 cr

**Computer Courses (6 cr):**

CS 120	Computer Science I	4 cr
STAT 427	R Programming	3 cr
STAT 426	SAS Programming	3 cr
Other approved Courses		

**Major Electives (12 cr):**

CS 479	Data Science	3 cr
MATH 310	Ordinary Differential Equations	3 cr
MATH 428	Numerical Methods	3 cr
MATH 437	Mathematical Biology	3 cr
MATH 438	Mathematical Modeling	3 cr
MATH 471	Introduction to Analysis I	3 cr
MIS 455	Data Management for Big Data	3 cr
MIS 555	Data Management for Big Data	3 cr
STAT 456	Quality Management	3 cr
<a href="#">STAT 535</a>	<a href="#">Intro to Bayesian Statistics</a>	3 cr
STAT 514	Nonparametric Statistics	3 cr
STAT 517	Statistical Learning & Predictive Modeling	3 cr

**Capstone (3 cr):**

MATH 415	Cryptography	3 cr
----------	--------------	------

**B. Actuarial Science and Finance Option****Math Courses (9 cr):**

MATH 310	Ordinary Differential Equations	3 cr
MATH 451	Probability Theory	3 cr
MATH 452	Mathematical Statistics	3 cr

**400-Level Math Courses (9cr):**

MATH*	Additional Math Courses	9 cr
-------	-------------------------	------

\*Three additional courses chosen from Math courses numbered 400 and above. May include STAT 422.

**Supporting Courses (12 cr):**

ACCT 201	Introduction to Financial Accounting	3 cr
ACCT 202	Introduction to Managerial Accounting	3 cr
FIN 301	Financial Resources Management	3 cr
STAT 431	Statistical Analysis	3 cr

**One of the Following (4-6 cr):**

ECON 201	Principles of Macroeconomics	3 cr
ECON 202	Principles of Microeconomics	3 cr
OR		
ECON 272	Foundations of Economic Analysis	4 cr

**One of the Following (3-4 cr)**

CS 112	Computational Thinking and Problem Solving	3 cr
CS 120	Computer Science I	4 cr

**One of the following (3 cr)**

STAT 251	Statistical Methods	3 cr
STAT 301	Probability and Statistics	3 cr

**One of the Following (1-3 cr)**

BUS 339	Spreadsheet Modeling	1 cr
STAT 426	SAS Programming	3 cr

**At least three courses selected from the following (7-9 cr)**

FIN 302	Intermediate Financial Management	3 cr
FIN 381	International Finance	3 cr
FIN 408	Security Analysis	3 cr
FIN 463	Portfolio Management	3 cr
FIN 464	Derivatives and Risk Management	3 cr
FIN 465	Introduction to Market Trading	3 cr
FIN 469	Risk and Insurance	3 cr

ECON 351	Intermediate Macroeconomic Analysis	3 cr
ECON 352	Intermediate Microeconomic Analysis	3 cr
MATH 455	Applied Actuarial Science	1 cr

**One of the Following (3 cr):**

STAT 433	Econometrics	3 cr
STAT 550	Regression	3 cr

**Program Resource Requirements.**

- Indicate all resources needed including the planned FTE enrollment, projected revenues, and estimated expenditures for the first **four** fiscal years of
- Include reallocation of existing personnel and resources and anticipated or requested new resources.
- Second and third year estimates should be in constant dollars.
- Amounts should reconcile subsequent pages where budget explanations are provided.
- If the program is contract related, explain the fiscal sources and the year-to-year commitment from the contracting agency(ies) or party(ies).
- Provide an explanation of the fiscal impact of any proposed discontinuance to include impacts to faculty (i.e., salary savings, re-assignments).

**I. PLANNED STUDENT ENROLLMENT**

	<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>	
	FTE	Headcount	FTE	Headcount	FTE	Headcount	FTE	Headcount
A. New enrollments			2	2	5	5	8	8
B. Shifting enrollments	31	31	31	31	35	40	45	45
<b>Total Enrollment</b>	<b>31</b>	<b>31</b>	<b>33</b>	<b>33</b>	<b>40</b>	<b>45</b>	<b>53</b>	<b>53</b>

**II. REVENUE (Scenario B only)**

	<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
1. New Appropriated Funding Request	\$0.00							
2. Institution Funds								
3. Federal								
4. New Tuition Revenues from Increased Enrollments			\$10,692.28		\$26,730.70		\$42,769.12	
5. Student Fees								
6. Other (i.e., Gifts)								
<b>Total Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$10,692</b>	<b>\$0</b>	<b>\$26,731</b>	<b>\$0</b>	<b>\$42,769</b>	<b>\$0</b>

*Ongoing is defined as ongoing operating budget for the program which will become part of the base.*

**One-time is defined as one-time funding in a fiscal year and not part of the base.**

**III. EXPENDITURES**

	<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>A. Personnel Costs</b>								
1. FTE	1.0							
2. Faculty	\$8,000.00		\$8,000.00		\$8,000.00		\$8,000.00	
3. Adjunct Faculty								
4. Graduate/Undergrad Assistants								
5. Research Personnel								
6. Directors/Administrators								
7. Administrative Support Personnel								
8. Fringe Benefits	\$2,072.000 #		\$2,072.000		\$2,072.000		\$2,072.000	
9. Other:								
<b>Total Personnel and Costs</b>	<u>\$10,072</u>	<u>\$0</u>	<u>\$10,072</u>	<u>\$0</u>	<u>\$10,072</u>	<u>\$0</u>	<u>\$10,072</u>	<u>\$0</u>

	<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>B. Operating Expenditures</b>								
1. Travel								
2. Professional Services								
3. Other Services								
4. Communications								
5. Materials and Supplies	\$2,000.00		\$2,000.00		\$2,000.00		\$2,000.00	
6. Rentals								
7. Materials & Goods for Manufacture & Resale								
8. Miscellaneous								
<b>Total Operating Expenditures</b>	<u>\$2,000</u>	<u>\$0</u>	<u>\$2,000</u>	<u>\$0</u>	<u>\$2,000</u>	<u>\$0</u>	<u>\$2,000</u>	<u>\$0</u>

	<u>FY 19</u>		<u>FY 20</u>		<u>FY 21</u>		<u>FY 22</u>	
	On-going	One-time	On-going	One-time	On-going	One-time	On-going	One-time
<b>C. Capital Outlay</b>								
1. Library Resources								
2. Equipment								
<b>Total Capital Outlay</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

	<u>FY 19</u>	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
<b>D. Capital Facilities Construction or Major Renovation</b>				
<b>E. Other Costs</b>				
Utilites				
Maintenance & Repairs				
Other				
<b>Total Other Costs</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>TOTAL EXPENDITURES:</b>	<u>\$12,072</u>	<u>\$0</u>	<u>\$12,072</u>	<u>\$0</u>
<b>Net Income (Deficit)</b>	<u>-\$12,072</u>	<u>\$0</u>	<u>-\$1,380</u>	<u>\$0</u>

Budget Notes (specify row and add explanation where needed; e.g., "I.A.,B. FTE is calculated using..."):

I.A	FTE is calculated assuming an increase in enrollment after publicizing the new degree
I.B	FTE is calculated using numbers from the existing options in the BS degree in Mathematics
II.4	Tuition revenue is calculated using data from the UI Budget Office
III.A. 1,2,8	These costs are associated with the Statistics Department funding the Math 455 course formerly funded by the Mathematics Department, and
III.B.5	These costs are associated with funding recruiting events, student events, and undergraduate research

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	Christopher Williams	Email:	chrisw@uidaho.edu
College:	Science		
Department/Unit:	Mathematics		
Dept/Unit Approval Date:	09/14/2017	Vote Record:	Unanimous
College Approval Date:	9/28/17	Vote Record:	Unanimous
Primary Point of Contact:	Jana Joyce	Email:	jjoyce@uidaho.edu
Briefly describe the change you are requesting:	Discontinuing the Applied—Actuarial Science and Financial option.		

**What is the financial impact of the requested change?**

<input type="checkbox"/> Greater than \$250,000 per FY:	<input checked="" type="radio"/>	<input type="checkbox"/> Less than \$250,000 per FY:
---	----------------------------------	--

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact: There will be no financial impact.

**Rationale for Program Component Request or Name Change**

This section must be completed

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

The proposal is to discontinue the Applied—Actuarial Science and Finance option within the BS degree in Mathematics. This option will be moved to the Department of Statistics as one of the two options under the new BS degree in Statistics. The change is being made because the Actuarial option is more aligned with the interests and experience of the Statistics faculty, who have a better background to be advisors for this option.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

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

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No

If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**\*\*Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**\*\*Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

<input type="checkbox"/> Create New	<input type="checkbox"/> Discontinue	Implementation Date:			
<input type="checkbox"/> Graduate Level	<input type="checkbox"/> Undergraduate Level	<input type="checkbox"/> Law Level	Credit Requirement:		
Are new courses being created: (circle your response)		<input type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, how many courses will be created:	

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

Major:	Mathematics	CIP Code:	27.0101 (major all options)	Degree:	BS
--------	-------------	-----------	-----------------------------	---------	----

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

Option:	Applied – Actuarial Science and Finance Option
Emphasis:	
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

The actuarial science and finance option prepares students for the examinations administered by the actuarial societies.
--

### Learning Outcomes and Assessment Information

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

1. List the intended learning outcomes for the program component. Use learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:
2. Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:

3. How will you ensure that the assessment findings will be used to improve the program?
4. What direct and indirect measures will be used to assess student learning?
5. When will assessment activities occur and at what frequency?

**Distance Education Availability**

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

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

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

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

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

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

**Geographical Area Availability**

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

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

Moscow					
Coeur d'Alene					
Boise*					
Idaho Falls*					
Other**		Location(s):			

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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

**PROGRAM COMPONENT (Group B) OR NON-SUBSTANTIVE MINOR REQUEST FORM (Short Form)**

**Instructions:** Please use one form for each request/action. Clearly mark all changes using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, the **department chair** will e-mail the completed form to [gracemiller@uidaho.edu](mailto:gracemiller@uidaho.edu).

**Deadline:** This form must be submitted by October 1 for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

**When applicable, a Curriculum Change Form and Course Approval Forms must accompany the short form.**

**Submission Information**

This section must be completed

Dept Chair Name:	Christopher Williams	Email:	chrisw@uidaho.edu
College:	Science		
Department/Unit:	Mathematics		
Dept/Unit Approval Date:	09/14/2017	Vote Record:	Unanimous
College Approval Date:	9/28/17	Vote Record:	Unanimous
Primary Point of Contact:	Jana Joyce	Email:	jjoyce@uidaho.edu
Briefly describe the change you are requesting:	Discontinuing the Applied—Statistics option.		

**What is the financial impact of the requested change?**

Greater than \$250,000 per FY:	<input type="checkbox"/>	x	Less than \$250,000 per FY:	<input checked="" type="checkbox"/>
--------------------------------	--------------------------	---	-----------------------------	-------------------------------------

**\*\*Note: If financial impact is greater than \$250,000, you must complete a Program Proposal form.**

Describe the financial impact: There will be no financial impact.

**Rationale for Program Component Request or Name Change**

This section must be completed

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

The proposal is to discontinue the applied—statistics option. The purpose of this option was to provide undergraduate students interested in statistical science with opportunities to obtain a BS degree in Mathematics with emphasis in Statistics. However, the Department of Statistics proposes establishing its own undergraduate program in Statistics. Thus the discontinuation of the statistics option avoids duplicate efforts.

**Name or Degree Change Only Requests**

Leave blank if not making a name and/or degree change only request

This section to be completed **ONLY** for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement.

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

Please indicate if any course or curriculum changes are occurring as a result of this name or degree change request:  Yes  No

If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms.

**Note:** A substantive change to a program degree, major, or program component may require a program proposal form.

Please indicate whether 25% or more of the program learning outcomes are changing:  Yes  No

**Note:** If you answered YES to this question, complete the table below:

	List Old Learning Outcomes	New Learning Outcome, if changed (if no change, write N/A and move to next outcome)	New Direct Measure (list student work product and explain how it will be evaluated)	Have you updated the assessment cycle to include this change? (yes/no)
SLO#1				
SLO#2				
SLO#3				
SLO#4				
SLO#5				

### Program Component Request

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

Clearly mark all changes to existing program components by using either (1) Track Change or (2) strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

<input type="checkbox"/> Create New	<input type="checkbox"/> Discontinue	Implementation Date:	
<input type="checkbox"/> Graduate Level	<input type="checkbox"/> Undergraduate Level	<input type="checkbox"/> Law Level	Credit Requirement:
Are new courses being created: (circle your response)		<input type="checkbox"/> No <input type="checkbox"/> Yes	If yes, how many courses will be created:

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

Major:	Mathematics	CIP Code:	27.0101 major and all options	Degree:	BS
--------	-------------	-----------	-------------------------------	---------	----

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

Option:	Applied – Statistics
Emphasis:	
Minor:	
Academic Certificate less than 30 credits:	
Teaching Endorsement (Major/Minor):	

Provide a summary/description of the program component using 50 words or less:

This option encompasses course work in designing and analyzing experiments, interpreting surveys, and exploring relationships among variables observed on social, physical, and biological phenomena and allows the student to develop data analysis tools for such diverse areas as business, biological sciences, human behavior, education, engineering, and natural resource.
---

### Learning Outcomes and Assessment Information

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

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

2. Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:
3. How will you ensure that the assessment findings will be used to improve the program?
4. What direct and indirect measures will be used to assess student learning?
5. When will assessment activities occur and at what frequency?

**Distance Education Availability**

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

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

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

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

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

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

**Geographical Area Availability**

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

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

Moscow	
Coeur d'Alene	
Boise*	
Idaho Falls*	

Other**		Location(s):	
---------	--	--------------	--

\*Note: Programs offered in locations other than Moscow may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

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



# MULTIFACTOR AUTHENTICATION WITH DUO SECURITY



University of Idaho



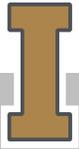
# ITS SECURITY

ITS-Security@uidaho.edu

University of Idaho  
Information Technology Services

## YOUR FEEDBACK IS IMPORTANT!

- Contact us directly or use <https://www.uidaho.edu/mfa>
- New date for Employees: January 17, 2018 to allow everyone to enroll on their own timeline and get any assistance they need
- Hardware tokens will be available in December and will be available at no cost to all (Duo mobile still preferred)

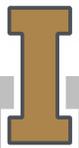


University of Idaho

Industry Data

## PASSWORDS ARE NOT ENOUGH

- 300% increase from 2016 to 2017 in user accounts attacked (Microsoft Security Intelligence Report, Volume 22)
- 81% of breaches from stolen or weak passwords (Verizon Data Breach Investigations Report, 2017)
- Breaches are very expensive, even with insurance

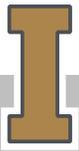


University of Idaho

## Local Threat

## PASSWORDS ARE NOT ENOUGH

- 165 UI accounts known compromised in last two years
- 29 users with Direct Deposit changed, a few checks lost
- Not just paychecks and identity theft, attackers are after:
  - YOUR PERSONAL INFORMATION
  - Financial Aid disbursements
  - Intellectual Property, including Library and Research publications
  - Platform to attack others (phishing, lateral movement)
- Past phishing exercises show a constant 15-19% click rate for any group of U of I users, even after training



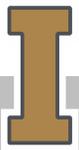
University of Idaho

## Compliance

## REQUIRED IN SELECT AREAS

- FISMA/NIST requirements are being tied to research (\$\$\$)
  - SP800-171 Control of Unclassified Information
- **Governor's Executive Order on Cybersecurity**
  - Critical Security Controls
- Payment Card Industry (PCI-DSS)
- HIPAA best practice (employee benefits)

**NIST**  
National Institute of  
Standards and Technology  
U.S. Department of Commerce

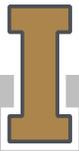


University of Idaho

Strength?

## PASSWORDS

- Longer passwords are better for brute force attacks
- Once a password is stolen, it doesn't matter if it is long or short, simple or complex
- Password leaks are frequent (Dropbox, Yahoo, etc.)

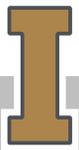


University of Idaho

MFA

## MULTIFACTOR AUTHENTICATION

- Something You Know
  - A password
  - Answer to a Security Question
- Something You Have
  - A trusted device (i.e. Smart Phone, Smart Card, Hardware Token)
- Something You Are (not used in our deployment)
  - A Fingerprint
- Alone, each method can be forged, but two or more together are much stronger

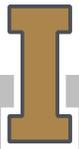


University of Idaho

# DUO SECURITY



- Duo integrates MFA with many different systems
- 5 million users | 8000+ customers | 6 Million authentications per day
- Duo has been chosen by more than 150 universities
  - Arizona State, Portland State, Colorado State, Utah schools, Indiana University, University of Washington and many more
- Duo has been chosen by many well-known corporations
  - Etsy, Facebook, Toyota, Zillow and many more

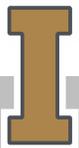
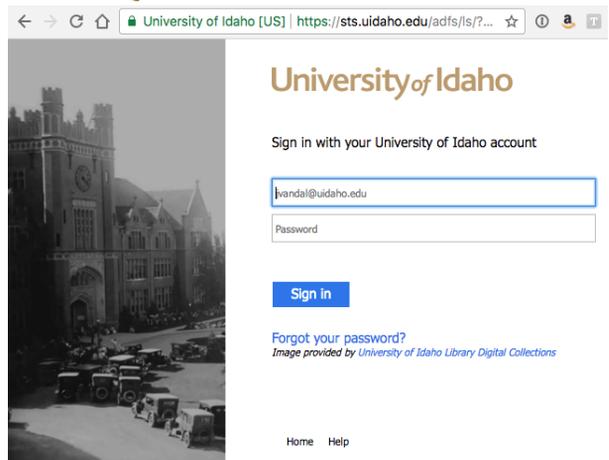


University of Idaho

## SCOPE

# SYSTEMS THAT WILL REQUIRE MFA

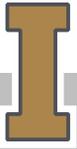
- Anyplace with SSO
  - Vandalweb, Bblearn, etc.
- Office 365 applications
- VPN
- Help.uidaho.edu
- (more in the future)
- NOT desktop logon



University of Idaho

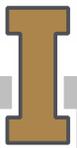
## PLATFORMS SUPPORTED

- NOT a Microsoft-only solution
- All mail clients that work today can be supported (Enable Legacy email)
  - Mail and Calendar on OS X
  - Thunderbird and similar IMAP clients
  - Android Mail and Calendar
  - iOS 10 and before Mail and Calendar



University of Idaho

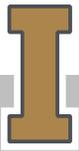
## HARD TOKEN



University of Idaho

## OTHER FAQs

- Duo Mobile gives U of I no control of personal devices – only visibility into security posture (out of date, etc.)
- **Checking “Remember me” will remember the browser and computer for 14 days, even in the classroom**
- Internet connection is not needed for Duo Mobile – it can also act as a software token – but very little data used
- More FAQs at <https://www.uidaho.edu/mfa>



University of Idaho



ITS-SECURITY@UIDAHO.EDU



University of Idaho

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #13**

**3:30 p.m. - Tuesday, November 14, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #12, November 7, 2017 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

**VI. Committee Reports.**

- **Committee on Committees** (Anderson)(vote)
  - **FS-18-014 – FSH 1640.41** – Faculty-Staff Policy Group
  - **FS-18-016 – FSH 1640.87** – Teaching and Advising Committee
- **Teaching and Advising** (Caplan)(vote)
  - **FS-18-018 – FSH 2700** – Student Evaluation of Teaching

**VII. Special Orders.**

- 2017 Great Colleges to Work For Survey (Pietrzak)(FYI)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #12  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #12, Tuesday, Nov. 7, 2017**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Baird, Bird for Brandt (w/o vote), Brown, Cannon (Boise, attending in Moscow), Caplan, De Angelis, Ellison, Foster, Grieb, Hrdlicka, Jeffery, Johnson, Kern (CDA), Leonor, Mahoney, Morgan, Morrison, Nicotra, Panttaja, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote), Zhao (Idaho Falls) **Absent:** Barbour, Brandt (w/o vote), Bugingo. **Guests:** 11

**Call to order and minutes:** The chair called the meeting to order at 3:30 p.m., noting that this was the third-to-last meeting of the fall semester. He introduced former senator Kenton Bird, who took minutes in the absence of Faculty Secretary Liz Brandt. A motion (Morrison/Tibbals) to approve the minutes of the Oct. 31 meeting was approved with three abstentions.

**Chair's Report.** The chair announced a number of important dates in the next month:

- November 10 – State of the University Address by President Staben, 2:00-3:30 p.m., International Ballroom, Pitman Center
- November 11 – Veteran's Appreciation Dinner, 5:30 pm, International Ballroom, Pitman Center
- November 15 - Honorary Degree Nominations for Spring 2018
- November 29 – Fall UFM meeting – 3:00-4:30, Vandal Ballroom, Pitman Center
- December 1 – Preference forms for University Committee Service are due.

In addition to those events announced by the chair, it was later mentioned that the annual observance of Veterans Day will take place at 11 a.m. Friday, November 10, on the steps of Memorial Gymnasium.

The chair then turned to the topic of compensation for post-doctoral fellows. He reported on a meeting with Wes Matthews, executive director of Human Resources, about progress in identifying discipline-specific market rates for post-docs. In November of 2016, due to impending changes to the federal Fair Labor Standards Act (FLSA) for exempt employees, the university instituted a minimum salary for post-docs that met the FLSA salary test for exempt employees. Because these changes to FLSA did not materialize, the university will utilize market-based data and the new UI salary test (\$37,440) to inform future post-doc salary determinations.

In response to a question from a senator about how much post-docs should be paid, the chair said that the market levels are discipline-specific and will be determined by units that hire post-docs in consultation with the Office of Human Resources. Another senator asked about funding for graduate teaching assistants. The chair reported that Jerry McMurtry, dean of the College of Graduate Studies, is conducting a compensation analysis in consultation with deans, chairs and Graduate Council. Dean McMurtry will be invited to a future Senate meeting, as more details are known. The chair noted that TA salaries will be discipline-specific and not uniform across the university.

The chair then invited Senator Mike Anderson, a member of the University Budget and Finance Committee (UBFC), to elaborate on a recent email from the committee calling for proposals for FY2019 and FY2020. UBFC will consider requests that are at least \$100,000 in one-time money and/or \$40,000 in permanent funding. The timeframe is as follows:

- Jan. 31: Proposals due.
- May 1: Proposals reviewed by the committee.
- Fall 2018: Funding decisions announced.

Prof. Anderson noted that the committee's memo contains advice for those seeking to submit proposals in the next round, along with a list of previously funded proposals.

**Provost's Report.** Provost Wiencek announced that he had called a meeting on Nov. 9 to provide background and context for changes in the university's advising and recruiting structure. Among those attending will be deans, associate deans, directors of student services, academic advisors and students. The provost said the goal was to help everyone involved better understand the enrollment challenges the reorganization intends to address. He described the meeting as a chance to "hit reset" and to signal that there is no rush to implement changes; instead, he wants to do what is in everyone's best interests.

Meanwhile, the provost reported that his office is working with Human Resources to finalize a spreadsheet for deans to show market-based compensation for faculty. This document will show the differences between market and target salaries for faculty. Although the mid-year raises will not include a merit component, he indicated that the long-term approach will allow administrators to give merit-based raises, which are a high priority for faculty.

A senator praised the decision for a "reset" in the reorganization of advising. The provost responded that the immediate reaction to last month's announcement arose from concerns about where advising staff would be located and to whom they would report. He believed that meeting face-to-face with administrators and advisors would enable a productive dialogue to allow the university to move forward with a more effective advising structure.

**Twin Larch.** The chair then introduced Prof. Mike Mike McCollough of the College of Business and Economics who described efforts to establish a non-profit organization to take over ownership of [Twin Larch Sanctuary](#). Twin Larch is eight miles from Moscow and was donated to the university for use by employees and/or students and university business, e.g., retreats, overnight stays, and student projects. The university intends to sell the property. (Prof. McCullough previously discussed this idea at the [Oct. 3 Senate meeting](#).) He described the house and surrounding property as a potential resource to the university and community. Organizers are seeking faculty and staff volunteers to serve on an exploratory board. They face a deadline of Feb. 28, 2018, and hope to raise \$30,000 to address some deferred maintenance issues. In response to a senator's question, Prof. McCollough acknowledged that the road needs attention to make the house more accessible. Anyone interested should contact Prof. McCollough at [mccollou@uidaho.edu](mailto:mccollou@uidaho.edu).

**Ombuds Annual Report:** University Ombuds Barbara Beatty next presented a [report](#) showing an increase in the number of cases she saw in 2016-2017, partly due to more participation by students (21 percent of cases, up 7 percentage points from the previous year). She also identified the most common reasons for visits to the Ombuds Office and suggested ways the university could better address them. She noted that many employees, particularly staff, are reluctant to raise concerns to supervisors out of fear of retaliation. A senator asked if any of this information, the section on "Ombuds Observations and Comments" in particular, would be shared with the recently formed "Great Colleges to Work For" Cascaded Plan Workgroup, as it seems to align with many of the themes of the survey. Ms. Beatty stated that she would be willing to discuss this with the workgroup, if invited. In response to a senator's question about comparisons to other institutions, Ms. Beatty said that nothing stands out about the UI; rather the concerns raised may reflect societal trends. She said the university is on the right track in updating its policies to better address workplace issues. She finished by saying that many seem to misunderstand the purpose of an ombuds, who does not advocate or take sides. Instead, she assists with conflicts and offers suggestions of how to better address them.

**FS-18-012 – Sabbatical Leave Policy.** The chair then introduced Prof. Erin James, chair of the Sabbatical Leave Evaluation Committee (SLEC). Prof. James explained that the committee began to examine the policy under former chair Jeff Dodge. The goals of the revision were:

- Clarify the application deadlines.
- Specify review procedures (including a statement that incomplete applications would not be considered).
- Eliminate the need for a separate report by faculty members after returning from leave; instead, providing that sabbatical activities be addressed in the faculty members' annual performance review.
- Allowing a member of the committee who is concurrently applying for sabbatical to participate in SLEC's evaluation of applications (except for recusing oneself from the meeting at which that application was considered). This provision will alleviate the need to find a substitute when a SLEC member's application is before the committee.

A senator requested clarification of how the changes to this policy would affect a college's own sabbatical leave guidelines. The provost quoted Faculty Secretary Liz Brandt pointing out that whenever the *Faculty-Staff Handbook* (FSH) conflicts with a college's policy, the FSH wins. General Counsel Kent Nelson, in attendance, indicated his agreement with this observation, saying "The Senate makes the rules." In response to another senator's question, the chair indicated that this amendment deals only with FSH 3720 [Sabbatical Leave] and not with FSH 1640.74 [Function and Structure of the SLEC].

The Senate briefly discussed whether a tenured or tenure-track senior instructor would be eligible for a sabbatical. A senator noted that a former provost would not allow senior instructors to be considered for tenure, even though the FSH defines senior instructor as a tenure-eligible position. The SLEC's recommendations do not address which faculty ranks are eligible for sabbatical; thus the current policy (limiting sabbaticals to tenured or tenure-track faculty, including senior instructors) remains in force. Prof. James noted that her committee discussed whether clinical faculty would be eligible for sabbatical. However, relying on the policy's definition of the purpose of a sabbatical, chose not to expand the eligibility to include clinical ranks. Hearing no further discussion, the chair called the question on the seconded motion from the Sabbatical Leave Evaluation Committee. It passed with three abstentions.

**FS-18-013 – FSH 1620 – University-level Committees.** Prof. Miranda Anderson, vice chair of the Senate and chair of the Committee on Committees, presented proposed changes to university-level guidelines for committees [FSH 1620]. The first change affects appointments of students and staff to university-level committees. Under the change, Staff Council and the three student groups (ASUI, GPSA, SBA) would submit their appointees as informational items to the Committee on Committees, rather than as nominations that required the committee's approval. As a seconded motion from the Committee on Committees, this change was approved unanimously.

**FS-18-014 – FSH 1640.41 - Faculty-Staff Policy Group.** This amendment would designate the Faculty Secretary/ Policy Coordinator as chair of this newly formed committee. Prof. Anderson explained that Professor Brandt, the current holder of this position, proposed this change because her office is better able to coordinate issues coming before the policy group. The current policy indicates that the group would choose its own chair. A senator noted that this change potentially would lead to an imbalance in the ratio of faculty to staff on the committee (i.e., by making the Faculty Secretary chair, there could potentially be four faculty members as opposed to three staff). Because of this concern, a senator suggested referring this change back to the Faculty Secretary's office. A motion to refer (Morgan/Tibbals) passed 17-5, with 3 abstentions. After the vote, a senator asked the chair to allow Staff Council an opportunity to review the amendment before it returns to the Senate.

**FS-18-015 – Teacher Education Coordinating Committee.** This change amends the committee’s membership, designates the director of teacher education as chair and reflects the College of Education’s new name: “College of Education, Health and Human Sciences.” As a seconded motion from the Committee on Committees, the changes passed unanimously with one abstention.

**FS-18-008 rev – Campus Recreation.** This was previously discussed at the Senate’s [Oct. 24 meeting](#), at which Senator Brian Mahoney (associate director of Campus Recreation) proposed deletion of FSH 6880 governing Campus Recreation. In response, the Senate recommended that the section be moved to the *Administrative Procedures Manual* (APM) to keep a record of procedures affecting Campus Recreation. Senator Mahoney indicated that his office would address deficiencies in the program’s website raised by senators. He noted that the current policy was written before construction of the Student Recreation Center and contained outdated provisions. After additional discussion, the chair noted the late hour and called attention to his swirling gavel. A motion (Foster/Tibbals) to delete the relevant section from the FSH and insert the new language in the APM was approved with one dissenting vote and one abstention.

**Adjournment:** There being no other business to conduct, the chair called for a motion to adjourn, which Morrison gratefully made and Panttaja enthusiastically seconded. The motion carried unanimously and the chair gaveled the meeting to a close at 5:10 p.m., admonishing senators to “bring out your flashlights” in the dim light of the early evening.

Respectfully submitted,  
Kenton Bird  
Secretary *pro tempore* to Faculty Senate  
Associate Professor of Journalism and Mass Media



**UI FACULTY-STAFF HANDBOOK**

Chapter I: HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

Section 1640: Committee Directory

---

**UI FACULTY-STAFF HANDBOOK**

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

---

1640

COMMITTEE DIRECTORY

**FSH 1640.41**

**FACULTY AND STAFF POLICY GROUP (FSPG)**

*[created July 2017]*

**A. FUNCTION.**

**A-1.** To review non-academic policies and procedures (other than minor amendments, see FSH 1460 B-2) that affect both faculty and staff and that reside in the *Faculty-Staff Handbook* and/or *Administrative Procedures Manual*.

**A-2.** To ensure that both Faculty Affairs and Staff Council are informed, the chair of FSPG will communicate regularly with the chairs of Faculty Affairs and Staff Leadership.

**A-3.** To address and possibly resolve any perceived problems before forwarding proposed policies and procedures to Faculty Senate, the committee is encouraged to seek assistance from, or request meetings with the policy sponsor (see FSH 1460 B-6), general counsel, or others as necessary.

**B. STRUCTURE.** Three faculty, three staff, and the Faculty Secretary/Policy Coordinator, or his/her designee. A broad representation of faculty and staff across the university is expected and who are seen as leaders among their peers. A current member of Faculty Affairs and Staff Council is desirable, if possible. The chair of this committee will be the Faculty Secretary/Policy Coordinator (w/o vote).~~selected from one of the six voting 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]

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

**Chapter & Title:** 1640.87/Teaching and Advising Committee

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):**

(Please see FSH 1460 C)

**Telephone & Email:**

Stephan Flores, Chair TeAC, 10/19/17  
Name \_\_\_\_\_ Date \_\_\_\_\_  
208-885-6156/sflores@uidaho.edu

**Policy Sponsor:** (If different than originator.)

**Telephone & Email:**

\_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**Reviewed by General Counsel** \_\_\_ Yes \_\_\_ X \_\_\_ No Name & Date: \_\_\_\_\_

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

The revisions to the committee's Functions and Structure are (1) to update to reflect changes to administrative and unit lines of reporting, oversight, and nomenclature; (2) to revise A-5 to state more clearly and to amend the committee's role as not actually 'hands on' in its oversight of orientation activities but instead as parallel in function to the language of A-3; (3) to delete Function A-7 because this function has now been 'centralized' at the university with the advent of the Center for Excellence in Teaching and Learning (CETL) and by University Advising Services (4) to revise A-9 to reflect current unit names/titles, and to re-number it now to A-8; and (5) to delete A-10 because the committee in current and recent practice has arranged to meet at a time that best suits its members.

**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.

Only the overlap in 'functions' that prompted deleting Functions A-7 and A-8, as explained above.

**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: _____ <i>[Office Use Only]</i>
--

<b>APM</b> F&A Appr.: _____ <i>[Office Use Only]</i>
--

<b>FSH</b> Appr. _____ FC _____ GFM _____ Pres./Prov. _____  <i>[Office Use Only]</i>
---

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

## UI FACULTY-STAFF HANDBOOK

### CHAPTER ONE:

#### HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

---

#### 1640.87

#### TEACHING AND ADVISING COMMITTEE

*[Substantially revised in 7-05, 7-06, [11-17](#)]*

**A. FUNCTION.** This committee will serve in an advisory capacity to the Vice Provost of Academic ~~Affairs~~[Initiatives](#). The specific functions of this committee are: *[rev. ~~7-11-17~~[08](#)]*

**A-1.** To promote a faculty and administrative culture dedicated to the enhancement of teaching and advising.

**A-2.** To advise and assist in organizing university-wide forums, seminars, and capacity building programs that introduce new innovations or share proven ways to promote the enhancement of teaching and advising.

**A-3.** To review and make recommendations concerning policies and procedures, which affect teaching, advising, and the assessment of student learning outcomes.

**A-4.** To monitor the processes and content of Student Teaching Evaluations and Student Learning Outcomes, and to advise on the design/content of reports to the Vice Provost, Faculty Senate, Deans, Unit Leaders, and Faculty. *[ed. 7-09]*

**A-5.** To ~~oversee review and make recommendations concerning~~ the annual orientation activities for new faculty, which sets out among other things the role of, and expectations for, faculty and staff that teach, advise, and mentor students.

**A-6.** To publicize awards, review proposals, and select recipients for the Teaching and Advising Excellence Awards.

~~**A-7.** To maintain a Web presence dedicated to the enhancement of teaching, advising, and other student mentoring activities.~~

**A-78.** To serve as an advisory resource for the Registrar to address the prioritization of the classroom use, maintenance, and improvements.

**A-89.** To work in conjunction with Faculty Senate's Information Technology Committee to advise ~~the director of CFI-CETL~~ and the Director of ITS on electronic hardware and software needs to support teaching, advising, and mentoring. *[ed. 7-08, 7-09]*

~~**A-10.** This committee traditionally meets on Thursdays at 3:30 p.m. *[add. 7-08]*~~

**B. STRUCTURE.** Six faculty members, some of whom have received university-level teaching and advising awards, an associate dean or college level advisor, a departmental staff advisor, the director of general education, an undergraduate or graduate student, non-voting members from the Office of Instructional ~~Research Assessment Effectiveness and Accreditation, Academic Advising Center~~[University Advising Services](#), and the ~~Director of the Center for Excellence in Teaching & Learning~~[VP for Academic Affairs](#), or designee. *[rev. 7-08, ed. 8-12]*





7. What were some positive aspects of the course that supported learning?

Comments:

8. What aspects and/or content of the course could be improved to better support learning?

Comments:

*The items below ask for your evaluation of your experience in [Course Number] this semester. In each case the scale is 0 to 4, with 4 being the highest rating and 0 the lowest rating.*

9. Clarity of instructor's explanations.
10. Likelihood you would recommend this instructor to others.
11. Instructor's ability to stimulate interest in the course topics.
12. Presentation of course material by the instructor.
13. Course's value in gaining an understanding of the subject matter.
14. Appropriateness of level at which course material is covered.
15. Relevance of written assignments to course materials.
16. Overall, how would you rate the quality of this course?
17. Overall, how would you rate the instructor's performance in teaching this course?.



# INITIAL REVIEW OF THE PROPOSED NEW TEACHING FORM

New Instructor and Course Items

## ABSTRACT

These results suggest the new course and instructor items function as desired, and will provide reasonable continuity with previous items should implementation be pursued. If reporting trends which include old and new item results, conservatively adding about 0.4 points to each mean score obtained from the new instructor and course is suggested. As always, the need for ongoing review and continued research is encouraged.

*Pietrzak, Dale*  
([dalepietrzak@uidaho.edu](mailto:dalepietrzak@uidaho.edu))  
Director, IEA

## Executive Review:

### Review:

The initial review of the suggested changes to the student feedback on teaching and course was done using results from the Fall of 2016 and Spring of 2017 semesters. This represented 4,718 courses with responses from 33,186 students. Of these, 2,353 courses had 5 or more respondents (28,028 student responses). The numbers for each analysis may vary somewhat based on missing data (i.e., student not responding to items, etc.).

The examination was informed by the general philosophy of the nomological network <https://www.socialresearchmethods.net/kb/nomonet.php>. This is an established approach. It was enacted using one of many variations on Multitrait-Multimethod modeling approach (<https://www.socialresearchmethods.net/kb/mtmmmat.php>). Additionally the model for alternate form reliability approach was also employed.

The findings suggest that the new form displays reasonable continuity with the old form. The new instructor and course scores are on average slightly lower than the old form. When reporting trends that include old and new form results, conservatively adding about 0.4 points to each mean score from the new form is suggested. However, the distributions of the scores allows the continued reporting using the same general process as was done previously. These data suggest there is little discriminative power of the course and instructor scores. There was support for reporting only courses with 5 or more respondents.

	16. (Old) Course	17. (Old) Instructor	4. (New) Course	5. (New) Instructor
<p><b>Alternate Form Reliability</b></p> <p>The generally accepted guideline (bold text):</p> <p>.90 &gt; excellent .80 -.89 good .70 -.79 adequate Below .70 limited applicability</p> <p><a href="http://www.hr-guide.com/data/G362.htm">http://www.hr-guide.com/data/G362.htm</a></p>				
16. (Old) Overall, how would you rate the quality of this course?	1.00			
17. (Old) Overall, how would you rate the instructor's performance in teaching this course?	0.92	1.00		
4. (New) Overall, the content and organization of this course contributed to your understanding of this subject	<b>0.91</b>	0.88	1.00	
5. (New) Overall, the instructor's delivery and efforts contributed to your understanding of the course material.	0.90	<b>0.93</b>	0.93	1.00

Examination of the relationship of the instructor and course scores (old and new) to class size, number of respondents and response rate was examined. There was a slight decline in scores as class size increased (less than 2% shared variance), as was theoretically expected. There was a slight increase in scores as response rate increased (about 1% shared variance).

Examination of the instructor and course scores with instructor gender, citizenship and minority status found no relationship to gender or minority status. A slight decrease in scores was noted for instructors who were not US citizens (about 1.5% shared variance).

The examination of the relationship of undergraduate academic was undertaken. Course GPA, DFWI percent and Percent of A's was used. Of the 1,827 courses with 5 or more responses examined there were small relationships in the theoretically expected direction for the instructor score with Course GPA (positive, 6.7% shared variance), percent A's (positive, 5.9% shared variance) and DFWI percent (negative, 5.1% shared variance). Course scores saw similar relationships with Course GPA (positive, 5.1% shared variance), DFWI percent (negative, 4.2% shared variance) and percent A's (positive, 4.3% shared variance). These were consistent with the relationships with the prior course and instructor items.

The relationships of the instructor items was examined across 11 additional items to clarify the construct being evaluated. This was done using correlation, exploratory factor analysis and multiple regression. There was 91% shared variance between the instructor item and instructor presentation, instructor recommendation to others, clarity of instructor explanations, clarity of instructor's expectation, course value, and instructor's ability to stimulate interest. The least influential items were how many hours the student work on the course outside of class, self-reported class attendance, and instructor helpfulness outside of class. There was relative consistency between this and the old instructor item.

The relationships of the course items was examined across 11 additional items to clarify the construct being evaluated. This was done using correlation, exploratory factor analysis and multiple regression. There was 89% shared variance between the course item and course's value in gaining understanding of the subject matter, instructor presentation, appropriateness of level of presented material, and clarity of instructor expectations. The least influential items were how many hours the student worked on the course outside of class, self-reported class attendance, and instructor helpfulness outside of class. There was relative consistency between this and the old instructor item.

**Conclusion:**

These results suggest the new items function as desired and will provide reasonable continuity with previous items should implementation be desired. If reporting trends which include old and new item results conservatively adding about 0.4 points to each mean score obtained from the new instructor and course is suggested. As always, the need for ongoing review and continued research is encouraged. Additional information regarding this examination is available in a PowerPoint presentation.

*Dale Pietrzak, Ed.D., CCMHC, LPCMH  
Director, Institutional Effectiveness and Accreditation  
dalepietrzak@uidaho.edu*

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #12**

**3:30 p.m. - Tuesday, November 7, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #11, October 31, 2017 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

- Twin Larch (McCollough)(FYI)
- Ombuds Annual Report (Beatty)

**VI. Committee Reports.**

- **Sabbatical Leave Evaluation Committee** (James)(vote)
  - **FS-18-012 – FSH 3720** - Sabbatical Leave
- **Committee on Committees** (Anderson)(vote)
  - **FS-18-013 – FSH 1620** – Committee appointments made by Staff/Students
  - **FS-18-014 – FSH 1640.41** – Faculty-Staff Policy Group
  - **FS-18-015 – FSH 1640.86** – Teacher Education Coordinating Committee

**VII. Special Orders.**

- **FS-18-008rev: FSH 6880** – Campus Recreation (Mahoney)(vote)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #11  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #11, Tuesday, October 31, 2017**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Barbour (Twin Falls), Brandt (w/o vote), Brown, Cannon (Boise), Caplan, De Angelis, Foster, Grieb, Hrdlicka, Jeffrey, Johnson, Kern (Coeur d'Alene), Leonor, Morrison, Black Crow a.k.a. Morgan, Panttaja, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote). **Absent:** Baird, Bugingo, Ellison, Mahoney, Nicotra, Zhao (Idaho Falls). **Guests:** 9

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Panttaja/Tibbals) to approve the minutes passed with two abstentions.

**Chair's Report:**

- Faculty Senate nominations for the University-level Promotion Committee are due to Mary Stout ([mstout@uidaho.edu](mailto:mstout@uidaho.edu)). Details regarding the nomination process and the nomination form are available [in the documents supporting Senate meeting #9 on October 17, 2017](#). The deadline was October 27. Missing nominations must be submitted as soon as possible.
- Annual benefits enrollment runs through November 7. The last informational sessions will be held on November 2. Information is available on the [2018 Annual Enrollment Website](#).
- President Staben will give the State of the University address on November 10 at 2-3:30 pm, International Ballroom, Pitman Center.
- The Veteran's Appreciation Dinner will be held on November 11 at 5:30 in the International Ballroom at the Pitman Center.
- The University Faculty Meeting #2 will be on November 29 from 3- 4:30 in the Vandal Ballroom at the Pitman Center.
- Faculty Senate Leadership has nominated several faculty, including Senator Joseph De Angelis, to serve on the VandalStar Implementation Team. A [VandalStar resource page](#) is now available.

**Provost's Report:**

- Last week's meetings with all of the College Advisory Boards was successful. The Provost congratulated Dan Bukvich and the UI Jazz Choir as well as the Vandal Marching Band for their outstanding performances at the University Gala. He also mentioned that ASUI President McKenzie MacDonald did a great job moderating the event with Vice President Mary Kay McFadden.
- StarFish, the company behind VandalStar, visited campus this past week. They will be back several times during the upcoming months to consult and help guide implementation of the software at UI. They also will be providing training. They provided a report during this last visit. The Provost will make a copy available to post on the [Faculty Senate Website](#).
- The Provost met today with the Faculty Compensation Taskforce to get the committee's guidance on unresolved issues relating to faculty who are not on the tenure track. The national databases on which the university is relying, are not as robust for these faculty members. In addition, the definitions for non-tenure-track faculty differ significantly from institution to institution and within UI from department to department.

A senator asked if there was a timeline for informing all faculty of their market compensation rates and targets, and whether there will be a webpage similar to the one available for the staff. The provost responded that due to time pressures, a webpage would not be available for faculty in time for the mid-year compensation decision. However, deans and unit administrators will have comprehensive information which they can share with individual faculty. He explained that the data collection and decision process has just been completed for faculty. The webpage will require additional programming to implement that will not be completed before early spring semester. Faculty should know their market

compensation information before the end of the fall semester. He pointed out that the university is sufficiently far from market that we can make improvements now, yet still have time to continue to work and make adjustments this spring.

**Recording Class Sessions.** Heather Chermak reported that recording images of students' faces raises potential Family Educational Rights and Privacy Act (FERPA) issues. The issues arise when recordings of class sessions including images of students are made for future viewing. There is no issue when recordings are made for viewing by the students in the class itself. If a recording is for use in future semesters, Chermak recommended that only the instructor and course materials be included in the recording and that images of students not be included. If student images are included in the recording, each student must knowingly and voluntarily sign a waiver or release.

A senator asked whether using student names in a recorded class raises FERPA issues. Chermak deferred to General Counsel Kent Nelson who was a guest at the meeting. Nelson responded that the answer could depend on the situation. The question is whether the recording creates a personally identifiable record regarding the student. If the student has a common name, then use of the name would not necessarily create such a personally identifiable record. Another senator commented that showing only a "talking head" does not produce an engaging recording. He asked whether consent of students could be presumed from the fact that they knowingly registered for a course that would be recorded. Nelson responded that enrollment is not enough to presume consent. FERPA requires a knowing, voluntary, written release. He recommended that the best practice would be to get a release from every student whose image would be broadcast in such a situation. Nelson added that it might be possible to require student consent to recording in an elective class. But, Nelson believes that such a requirement would not comply with FERPA in a required class. This is a question Nelson will look into.

A senator asked whether there is easy access to a consent form? Chermak responded that there is a consent form on the Registrar's [FERPA webpage](#). Another senator asked whether FERPA could be violated if someone recognized a student's voice on a recording? Chermak responded that recognition of a voice is a lesser concern. Another senator asked where these videos should be stored. Chermak stated that Information Technology Services (ITS) is working on guidance on storage. The Registrar's Office will follow up with ITS and make the guidance available on its FERPA webpage. Several senators suggested methods by which the release might be handled, including placing a release of liability waiver form where applicable or including a column in the BBLearn grade center where students may check a box to give a release. Nelson stated that he would like to review each of these suggestions to determine whether they comply with FERPA.

Another senator asked whether a photo release is required to use the pictures of students who have won or competed in an external event or competition on a webpage or in a newsletter. Nelson stated that he recommends that involved students complete a release. He stressed that the privacy students are entitled to under FERPA privacy are from what the university discloses about them. Once the university creates the record, FERPA applies even if the photo was taken in a public venue. He also stated that FERPA distinguishes between students as students and students in other capacities such as employees. Nelson concluded that the discussion showed there is a need for clarification on this issue and stated that he would develop further guidance for faculty.

**FS-18-010 – FSH 3320 – Annual Performance Evaluation Form and FS-18-011 – FSH 3320 – Annual Performance Evaluation Policy.** Professor Marty Ytreberg and General Counsel Kent Nelson presented revisions to the policy and form for faculty annual performance evaluations. These revisions were previously presented to Senate for discussion at [Meeting #10 2017-18](#). They are being presented at meeting #11 for a vote.

Ytreberg stated that the Faculty Affairs Committee (FAC) made two substantive revisions in response to the prior discussion. First, the committee adopted the suggestion of a senator that a note be included reminding faculty that the annual performance evaluations are separate from, but considered as one set of information in, the promotion and tenure process.

Second, Ytreberg pointed out that the committee had eliminated the second faculty signature line on page 2 of the evaluation form. This second signature was required after the dean's review, to establish that the review was shared with the faculty member. The committee removed this signature to avoid the implication that a faculty member agrees with the changes made by the dean in the unit administrator's evaluation. Instead, the committee clarified the policy to ensure that the dean's review is given to the faculty member and an opportunity provided for the faculty member to respond to the dean's review.

Nelson called senators' attention to two changes he suggested in the policy. He asked to add new sections B-6 and B-7 section. New Section B-6 underscores that the annual performance evaluation is a separate process from, and is only one component of, the tenure and promotion process. New section B-7 ensures that in combining the tenure and non-tenure evaluation process, we did not inadvertently create an expectation of contract renewal. Non-tenured employees are at will with respect to the renewal of contract. Once a contract is in place, they have an expectation of continuation for the period of the contract. He also noted that there is no expectation of renewal under Regents policy.

A senator suggested that new B-6 be revised to add a specific reference to FSH 3900 B-2 regarding non-tenured faculty contracts. He also suggested eliminating the middle sentence of the new provision. After discussion and agreement to not strike the second sentence but add reference to FSH 3320, FAC Chair Ytreberg accepted the following amendment as consistent with the committee's intentions:

B-6. Non-Tenured Faculty. Pursuant to Regent's policy, non-tenured faculty do not have an expectation of contract renewal beyond that stated in FSH 3900 B-2, absent a specific written multi-year contract. The process set forth in FSH 3320 B does not require the University to renew a non-tenured faculty contract. The process set forth in Section FSH 3320 B shall not be required for a non-tenured faculty member who has been given notice of non-renewal.

After this introduction, the chair asked whether there were further comments regarding the annual evaluation form. Seeing no desire for further discussion of the form, the chair proceeded to discussion of the policy changes.

A senator, referring to new section 3320 A-1.i, asked who would be responsible for notifying the provost when the faculty member, unit administrator, and dean do not agree on the evaluation. Chair Ytreberg responded that the dean is responsible for forwarding the evaluation to the Provost Office and should inform the provost at that time.

A senator pointed out that the language of new section 3320 A-1.b.1 regarding performance that meets or exceeds expectations addressed only satisfactory performance. After discussion, FAC Chair Ytreberg agreed that the following amendment was consistent with the intent of the committee:

i. **Performance that Meets or Exceeds Expectations** is at least ~~the~~ satisfactory performance during the review period of a faculty member relative to the position description.

A senator, referring to new section A-1.c, asked why the policy strongly recommends that the unit administrator meet with each faculty member rather than requiring such a meeting. Ytreberg pointed out that the unit administrator is required to offer to meet. The committee added additional language to suggest the importance of the meeting. However, the committee did not believe that forcing the faculty

member to meet with the unit administrator was wise. The Provost commented that additional conflict can emerge when the meeting is not held. The chance to resolve issues at the unit level is lost. The faculty member sometimes has the incentive to seek another venue such as the Faculty Appeals Hearing Board, to resolve issues. Ytreberg responded that the Faculty Affairs Committee is interested in faculty "happiness" (for lack of a better term). If the policy forces the faculty member to participate in a confrontational meeting with their unit administrator, nothing is to be gained. A senator asked whether there is a process for what happens if the faculty member does not meet with the unit administrator. Ytreberg responded that the policy does not have specific provisions for this. The unit administrator must offer to meet. There is nothing in policy that says what would happen as a result.

A senator asked, referring to new section B-3.a, to whom the mentoring committee reports? Ytreberg stated that the committee is appointed for the faculty member and does not report to the administrator. Either the faculty member or the administrator can request the appointment of a mentoring committee. The provision is intended to be flexible.

A senator asked for clarification of what happens when the faculty member receives an evaluation of below expectations multiple times. Ytreberg explained that the first time a faculty member may meet with the unit administrator to develop strategies to address the issue and a mentoring committee may be appointed. If a below expectations evaluation is received for the second time in three years, the meeting escalates to include the dean and to address whether the strategies were effective. Finally, if the below expectations evaluation is received the third time in five years, a formal review committee is appointed. Ytreberg also explained that at any time the provost can trigger a review after consultation with the dean and unit administrator, if a faculty member receives an overall evaluation of does not meet expectations that is so low their performance is deemed unacceptable.

General Counsel Nelson commented that he has always presumed that a supervisor has the right to call in an employee to discuss performance and that if the employee refused to talk to the supervisor, the employee's refusal would be regarded as insubordination. He expressed concern that our policy is sending an inconsistent message from an employment law perspective. A senator asked whether an employee could refuse to meet with their supervisor, if the supervisor was abusive. Nelson agreed that there would be some legitimate reasons for an employee to refuse to meet with a supervisor. However, the employee could take these concerns to appropriate resources in the institution such as the Office of Civil Rights. Ytreberg pointed out that sometimes the failure to meet expectations would be in a small area of the faculty member's overall responsibilities. If so, a meeting might not be required. He also pointed out that this was not a change from current policy.

Chair Hrdlicka asked General Counsel Nelson whether his concerns were such that the policy might be vetoed. The faculty secretary suggested language that could be moved by a member of the body if senators are inclined to amend the provision. A senator spoke against forcing a meeting, arguing that there are many circumstances a meeting would not be necessary and the requirement would be administratively cumbersome. He also pointed out that most faculty feel responsible to assist a poorly performing colleague. Forcing these meetings could lead to difficult, unforeseen consequences with no institutional gain. Another senator pointed out that if a person refuses to meet there already is conflict and controversy. A meeting could make things much worse. Ytreberg reminded the body that FAC is not proposing a change to existing policy regarding whether a meeting is required between the faculty member and unit administrator. He suggested that if the administration comes to FAC with a proposal to make such a change, FAC could consider it at that time. Provost Wiencek reiterated his earlier point that in his experience, not all of these situations are charged with controversy. There are cases where the faculty member simply doesn't like what they are hearing from the unit administrator and they want to have their situation addressed in a different venue. He does not think the approach in the proposed policy

is a major flaw and indicated that there may be reasons to stay the course. General Counsel tended to agree with the provost.

Finally, Ytreberg raised the question of whether new section B-7, requested by general counsel, should be moved to A-2. After discussion it was agreed that this move was consistent with the committee intentions.

The seconded motions from Faculty Affairs were approved as follows:

- FS-18-010 - annual performance evaluation form, eighteen agreed, one opposed and two abstentions, and
- FS-18-011 – annual performance evaluation thirteen agreed, one opposed and seven abstentions.

After a brief discussion it was determined that there was insufficient time left to address the Great Colleges to Work For Survey. That matter will be rescheduled for another meeting.

The business of the meeting having been completed, a motion to adjourn (Watson/Panttaja) was made and the meeting was adjourned at 4:51.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate



## 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]

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

**Chapter & Title: 3720: Sabbatical Leave**

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** Erin James Sept 18, 2018  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** (775) 527.7019; ejames@uidaho.edu

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_  
 Name Date  
**Telephone & Email:** \_\_\_\_\_

**Reviewed by General Counsel**  Yes  No Name & Date: Kim Rytter, Aug 31, 2017

**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.

The Sabbatical and Leave Evaluation Committee (SLEC) is recommending the following revisions to section 3720 in the Faculty/Staff Handbook:

- Clarification of the application schedule
- Declaration that the SLEC will only review complete applications
- General streamlining and rearrangement of sections for brevity and clarity
- Removal of conflict of interest provision (see III below)

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

This revision will have no fiscal impact.

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

This revision to the Sabbatical Leave policy is related to FSH 1640.74, which describes the function and structure of the SLEC. The current FSH language on the structure of the committee states that "A member selected to serve on this committee who is planning on applying for a sabbatical shall recuse themselves from participating the semester in which they apply." Because sabbaticals are no longer centrally funded through the Provost's Office and because there is no benefit to SLEC members who are applying for sabbatical leave to rank other applications poorly, the SLEC believes that there is no need for this conflict of interest provision. The SLEC also understands that this conflict of interest provision causes more problems than it solves, as it makes committee formation more difficult. The SLEC thus suggests that this sentence be replaced with A member selected to serve on this committee who is planning on applying for a sabbatical shall recuse themselves from participating the discussion of their application."

**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]
---

APM F&A Appr.: _____ [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)
--

**UI FACULTY-STAFF HANDBOOK****CHAPTER THREE:****EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF**

July 2016

3720

**SABBATICAL LEAVE**

*PREAMBLE: This section describes the terms of eligibility for sabbatical leave for UI faculty. The policy is derived from, and incorporates all of, the State Board of Education, Governing Policies and Procedures, II-G. 3 b. This section was an original part of the 1979 Handbook and has been changed in only editorial ways since. In 2016 changes were made to clarify process and to ensure that any SLEC member, who submits a sabbatical application while serving on the committee, recuse themselves from all evaluations during said period. Except where explicitly noted, the text is as of July 1996. Further information is available from the current chair of the Sabbatical Leave Evaluation Committee. [ed. 6-09, rev. 7-16]*

**CONTENTS:**

- A. General Policy
- B. Purpose
- C. Period of Leave and [Restrictions on Service and Salary](#)
- D. ~~Restrictions on Service~~ [Application for Sabbatical Leave](#)
- E. ~~Criteria and Salary~~ [Rating System Used in Evaluating Applications](#)
- F. ~~Annual Job~~ [Schedule for Applying](#)
- G. [Position Description and Annual Performance Evaluation](#)
- H. ~~Changes in or~~ [Cancellation of Sabbatical Leave](#)
- I. Return
- J. ~~Application for Leave~~
- K. ~~Rating System~~
- L. ~~Procedure for Rating~~
- M. ~~Criteria Used in Evaluating Proposals~~

**A. GENERAL POLICY.** Members of the UI faculty [see 1520 II-1] ~~with having completed six years of employment at the University of Idaho in a tenure track appointment~~ ~~tenure at the time of sabbatical leave, and the rank of senior instructor or above, or the equivalent of such rank, leave is to be effective~~ may be granted sabbatical leave ~~after. A faculty member who is untenured, but expects a tenure decision by the time the sabbatical leave is to be taken, may submit an application. Tenured faculty may apply for additional sabbaticals provided that six full academic years have elapsed of service at UI or after six full academic years have elapsed since the faculty member's end of the most recent sabbatical and the beginning of the requested sabbatical leave at UI. Sabbatical leave is granted on the basis of application by the faculty member and recommendation by the Sabbatical Leave Evaluation Committee (SLEC) [see 1640.74] and upon approval by the Faculty Senate and the president or designee. Faculty are advised to contact HR to discuss how a sabbatical leave may impact their benefits. In addition, in the event a sabbatical leave will cross over to a new fiscal year, the faculty member is strongly advised to discuss whether, and what impact, the leave may have on salary. Sabbatical leave applications by faculty members in the Cooperative Extension System (CES) are handled/processed separately: conditions of leave for these faculty members are established and funding is provided by the CES and their applications are evaluated by a committee of the CES. [ed. 7-01, 7-02, 6-09]~~

**B. PURPOSE.** ~~Sabbatical leaves are designed to encourage scientific inquiry, research, artistic creation, clinical/technical expertise and innovation in teaching. The primary purpose of a sabbatical leave is to enhance the faculty member's value to UI. Specifically, a sabbatical leave is to be used for one or more of the following purposes:~~

~~**B-1.** Research, scholarship, or study intended to result in publication or invention.~~

~~**B-2.** Refresher courses or a program of study, work, or travel designed to keep the faculty member abreast of the latest developments in his or her area of specialization.~~

~~**B-3.** Work toward an advanced degree.~~

**C. PERIOD OF LEAVE AND RESTRICTIONS ON SERVICE AND SALARY.** A sabbatical leave is for either one-half academic or fiscal year at full pay or ~~a one full academic or full academic~~ or fiscal year at half pay, depending on the type of appointment held by the faculty member. Faculty on sabbatical continue to be full time employees of the University. Outside employment while on sabbatical must be disclosed per FSH 3260. Note that those on full year sabbaticals must arrange for full year life insurance and disability benefits if so interested. [See APM 55.42] [ed. 1-11]

**D. RESTRICTIONS ON SERVICE AND SALARY.** ~~The decision as to the acceptability of a proposal will not be based on whether additional remuneration may be received, but rather on the probability that the faculty member will enhance his or her value to UI. Teaching elsewhere or working in research laboratories of industry or government may be approved if such activities can be expected to contribute significantly to the acquisition of useful ideas and practices. In no case will leave be granted primarily for the purpose of augmenting the person's income. The benefit to UI must be foremost in the consideration leading to approval of the leave.~~

**H.D. APPLICATION FOR SABBATICAL LEAVE.** Complete applications for leave must be submitted to the provost or designee who will collect and forward them to the Sabbatical Leave Evaluation Committee (SLEC). The application must contain:

An application is submitted to the SLEC with recommendation from the unit administrator and dean. Any SLEC member who submits an application for consideration must recuse themselves from reviewing all applications for that application period. The SLEC evaluates the proposal in accordance with subsections I, J, and K, below. Therefore, the application should present the merit of the proposed leave clearly and convincingly and should be prepared with the care and thoroughness of a paper submitted for publication. The application should consist of the following ~~[rev. 7-97, 7-16, ed. 7-02, 8-11]:~~

**HD-1. Cover Page.** A required template for the cover page is included at the end of this policy and must be filled out completely. ~~include a title indicative of the proposed sabbatical activity, the period of requested leave, name and rank of the applicant, and signatures of the administrators approving the application.~~

**HD-2. Abstract.** Maximum length: 100 words.

**HD-3. Description of Proposed Plan for Sabbatical.** Major headings should include a detailed statement of what the applicant plans to do while on sabbatical, the objectives and significance of the proposed activities, the value of these activities to the applicant's UI obligations, the feasibility and methods of accomplishing the objectives, and the applicant's qualifications pertinent to the proposed activities. This section should consist of not more than four single-spaced typewritten pages. ~~[rev. 7-97]~~ In the case of an application for a sabbatical crossing over the beginning of a new fiscal year, an explanation of the reasons for the timing of the sabbatical should be provided.

**HD-4. Curriculum Vitae (CV).** The applicant's CV must be on the ~~include a~~ standard University of Idaho form curriculum vitae.

**HD-5. Letter of recommendation from the applicant's college dean or unit administrator.**

**D-6. Appendix.** ~~Evaluation of the proposal by college dean and unit chair.~~ Letters of acceptance from persons with whom the applicant plans to work, itinerary, and other supportive documentation should be appended to the application. [ed. 7-98, 7-02, ed. 8-11]

**H.E. CRITERIA AND RATING SYSTEM USED IN EVALUATING APPLICATIONS.** ~~The application will be rated by the SLEC~~ SLEC evaluates applications according to the following criterion and rating system set forth in this policy and makes recommendations to the provost who notifies applicants of the disposition of the application.

**K. CRITERIA USED IN EVALUATING PROPOSALS. E-1. Criteria:**

**Commented [TA(1):** Liz comment: This sentence relates to the standards for granting sabbatical and does not belong in this section regarding salary and restrictions.

Combined with C above and E-1. d. below.

**Commented [TA(2):** Formerly H.

**Commented [TA(3):** Formerly I, J, K, combined.

**K-1a. Preparation, Thought, and Documentation:** Organization of the ~~application~~proposal, originality of the idea, thoroughness, specificity, feasibility, preliminary work done on the project in addition to the planning, letters of appointment and acceptance, other documents supportive of the ~~proposal~~application, and the applicant's plans for travel, if that is an integral feature of the ~~application~~proposal. [rev. and ren. 7-97]

**K-2b. Benefit to UI and to Applicant:** Contribution to applicant's knowledge and understanding, contribution to teaching or other assigned duties at UI, publications or other scholarly works resulting from the project, enhancement of professional status, recognition for UI, and contribution to special projects or to UI programs. [rev. and ren. 7-97]

**K-3c. Applicant's Record of or Potential for Research, Teaching, Service and/or Other Pertinent Activity:** Publications, performances, grants, postdoctoral fellowships, leaves, participation in relevant professional organizations, record of achievement on previous grants and leaves, evaluation by unit administrator and dean, and evidence of excellence in teaching, service, or other evidence of contribution to the university. [rev. and ren. 7-97; ed. 7-98, ed. 8-11]

**d. Decision:** The decision as to the acceptability of an ~~an application~~proposal ~~will may~~ not be based on whether additional remuneration may be received by the ~~sabbatical applicant~~, ~~but rather on the probability that the faculty member will enhance his or her value to UI. Teaching elsewhere or working in research laboratories of industry or government may be approved if such activities can be expected to contribute significantly to the acquisition of useful ideas and practices. In no case will leave be granted primarily for the purpose of augmenting the person's income. The benefit to UI must be foremost in the consideration leading to approval of the leave.~~

Commented [TA(4)]: Formerly in section D. Restriction on Service and Salary.

**E-2. RATING SYSTEM.** The application will be rated by the SLEC according to the following system:

**I-1a.** Merit and feasibility of the proposed ~~ed a~~sabbatical plan, 60 percent. [rev. 7-97]

**bI-2.** Applicant's record or potential for research, teaching, service and/or other pertinent activity, 25 percent. [add. 7-97]

**cI-3.** Length of service to UI ~~in a tenure-track position~~, up to 15 percent. Each year of service, counting from the faculty member's initial appointment ~~in a tenure track position~~ or from ~~their his or her~~most recent sabbatical leave, whichever is later, is assigned a weight of one point, limited to a maximum of 15. [ren. and rev. 7-97]

**J. PROCEDURE FOR RATING.** ~~To give sufficient time for planning of sabbatical leaves, applications must be submitted at least 10-17 months before the beginning of the academic year during which the leave is to be taken. The SLEC meets in April of each year to consider applications received by March 31 for the academic year beginning 17 months later. The committee rates the applications according to the rating system specified in I and makes recommendations to the Provost who notifies applicants of the university's preliminary approval or disapproval. In this round of sabbatical applications the provost notifies no more applicants than a number equal to 60 percent of the sabbatical leaves expected to be available for the year under consideration. Faculty members who do not apply for sabbatical leave by March 31 may apply on or before November 1 for the academic year beginning 10 months later. The SLEC meets in November to consider new applications (and reconsider resubmitted applications). The SLEC again makes recommendations to the provost who submits a list of those faculty members recommended by the SLEC and proposed by the provost in both April and November to Faculty Senate for final approval. If there is substantial change in an applicant's plans, he or she must submit a new plan through the unit administrator, dean, and the SLEC for approval. If the new plan is not approved, the applicant may request leave without pay. [rev. 7-97, ed. 7-00, 6-09, ed. 8-11]~~

Commented [TA(5)]: Rewritten below for clarity.

**F. SCHEDULE FOR APPLYING.** Each year there are two rounds of application consideration:

**F-1. Round 1. Deadline March 31<sup>st</sup>.** This deadline applies to:

- a. Faculty with an academic year appointment planning to begin a full year sabbatical at the start of the second fall semester after submitting the application;
- b. Faculty with an academic year appointment planning to begin a one semester sabbatical at the start of the second fall semester or the second spring semester after submitting the application;
- c. Faculty with a fiscal year appointment planning to begin a full year sabbatical at the start of the second fiscal year after submitting the application
- d. Faculty with a fiscal year appointment planning to begin a half year sabbatical during the second fiscal year after submitting the application.

**F-2. Round 2. Deadline October 31<sup>st</sup>.** This deadline applies to faculty who missed the Round 1 deadline:

- a. Faculty with an academic year appointment planning to begin a full year sabbatical at the start of the next fall semester;
- b. Faculty with an academic year appointment planning to begin a one semester sabbatical at the start of the next fall semester or the second spring semester after submitting the application;
- c. Faculty with a fiscal year appointment planning to begin a full year sabbatical at the start of the next fiscal year after submitting the application;
- d. Faculty with a fiscal year appointment planning to begin a half year sabbatical during the next fiscal year after submitting the application.

**GE. POSITION ANNUAL JOB DESCRIPTION AND ANNUAL PERFORMANCE EVALUATION.** ~~The faculty members on sabbatical remain full time employees of UI. Faculty members are expected to include their sabbatical purpose and goals on their annual faculty job position description. Their annual performance evaluation must will reflect whether the purpose and goals of the sabbatical were achieved the faculty member's purpose and goals while on sabbatical.~~

**F.H. CHANGES IN OR CANCELLATION OF SABBATICAL.** If a faculty member must change the purpose, place, or time of the sabbatical leave, ~~or needs to cancel their leave, the faculty member he or she must submit a revised cover sheet indicating the type of change along with an updated a written request, with recommendation from the dean and unit administrator, to the SLEC for approval. The SLEC will review the change and make a recommendation to the provost for final approval. This request must state the rationale for the changes and update and document how the sabbatical leave plan to will reflect these changes. Upon approval by the SLEC, any changes will be sent to the provost. [ed. 8-11]~~

**IG. RETURN.** ~~The faculty members are expected either to return to the active service of UI for at least one academic year after completion of the leave or to repay the money received from UI while on leave, unless the president approves a waiver of this requirement. Results of the sabbatical should be detailed on the annual performance evaluation and will serve as the official record of return and accomplishment. Within six weeks after returning, the faculty member must submit to the provost's office and to the faculty member's dean and unit administrator, a complete report in PDF format of his or her activities while on leave. This report will be available to the faculty member's dean and unit administrator. [rev. 7-97, 7-02, 7-13, 7-16, ed. 8-11]~~

**SABBATICAL LEAVE EVALUATION FORM** [rev. 7-97]

APPLICANT'S NAME \_\_\_\_\_

SEMESTER(S) APPLIED FOR \_\_\_\_\_

PURPOSE OF LEAVE \_\_\_\_\_

**I--VALUE OF PLAN (Maximum 60 points)**

A. Preparation, Thought, and Documentation (where appropriate) (30 points)

(For preparation and thought, consider the following: organization of the ~~proposal~~ application, originality of the idea, thoroughness, specificity, feasibility, and preliminary work begun on project beyond planning; for documentation consider the following: itinerary, letters of appointment, letters of acceptance, and other supportive documentation if applicable.)

Excellent 27-30; Good 22-26; Average 16-21; Poor 8-15; Unacceptable 0-7 Points \_\_\_\_

B. Benefit to University and Individual (30 points)

(Consider the following: contribution to applicant's knowledge and understanding, contribution to teaching or other assigned duties at university, publications or other scholarly works resulting from project, enhancement of professional status, recognition for university, contribution to special projects or programs within university.)

Excellent 27-30; Good 22-26; Average 16-21; Poor 8-15; Unacceptable 0-7 Points \_\_\_\_

**II. APPLICANT'S RECORD OR POTENTIAL FOR RESEARCH, TEACHING, SERVICE AND/OR OTHER PERTINENT ACTIVITY (Maximum 25 points)** (25 points)

(Consider the following: publications, performances, grants, post-doctoral fellowships, leaves, participation in relevant organizations, record of achievement of previous grants and leaves, evaluation by unit administrator and dean, including their assessment of the proposed sabbatical plan proposal and annual evaluation forms, evidence of excellence in teaching, service, or other evidence of contributions to the university, as required by the applicant's position description.) [ed. 8-11]

Excellent 23-25; Good 19-22; Average 13-18; Poor 8-12; Unacceptable 0-7 Points \_\_\_\_

**III--SERVICE (Maximum 15 points)**

(One point awarded for each year of service to university since the last sabbatical leave to a maximum of 15 points.) Points \_\_\_\_

EVALUATOR \_\_\_\_\_

DATE \_\_\_\_\_

Total Points \_\_\_\_



**UI FACULTY-STAFF HANDBOOK**

## CHAPTER ONE:

## HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

1620

## 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). [ed. 7-00, rev. 1-07, 7-08, 7-10]*

## 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.webpages.uidaho.edu/facultycouncil/committees.htm>, after the beginning of the academic year by the Committee on Committees. [rev. 1-07, ed. 7-10, 12-13, 1-17]

**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. [rev. 1-07, 7-08, 7-15, 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-receives names of those approved by the nominations from~~ Staff Council, which considers expressions of interest and qualifications of employees ~~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 Staff Council itself, it is expected that the employee will first secure the consent of his or her supervisor

before becoming a candidate.) *[ed. 7-17]*

**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 names of those approved by 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. *[rev. 1-07, 1-14, 7-14, 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 Committee on Committees with the possibility of appeal by the faculty member to the Faculty Senate. *[ed. 7-10, rev. 7-17]*

**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. Voting:**

- 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]*
- Email voting under some circumstances is allowable. However, it must be agreed to by all members at the meeting. There must be an explicit understanding that anyone can ask that voting be delayed until the next meeting as a group. Examples of email voting include: committee is nearing the end of a meeting and discussion has been sufficient for the secretary/chair to draft a recommendation, confirming nominees/appointments, etc. *[add. 1-17]*

**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.** To ensure that committee business is not delayed when the semester begins, committee chairs are encouraged to recommend and submit names of faculty, staff and students for any vacant position to the Faculty Secretary's Office for consideration and confirmation. All names that are recommended will be handled following the normal approval process. *[add. 1-17]*

**C-4.** Establish the best means of getting in touch with each student member. *[ren. 1-17]*

**C-5.** 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, ren. 1-17]*

**C-6.** Send an agenda with the call of a meeting to all members at least one day (24 hours) in advance of the meeting, if possible. *[rev. 1-07, 7-17, ren. 1-17]*

**C-7.** Read the minutes of each meeting carefully to make certain that the intent of the committee is accurately represented. *[ren. 1-17]*

**C-8.** Send agenda and approved minutes of each meeting of the committee to the Faculty Secretary's Office at [facsec@uidaho.edu](mailto:facsec@uidaho.edu) 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, 7-17, ren. & rev. 1-17]*

**C-9.** 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, 1-17]*

**C-10.** Inform those who are affected by the committee's actions of such actions. *[ren. 1-07, 1-17]*

**C-11.** 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, ren. 1-17]*

**C-12.** 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, ren. 1-17]*

**C-13.** Prepare a brief year-end report for submission to the Faculty Senate in care of the Office of the Faculty Secretary for distribution as needed. *[ren. & rev. 1-07, ed. 7-10, ren. 1-17, rev. 7-17]*

**C-14.** 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, ren. 1-17]*

**C-15.** Call on the Office of the Faculty Secretary for information and assistance concerning points not fully covered in these guidelines. *[ren. 1-07, 1-17]*



**UI FACULTY-STAFF HANDBOOK**

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

---

1640

COMMITTEE DIRECTORY

**FSH 1640.41**

**FACULTY AND STAFF POLICY GROUP (FSPG)**

*[created July 2017]*

**A. FUNCTION.**

**A-1.** To review non-academic policies and procedures (other than minor amendments, see FSH 1460 B-2) that affect both faculty and staff and that reside in the *Faculty-Staff Handbook* and/or *Administrative Procedures Manual*.

**A-2.** To ensure that both Faculty Affairs and Staff Council are informed, the chair of FSPG will communicate regularly with the chairs of Faculty Affairs and Staff Leadership.

**A-3.** To address and possibly resolve any perceived problems before forwarding proposed policies and procedures to Faculty Senate, the committee is encouraged to seek assistance from, or request meetings with the policy sponsor (see FSH 1460 B-6), general counsel, or others as necessary.

**B. STRUCTURE.** Three faculty, three staff, and the Faculty Secretary/Policy Coordinator, or his/her designee. A broad representation of faculty and staff across the university is expected and who are seen as leaders among their peers. A current member of Faculty Affairs and Staff Council is desirable, if possible. The chair of this committee will be ~~the Faculty Secretary/Policy Coordinator~~ selected from one of the six voting members.



1640.86

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 programs leading to teacher education certifications and endorsements. [rev. 3-14]

A-3. To provide updates on state and national issues pertaining to the preparation of educators. [rev. 3-14]

A-4. ~~TECC will~~ meet ~~in September, January and March,~~ three times per year prior to UCC deadlines, ~~in order to~~ facilitate curriculum changes. Meeting dates/times will be posted annually by the first week of September. [add. 3-14]

Commented [TCR1]: A relatively innocuous semantics shift; we don't certify (the state does) completers. We recommend individuals for certification.

Commented [TCR2]: To allow for flexibility in scheduling TECC meetings, given the changing deadlines by UCC

~~BC. STRUCTURE AND MEMBERSHIP. Faculty members The members of the committee are ~~nominated~~ appointed by the College of Education, Health & Human Sciences (CEHHS) -as follows from each of the following groups:~~

- ~~Four faculty members from the four from programs within the~~ Department of Curriculum and Instruction ~~with, including~~ representation from ~~the elementary program, the secondary program, the career and technical education program, and the special education programs;~~
- One faculty member from the Department of Movement Science physical education teacher education program;
- One faculty member from the Department of Leadership and Counseling educational leadership program;
- One faculty member from each of the following ~~groups: programs --~~ early childhood, agricultural education, music education, English education, mathematics education, social sciences, natural sciences and business;
- ~~Two~~ junior or senior level students (one from ~~the CEHHS College of Education~~ and the second annually rotating between early childhood education, agricultural education and music education);
- ~~Three~~ P-12 school personnel; ~~to include including including~~ a superintendent, ~~a~~ principal and ~~a~~ teacher ~~from multiple districts to, representing representing~~ both elementary and secondary education ~~as well as from multiple districts;~~
- ~~The the~~ Director of Teacher Education, who serves as chair; and
- ~~The CEHHS~~ Director of Assessment ~~(w/o vote)~~, and the Dean of ~~CEHHS the College of Education,~~ or designee, both without vote (w/o vote), who serves as chair. [rev. 7-08, 7-10, 3-14]

Summary of TECC Membership:

- |   |   |
|---|---|
| Elementary program faculty              | Social sciences program faculty                 |
| Secondary program faculty               | Natural sciences program faculty                |
| CTE program faculty                     | Business program faculty                        |
| Special education program faculty       | College of Education student (junior or senior) |
| PETE program faculty                    | One student from E.C., Ag.Ed., or Music         |
| Educational leadership program faculty* | Superintendent                                  |
| Early childhood program faculty         | Principal                                       |
| Agricultural education program faculty  | Elementary teacher**                            |

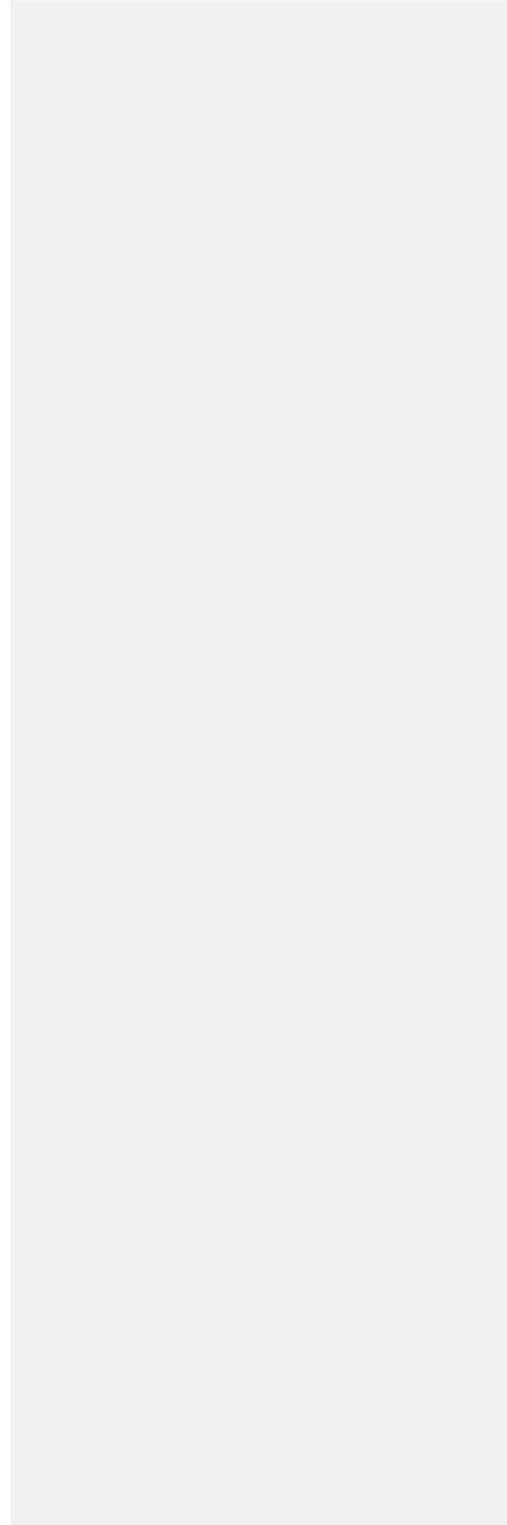
Music education program faculty  
English education program faculty  
Mathematics program faculty

Secondary teacher\*\*  
Director of Teacher Education\*  
Director of Assessment\*\*\*  
Dean\*\*\*

\*proposed

\*\*must be from different districts

\*\*\*without vote



# University of Idaho

## 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]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** Chapter 6, FSH 6880, Campus Recreation

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** Chapter 90 "University Services", Campus Recreation

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

<b>Originator(s):</b> (Please see FSH 1460 C)	Brian Mahoney	10-30-2017
<b>Telephone &amp; Email:</b>	208.885.6064	brianm@uidaho.edu

<b>Policy Sponsor:</b> (If different than originator.)	Greg Tatham	10-30-2017
<b>Telephone &amp; Email:</b>	208.885.2233	gtatham@uidaho.edu

**Reviewed by General Counsel**    \_\_\_ Yes  X  No    Name & Date: \_\_\_\_\_

**I. Policy/Procedure Statement:** *Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.*  
 The information in the current FSH 6880 is not only outdated (prior to the SRC opening in 2002), the information provided is not policy. As this is not policy, we are requesting the entire section, FSH6880 be removed from the FSH and placed into the APM with the revisions included.

**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]*

*APM*

F&A Appr.: \_\_\_\_\_  
*[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)*

UI FACULTY-STAFF HANDBOOK  
CHAPTER SIX:  
OTHER GENERAL INSTITUTIONAL POLICIES

2017

6880

## CAMPUS RECREATION

*PREAMBLE: This section outlines recreational opportunities for students, faculty, staff, and the general public offered by Campus Recreation. . In January 2017 an outdated section on Swim Center use was removed. Unless otherwise noted, the text is as of July 1996. For further information, call 208-885-6381. [ed. 7-00, rev. 1-17]*

A. Campus Recreation ~~within the division of Student Affairs,~~ provides ~~the University of Idaho (UI) community, students faculty, staff,~~ and to a limited extent, the general public, ~~with a multitude of~~ recreational ~~al~~ opportunities. Activities provide opportunities for:

A-1. Spending leisure time in structured ~~or and~~ unstructured sport, wellness and recreational activities.

A-2. ~~Meeting and participating with others who have similar recreational interests; Increasing the quality of campus life through increased knowledge, opportunities, interests and behaviors that promote healthy lifestyles.~~

A-3. ~~Increasing interest in sport and recreational activities that can continue throughout the participant's lifetime; Delivering a student driven philosophy which offers experiential leadership opportunities integrated with professional training and mentoring.~~

A-4. ~~Developing group spirit and identity by participating together in play situations; Supporting the University's mission with experiences which encourage social interactions with diverse populations and promote personal reflection and learning opportunities.~~

A-5. ~~Improving fitness and, consequently, enjoying a healthier body and a more alert mind; Increasing interest in sport and recreational activities which can continue throughout the participant's lifetime.~~

B. Campus Recreation ~~administers- manages~~ the following ~~functional-programmatic~~ areas;

Formatted: Font: Bold

**B-1. Intramural Sports.** ~~The iIntramural sSports, pProgram consists of structured-provides organized recreational and competitive activities that involve organized-competition-consisting of (men's, women's, and co-rec) in individual, dual, and team sports for among the UI community residence halls, fraternities, sororities, off-campus student groups, and faculty-staff. Program direction, selection of activities, and development of operational policies are provided by the student managers of groups participating in intramural sports.~~

**B-2. Wellness Program, Informal Recreation.** ~~The informal recreation program consists of unstructured activities in which facilities, supervision, and equipment are provided but for which there are few organized events The Wellness Program provides a variety of opportunities including: group fitness classes, personal training sessions and fitness assessments by certified personal trainers and fitness instructors.~~

**B-3. Outdoor Program, Fitness.** ~~Campus Recreation provides opportunities for individuals to acquire new activity skills, improve skills, gain knowledge and insight, and improve fitness through self-directed activities and non-credit classes for university students, faculty, and staff. The Outdoor Program is dedicated to provide education and resources for wilderness based, human powered, and environmentally sound activities. It promotes teamwork, leadership and growth through outdoor adventure experiences.~~

**B-4. Sport Clubs.** ~~The Sport Club program gives UI students the opportunity to engage in an in-depth sports experience. Clubs participate in intercollegiate competitions and conduct club activities including: practice, instruction, organization, social events and tournament play.~~

Formatted: Font: Bold

**B-5. Student Recreation Center (SRC).** ~~Located on the north side of campus, the SRC houses all programs within the department of Campus Recreation. With over 80,000 square feet, it provides opportunities to workout, play, relax and spaces for special events, programs and activities.~~

Formatted: Font: Bold

~~**B-6. Special Events.** Special events programs provide opportunities to participate in organized activities recreation and sport events. The program meets needs and interests that are not met through competitive intramural sports programs or other recreation programs. [ed. 7-00]~~

~~**B-57. Swim Center Facility and Space Reservations.** The Swim Center program provides: Campus Recreation schedules a variety of UI fields, courts, spaces and facilities. Please contact the Campus Recreation main office for more details.~~

~~a. Opportunities to improve fitness through self-directed and staff-directed activities.~~

~~b. Recreational swimming and aquatic play opportunities during leisure time.~~

~~e. Structured fun and competitive special events.~~

~~d. Noncredit instructional classes to improve swimming, safety, and rescue skills.~~

~~**B-6. Locker Room Services.** Locker room services provide locker and shower room facilities and attendants, towel and locker service, and equipment checkout for physical education classes and general recreational use.~~

~~**B-7. Summer Session Recreation.** The summer session recreation program provides special leisure time opportunities for students and employees.~~

~~**B-8. Sport Clubs.** In cooperation with the ASUI Recreation Advisory Board and the Director of the Student Union/Student Activities the Campus Recreation unit manages the University of Idaho Sports Club Program.~~

~~**C. USE OF RECREATIONAL FACILITIES** Use of the Student Recreation Center. Access to the Memorial Gymnasium and the Physical Education Building for recreational use is as follows [ed. 7-00]:~~

Formatted: Font: Not Bold

~~**C-1. UI Students.** Full or part-time undergraduate and graduate students may use recreational facilities free of charge (valid UI identification card required). Full-time students have full access to the SRC as part of their tuition and fees. Part-time students must purchase a pass for access. A gap fee pass is available for part-time students with the cost determined by the difference in the number of credits being taken and what a full-time student pays into Campus Recreation's student fees. Access to the SRC excludes Wellness Program classes, and Climbing Center clinics and equipment. A valid Vandal Card is required to purchase a pass and for accessing the SRC.~~

~~**C-2. UI Faculty and Staff.** Faculty and staff members must purchase a pass for SRC access. On regular appointment, as well as retired personnel, may use recreational facilities free of charge (valid UI identification card required). A valid Vandal Card is required to purchase a pass and for accessing the SRC.~~

~~**C-3. UI Affiliates Irregular Help.** UI affiliates (retirees, alumni, IH employees and affiliate employees) not on regular appointment must purchase a pass for SRC access. may use recreational facilities through the fee-based facility pass program. A valid Vandal Card is required to purchase a pass and for accessing the SRC.~~

~~**C-4. Special Miscellaneous Programs.** Persons attending UI-sponsored programs such as workshops, seminars, and short courses, may use recreational facilities with a special programs activity pass available from the specific program director or coordinator. Special Programs and other students who do not pay student fees towards Campus Recreation must purchase a pass for SRC access. A valid Vandal Card is required to purchase a pass and for accessing the SRC.~~

**C-5. University Departmental Guests.** UI departments may purchase departmental single visit passes that can be used by their guests for access to the SRC recreational facilities. The departmental single pass must be given to SRC personnel and a waiver of liability form signed for SRC access. Passes must be purchased in the Campus Recreation main office.

**C-6. Spouses.** The spouse of a UI student, faculty, staff or affiliate must purchase a pass for SRC access. A valid Vandal Card is required to purchase a pass and for accessing the SRC.

**Personal Guests.** Friends and relatives may use recreational facilities as guests of students or employees. Guests must be accompanied by their UI host while using facilities. One-day guest passes may be purchased at the Campus Recreation Office during regular office hours. Guest passes are not transferable and are good only on the dates specified.

**C-7. General Public.** Persons not affiliated connected with the UI must purchase a non-UI specific pass for SRC access. Some restrictions apply to children. A valid photo identification is required to purchase a pass.

**C-8. Spouses.** The spouse of a UI student or faculty or staff member may use recreational facilities on a regular basis through the fee-based facility pass program.

**C-9. Children and Youth.** Policies regarding children include the following: children and youth, whether of a UI-related family or not, may use recreational facilities under the following conditions:

a. All children must have a facility pass or guest pass. Children under the age of 18 must be accompanied and supervised by their parent/s or guardian/s who are participating in the same activity.

b. Children under the age of 18 must be accompanied and supervised by their parents or guardians who are participating in the same activity. Access to the SRC for children is limited to special youth programs and will be defined by specific event.

c. Use of the weight room is limited to individuals who are 18 years old or older. Unattended children (under the age of 18) are not allowed in the SRC Atrium.

Formatted: Indent: Left: 0"

Formatted: Indent: Left: 0.44"

Formatted: Indent: Left: 0.88"

Formatted: Indent: Left: 0.44"

6880

### CAMPUS RECREATION

*PREAMBLE: This section outlines recreational opportunities for students, faculty, staff, and the general public offered by Campus Recreation. . In January 2017 an outdated section on Swim Center use was removed. Unless otherwise noted, the text is as of July 1996. For further information, call 208-885-6381. [ed. 7-00, rev. 1-17]*

**A.** Campus Recreation, within the division of Student Affairs, provides the University of Idaho (UI) community, and to a limited extent, the general public, with a multitude of recreational opportunities. Activities provide opportunities for:

- A-1.** Spending leisure time in structured and unstructured sport, wellness and recreational activities.
- A-2.** Increasing the quality of campus life through increased knowledge, opportunities, interests and behaviors that promote healthy lifestyles.
- A-3.** Delivering a student driven philosophy which offers experiential leadership opportunities integrated with professional training and mentoring.
- A-4.** Supporting the University's mission with experiences which encourage social interactions with diverse populations and promote personal reflection and learning opportunities.
- A-5.** Increasing interest in sport and recreational activities which can continue throughout the participant's lifetime.

**B.** Campus Recreation manages the following programmatic areas:

**B-1. Intramural Sports.** The Intramural Sports Program provides organized recreational and competitive activities consisting of men's, women's, and co-rec in individual, dual, and team sports for the UI community.

**B-2. Wellness Program.** The Wellness Program provides a variety of opportunities including: group fitness classes, personal training sessions and fitness assessments by certified personal trainers and fitness instructors.

**B-3. Outdoor Program.** The Outdoor Program is dedicated to provide education and resources for wilderness based, human powered, and environmentally sound activities. It promotes teamwork, leadership and growth through outdoor adventure experiences.

**B-4. Sport Clubs.** The Sport Club program gives UI students the opportunity to engage in an in-depth sports experience. Clubs participate in intercollegiate competitions and conduct club activities including: practice, instruction, organization, social events and tournament play.

**B-5. Student Recreation Center (SRC).** Located on the north side of campus, the SRC houses all programs within the department of Campus Recreation. With over 80,000 square feet, it provides opportunities to workout, play, relax and spaces for special events, programs and activities.

**B-6. Special Events.** Special events provide opportunities to participate in organized activities not met through other recreation programs. [ed. 7-00]

**B-7. Facility and Space Reservations.** Campus Recreation schedules a variety of UI fields, courts, spaces and facilities. Please contact the Campus Recreation main office for more details.

**C.** Use of the Student Recreation Center.

**C-1. UI Students.** Full time students have full access to the SRC as part of their tuition and fees. Part time students must purchase a pass for access. A gap fee pass is available for part time students with the cost determined by the difference in the number of credits being taken and what a full-time student pays into Campus Recreation's student

fees. Access to the SRC excludes Wellness Program classes, and Climbing Center clinics and equipment. A valid Vandal Card is required to purchase a pass and for accessing the SRC.

**C-2. UI Faculty and Staff.** Faculty and staff must purchase a pass for SRC access. A valid Vandal Card is required to purchase a pass and for accessing the SRC.

**C-3. UI Affiliates.** UI affiliates (retirees, alumni, IH employees and affiliate employees) must purchase a pass for SRC access. A valid Vandal Card is required to purchase a pass and for accessing the SRC.

**C-4. Miscellaneous Programs.** Special Programs and other students who do not pay student fees towards Campus Recreation must purchase a pass for SRC access. A valid Vandal Card is required to purchase a pass and for accessing the SRC.

**C-5. University Departmental Guests.** UI departments may purchase departmental single visit passes that can be used by their guests for access to the SRC . The departmental single pass must be given to SRC personnel and a waiver of liability form signed for SRC access. Passes must be purchased in the Campus Recreation main office.

**C-6 Spouses.** The spouse of a UI student, faculty, staff or affiliate must purchase a pass for SRC access. A valid Vandal Card is required to purchase a pass and for accessing the SRC.

**C-7. General Public.** Persons not affiliated with the UI must purchase a non-UI specific pass for SRC access. A valid photo identification is required to purchase a pass.

**C-8. Children.** Policies regarding children include the following:

- a. Children under the age of 18 must be accompanied and supervised by their parent/s or guardian/s who are participating in the same activity.
- b. Access to the SRC for children is limited to special youth programs and will be defined by specific event.
- c. Unattended children (under the age of 18) are not allowed in the SRC Atrium.

Greetings,

On behalf of Campus Recreation, I'd like to congratulate you on your new appointment and welcome you to the University of Idaho community. I also want to personally invite you to visit the Student Recreation Center which houses all of our programs. Campus Recreation is passionate about living healthy active lifestyles and as a new board appointed employee, I'm encouraging you to participate in some of our programs by offering you the following incentives:

- A free week (7 consecutive days) of access to the [Student Rec Center](#), [Wellness classes](#) & [Climbing Center](#)
- A month of equipment rentals at the student rate in our [Outdoor Rental Center](#)
- One free [Intramural Sports](#) entry valid for 3 months.

To receive any of these benefits, please bring your Vandal Card to the Campus Recreation main office located in the SRC during regular [business hours](#) within 2 weeks of receiving this email. Your Vandal Card will be activated for access and you'll receive a coupon for a month of rentals and one sport entry valid for 3 months.

Please feel free to contact the Campus Rec main office at 208 885-6381 if we can be of any assistance or answer questions you may have.

Once again, congratulations on your new appointment. I look forward to seeing you around the Rec in the near future.

Sincerely,

Greg Tatham

**Greg Tatham | Director**

Campus Recreation

Division of Student Affairs

The University of Idaho

208.885.6381 | [gtatham@uidaho.edu](mailto:gtatham@uidaho.edu) | SRC 101H

*Student Affairs – Transforming students' learning into passion, empowerment and purpose*

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #11**

**3:30 p.m. - Tuesday, October 31, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #10, October 24, 2017 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

- Recording Class Sessions (Chermak)(FYI)

**VI. Committee Reports.**

- **Faculty Affairs** (Ytreberg)(vote)
  - **FS-18-010** – FSH 3320 – Annual Performance Evaluation Form
  - **FS-18-011** – FSH 3320 – Annual Performance Evaluation Policy

**VII. Special Orders.**

- 2017 Great Colleges to Work For Survey (Pietrzak)(FYI)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #10  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #10, Tuesday, October 24, 2017**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Baird, Barbour (Twin Falls), Brandt (w/o vote), Brown, Bugingo, Cannon (Boise), Caplan, De Angelis, Ellison, Foster, Grieb, Hrdlicka, Jeffrey, McIntosh for Johnson (w/o vote), Kern (Coeur d'Alene), Leonor, Mahoney, Morrison, Nicotra, Panttaja, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote). **Absent:** Johnson, Morgan, Zhao. **Guests:** 9

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. A motion (Seamon/Mahoney) to approve the minutes passed with three abstentions.

**Chair's Report:**

- Faculty Senate nominations for the University-level Promotion Committee are due to Mary Stout ([mstout@uidaho.edu](mailto:mstout@uidaho.edu)) by October 27. Details regarding the nomination process and the nomination form are available [in the documents supporting Senate meeting #9 on October 17, 2017](#).
- Annual benefits enrollment began October 16 and runs through November 7.
- Sabbatical applications are due by October 27.
- President Staben will give the State of the University address on November 10 at 2-3:30 pm, International Ballroom, Pitman Center.

The chair also explained that the normal order of the agenda was changed to move the Provost's Report to the end of the meeting. This change was made to ensure that senate has time for to consider time-sensitive policy matters while still allowing discussion with the Provost about the restructuring of the university's advising and retention programs.

**FS-18-009- FSH 6880 - Campus Recreation.** A motion (Foster/Morrison) was made to remove FSH 6880 regarding campus recreation from the *Faculty-Staff Handbook* (FSH). Brian Mahoney, a member of Senate and Associate Director of Campus Recreation presented the proposal. He explained that the current policy dates to before the building of the Student Recreation Center (SRC) and contained many irrelevant and out-of-date provisions. The staff at campus recreation believes the contents of the policy was largely informational and contained on the campus recreation website. They pointed out that every time information about services changes, both the website and the FSH provision must be updated.

Several senators stated that they did not believe the information in the policy was purely informational. They also found the recreation website difficult to navigate and unhelpful. The suggestion was made that information for faculty and staff regarding use of campus recreation facilities and participation in programs should be in one coherent and accessible place. A senator commented that the FSH has historically contained both policies and information. Concern was expressed that recreational opportunities for faculty and staff are an employment benefit that might be eliminated if not included in the FSH. The faculty secretary stated that including information in the FSH did not prevent the revision of policies regarding benefits. In addition, she pointed out that the FSH was sometimes inconsistent with current approaches such as in this case. She also gave background on the long-term effort to remove informational and procedural matters from the FSH to the *Administrative Procedures Manual* (APM). A senator pointed out that the money to fund the SRC came from a bond issue that was approved based on the representation that the proceeds would be used for campus recreation. If the campus recreation policy is removed from the FSH, he expressed concern that it would also remove accountability on the maintenance of campus recreation opportunities. The provost pointed out that the proceeds from the bond have already been spent for the purpose that was intended. Another senator added that there are

tight financial controls at UI that prevent funds from being spent for purposes for which they were not intended. Mahoney added that he has started providing comprehensive information about campus recreation to all new faculty and staff at the time they begin employment at the university.

A number of senators expressed support for the idea of moving FSH 6880 to the APM rather than eliminating it altogether. A motion (Grieb/Vella) to postpone the vote on eliminating FSH 6880 was made and passed unanimously.

**University Curriculum Committee Report.** Registrar Heather Chermak and Associate Registrar Dwaine Hubbard presented the report which involved three revisions to academic regulations in the catalog and changes to the final exam schedule. The chair asked the registrar to present each regulation separately.

**FS-18-005: Regulation F:** The registrar explained that the changes to Regulation F regarding incomplete grades was to simplify the language and update it according to current processes. There was no discussion of these revisions.

**FS-18-006: Regulation J:** Similarly, the revisions to regulation J regarding concurrent and subsequent baccalaureate degrees simplifies and updates the policy language. A senator asked whether the regulation should address how a student would return to the university to pursue a new major within the same degree. After some discussion, the registrar indicated that her office would consider how to address this issue. There was no further discussion of this revision.

**FS-18-007: Regulation O:** The registrar explained that the revisions to Regulation O extend the deadline for graduation applications from the last day of the semester before graduation to the 10<sup>th</sup> day of the semester in which the student will graduate. It was moved (Tibbals/Panttaja) that the proposed language be revised as follows:

**O-3. Application for Graduation.** Degree candidates must submit an Application for Graduation to their college. Students should submit applications no later than the semester in which they will be completing their degree requirements. If two degrees are to be received concurrently, separate applications must be filed with the dean(s) of the college(s) concerned. The graduation, binding and microfilming fees will be posted on the student's account once the graduation application has been ~~approved~~ fully processed (See Fees and Expenses). The deadline for filing Applications for Graduation without a late service charge is the 10<sup>th</sup> day of the semester in which the student will be graduating.

The motion to amend proposed Regulation O was approved. There was no further discussion on Regulation O.

The chair proceeded to a vote on all three regulations as amended. They passed unanimously.

The registrar next presented the revised final exam schedule coming as a seconded motion from UCC. She stated that the registrar's office had considered several options for the exam schedule, including those offered by Senate in its discussion at [Meeting #7 on October 3, 2017](#). The registrar proposes that fall 2018 exams begin at 8:00 am, that the break between exams be 15 minutes, and that exams for classes during the day end at 5:00 pm. Evening classes and rescheduled exams will begin after 5:00. The proposed schedule was approved unanimously with three abstentions.

**FS-18-010 and FS-18-011: Faculty Annual Performance Evaluation Form and Policy.** Marty Ytreberg presented revisions to FSH 3320 and the accompanying form, regarding annual performance evaluation

of faculty proposed by the Faculty Affairs Committee (FAC). The chair explained that revisions to the form were approved by senate on a pilot basis in 2015-16, and a stop-gap revision to the policy was approved in 2016-17 to facilitate the pilot, and survey (by FAC) results were presented to senate end of 2017 semester which supported the narrative form. [[Meeting #25, 2015-16, April 12 2016](#); [Meeting #7, 2016-17, October 4, 2017](#); [Meeting #27, 2016-17, May 9, 2017](#)]. Ytreberg added that FAC has proposed some additional changes to the evaluation form as well as revisions to the policy to simplify it and bring it into line with the form.

Questions:

- *A senator asked why the form uses the terminology “met or exceeded expectations” rather than simply “met expectations”?* Ytreberg responded that members of FAC wanted to clarify that the “yes” evaluation would apply regardless of whether a faculty member met or exceeded expectations. Another senator commented that the “met or exceeded” language was appropriate to encourage high levels of performance.
- *A senator asked how the changes in the policy will affect merit-based raises?* Typically, the State Board of Education (SBOE) has required employees to “meet expectations” as a condition of receiving regular increases in employee compensation and has characterized these increases as “merit” increases. Ytreberg explained that if a faculty member receives an overall evaluation of “meets expectations”, the faculty member would be eligible for increased salary as part of the regular change in employee compensation. Chair Hrdlicka added that the concept of merit pay will change as the institution moves toward a market compensation approach. Under this approach, meeting expectations will not trigger merit pay. Rather merit pay will most likely be reserved for exceptional performance. The provost elaborated that the market salary forming the basis for each faculty member’s target salary will reflect cost of living increases. Merit increases will reflect performance above and beyond meeting expectations. The faculty secretary also clarified that language regarding salary was eliminated from FSH 3320 in 2009 when it was moved to FSH 3420.
- *A senator asked whether the narrative boxes on the annual evaluation form would have character limits?* Ytreberg explained that in the Word document the table with boxes did not have limits and would grow in size as they were filled.
- *This senator also asked what the difference was between the narrative overall evaluation and the commentary on continuing progress toward promotion and tenure?* Ytreberg responded that FAC intended the overall narrative to differ from the continued progress narrative. He pointed out that the performance evaluation relates to a single year of performance, measures the faculty member’s performance against the annual position description, and is retrospective in nature. In contrast, review for promotion and tenure examines the cumulative performance of the faculty member. The narrative in the continuing progress box on the performance evaluation is intended to be more comprehensive and forward-looking in nature. He pointed out that a faculty member could meet expectations in a particular year, but may not be making adequate progress toward tenure or promotion because of prior unsuccessful year(s) or because the faculty member’s future plans may not satisfy expectations.
- *Several senators expressed concern that the presence of the continuing progress box on the annual evaluation form might give the annual evaluation too big a role in the promotion and tenure process* Ytreberg and the faculty secretary commented that the annual evaluation process is an administrative process that informs the tenure and promotion process whereas the tenure and promotion process is a faculty-driven process. The faculty secretary pointed out that the commentary on the annual evaluation form helps ensure that the administrative evaluation process and the faculty-driven promotion and tenure process are connected. Ytreberg suggested that questions concerning how the overall performance and continuing progress narratives

should be completed and the role they would have in tenure and promotion are training issues for unit administrators and deans. This process should be seen as a warning system and a way to open up dialog with the unit administrator to address problem areas so the faculty member can succeed.

- *Another senator suggested reversing the order of the box for overall performance and progress toward promotion and tenure.* Ytreberg responded that the intent was to include the four responsibility areas and the overall performance all in one table and then to include a forward looking comment on progress which could also cover whatever period of time the administrator feels is important, thinking into the future.
- *A senator followed up asking whether the role of annual evaluations in tenure and promotion is clearly delineated in the tenure and promotion policy?* Ytreberg and the faculty secretary both responded that they believed the tenure and promotion policy was clear in describing that annual evaluations are only one category of evidence in the tenure or promotion packet.
- *A senator asked whether, if the policy is adopted, the form would be required or whether it could be modified by an administrator or faculty member?* Ytreberg responded that the form would be required and could not be modified.
- *A senator asked whether FAC had considered the impact of adopting what was essentially a pass/fail rating?* Ytreberg responded that the SBOE requires that the university adopt a standard to determine whether employees receive annual change in employee compensation. Another senator commented that the narrative would help ensure that evaluations are not pass/fail.
- *Regarding the policy changes, a senator asked Ytreberg to comment on the fact that the revision proposes a single process for both tenured/tenure-track and non-tenured faculty.* Ytreberg responded that the only difference between the existing policy regarding these two groups of faculty and the proposal is whether a review committee was created if the faculty member did not meet expectations. FAC concluded that both tenured and non-tenured faculty could benefit from mentoring and from review of their performance.

**Provost's Report.** The provost began by commenting on the ironic timeliness of the Common Read presentation on the evening before on the book *Mistakes Were Made But Not By Me*. He reflected that his announcement of the management realignment in advising was released too abruptly and without enough direct conversation and collaboration. He stressed his commitment to the institution and expressed his regrets that the announcement has caused confusion and has upset a number of employees. He voiced regret for not having had better communication with advising staff and associate deans, which could have minimized the upset. Nonetheless, he believes that the need of the university to address enrollment and retention required decisiveness. He pointed out that while overall enrollment has increased, aspects of the university's enrollment statistics are not encouraging. He stressed that we must change our current practices to move the institution forward and increase our resources. The provost emphasized the difficulty of the current fiscal environment and pointed out that our sister institution in Washington has just announced a \$30 million budget cut -- \$10 million during each of the next three years. He stressed that his intent is that this not happen here at UI. If we do not take decisive action now, we may find ourselves in the same situation.

The provost emphasized that his goal is to implement best practices for retention. To do so, we must have a more coordinated recruitment and retention program. He does not intend for the changes to disrupt successful efforts. In that regard, he specifically mentioned the ambassador program in the College of Agriculture and Life Sciences and the high touch advising approach of the College of Letters, Arts, and Social Sciences. Instead, he would like to put in place a structure that will allow these successful programs to be implemented across the institution. He stressed that we must pay attention to our overall success rather than focusing on individual gains in colleges and units that are made without a corresponding

overall gain for the institution. His vision is that we implement an advising system that enables us to communicate and implement best practices across all the colleges. He believes that we can increase retention to the high 80% or even to 90%.

Finally, the provost stressed that the SBOE is moving to outcomes based funding for higher education. This means that SBOE will be allocating funds based on graduation rates, not on enrollment. The board is concerned about whether the different state institutions are implementing best practices for advising.

A senator thanked the provost for moving the university toward centralized advising. He expressed the view that polls of students have historically been critical of advising at the university and that the current ASUI leadership ran for election on a platform seeking centralized advising. Another senator thanked the provost for clarifying the current changes. She expressed concern that the role of faculty in the advising changes was unclear. She pointed out that in some colleges faculty are deeply involved in advising. The role of these faculty advisors, described in the roll out memo as “mentors”, is unclear. The provost responded that working out these relationships will be part of our implementation of the new process. He expressed his strong conviction that the current changes are not intended to reduce the role of faculty in advising. He suggested that faculty can be included in training and support that will be offered to advisors. Moreover, he emphasized that research on student success at college indicates that one of the most important factors is the development of strong relationships with faculty. He also commented that advising is central to the faculty’s responsibility to direct how the curriculum is carried out. There are many potential models for how faculty carry out that role. In the end, a professional staffing team will augment and support faculty. The provost stressed the theme that the university must provide better and more consistent support to professional advisors and must foster collaborative relationships with faculty to meet the differing needs of each academic program. Implementation of best practices will take time.

A senator suggested that the university should undertake a cost benefit analysis to determine whether further investment in advising is warranted compared to other types of investments.

A senator asked whether the university plans to conduct searches for the new management positions that have opened in advising. He explained that an assistant dean with a clinical faculty position had been told that his position would be eliminated and that he would need to apply for a staff position. The provost indicated that these were not new positions but rather reflected reorganization of current positions. He stated that advisors were being invited to express interest in the re-organized positions. Formal searches would not be conducted as these positions simply reflect a re-assignment of responsibilities.

The chair commented that much of the anxiety exists because faculty members knew nothing of the reorganization in advance. From their perspective, the changes seemed hasty and possibly ill conceived. He suggested that in order to relieve anxiety and stem some of the confusion around the change, the provost should sponsor an open forum to present a coherent vision about the advising changes. The provost affirmed that he intends to do so and suggested that senate leadership identify some time after the current advising period ends, but before fall break for such a forum. He also noted that he was working on a memo that would go out in the next day or so to address and recognize the upset this caused.

The time for the meeting having expired, a motion to adjourn (Morrison/Bugingo) was made and the meeting was adjourned at 5:11.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate



# VETERANS APPRECIATION DINNER

---

Presented by:  
University of Idaho and Moscow Chamber of Commerce

Saturday, November 11, 2017

*University of Idaho  
Bruce M. Pitman Center - International Ballroom*

**University of Idaho**



## VETERANS APPRECIATION DINNER

**Presented by:**

University of Idaho and  
Moscow Chamber of Commerce

**Keynote Speaker:**

Colonel Glen R. Downing Commander  
*Air Force ROTC Detachment 905*

Please join us in honoring the veterans in our community.

**Saturday, November 11, 2017**

*University of Idaho  
Bruce M. Pitman Center - International Ballroom*

Doors open at 5:30 p.m.

Program and dinner begin at 6:00 p.m.

Veterans (plus one guest) are FREE

Each additional guest and non-veterans - \$10

RSVP to <https://uiveteransdinner.eventbrite.com> by Wednesday,  
November 8, 2017. For more information please call 208-885-6365.

## **Recording Class Sessions**

A faculty member who records a session of a course section they are teaching is creating a student educational record if students are recorded. The faculty member is responsible for knowing how to store and utilize this student record appropriately according to the rules and policies of the University of Idaho and the Family Educational Rights and Privacy Act (FERPA).

A course section can be recorded and used by students participating in that particular course section or sections that meet together via video conferencing. If a faculty member wishes to record their lecture(s) and make them available to those students in that section(s) you can do so without violating FERPA, assuming the recording is available in a secure environment. Students do not have the right to anonymity under FERPA within their own classes.

Faculty who wish to record lectures for use in later semesters must take steps to comply with FERPA. You can comply with FERPA by recording the course in such a way that the students' identity in the course is never revealed. For example, avoid recording student faces, and recording only the instructor and material being shared.

Storing student information in an unapproved manner is prohibited. Never save a recording to your personal device. Recordings should be stored in a secure place identified by ITS, (Share Drive, other approved secure drives).



# FACULTY ANNUAL EVALUATION<sup>1</sup>

ENTER CALENDAR YEAR for review period: \_\_\_\_\_

Faculty Name:  
Title/Rank:  
Unit(s):

V Number:  
Administrative Title:  
(if applicable)

Responsibilities	PD %	Achievements Narrative	Met or Exceeded Expectations	
			Yes	No
Teaching and Advising <sup>2</sup>				
Scholarship and Creative Activities <sup>3</sup>				
Outreach and Extension <sup>4</sup>				
University Service and Leadership <sup>5</sup>				
<u>Overall faculty member met or exceeded the expectations defined in the position description</u>				

Commentary/recommendations on progress toward tenure, promotion, and/or continued satisfactory performance.\*

\* Relationship to Promotion and Tenure Process. The faculty annual performance evaluation is an administrative review. Annual evaluations are one component of the independent promotion and tenure process. See FSH 3520 and 3560 for details on the promotion and tenure process.

~~Faculty member is making progress on the goals defined in the position description, and contributes positively to life and learning at the University of Idaho.~~

~~Faculty member is not meeting University of Idaho performance expectations.~~

\_\_\_\_\_  
Unit Administrator Signature Date

\_\_\_\_\_  
Unit Administrator (joint appointments [if applicable]) Date

\_\_\_\_\_  
Faculty Signature<sup>6</sup> Date

\_\_\_\_\_  
Dean Signature Date

- Interdisciplinary/Center Administrator Comments Attached** (if applicable). The unit administrator is responsible to solicit, discuss and consider evaluative comments from those interdisciplinary/center administrators listed in the faculty narrative. All solicited comments are to be attached to this form.<sup>7</sup>
- Faculty Comments Attached** (optional). The faculty member is allowed to include comments that respond to the administrator's evaluation.
- Dean's Comments Attached** (optional). If there is any significant difference in the commentary, recommendations, or evaluation overall between the department chair and college dean, the dean shall include a narrative stating the reasons for these differences. The form with attachments must be returned to the faculty member and an opportunity provided for the faculty member to respond for a second signature.<sup>8</sup>

\_\_\_\_\_  
~~Second Faculty Signature (if applicable) Date~~

### Disclosure of Conflicts<sup>9</sup>

- If you have a conflict to disclose then you also will need to complete Form FSH 6240A.
  - If there is any change in your circumstance that may give rise to potential conflicts or eliminate potential conflicts previously disclosed, then you will need to complete Form FSH 6240A within 30 days of the change.
  - Disclose outside employment for compensation of more than 20 hours/week by completing FORM 6240B
- I **DO NOT** have any conflicts of interest, conflicts of commitment or apparent conflicts, according to FSH 6240, to report.
- I **DO** have any conflicts of interest, conflicts of commitment or apparent conflicts, according to FSH 6240, to report.
- I have submitted FSH 6240A and a plan to manage each conflict or apparent conflict to my unit administrator.

\_\_\_\_\_  
Faculty Signature Date

\_\_\_\_\_  
Unit Administrator Signature Date

<sup>1</sup> Faculty Staff Handbook section 3320

<sup>2</sup> Faculty Staff Handbook section 1565 C-1

<sup>3</sup> Faculty Staff Handbook section 1565 C-2

<sup>4</sup> Faculty Staff Handbook section 1565 C-3

<sup>5</sup> Faculty Staff Handbook section 1565 C-4, 1420E

<sup>6</sup> "At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator." FSH 3320 A1 e,f

<sup>7</sup> Faculty Staff Handbook section 3050 B-2, 3320 A-1 d, 3520 E-1, G-3, G-4c, and 3560 C,E-2d

<sup>8</sup> If there is a disagreement, see Faculty Staff Handbook section 3320 A-1 if

<sup>9</sup> Faculty Staff Handbook section 6240

# FACULTY ANNUAL EVALUATION<sup>1</sup>

ENTER CALENDAR YEAR for review period: \_\_\_\_\_

Faculty Name:  
Title/Rank:  
Unit(s):

V Number:  
Administrative Title:  
(if applicable)

Responsibilities	PD %	Narrative	Met or Exceeded Expectations	
			Yes	No
Teaching and Advising <sup>2</sup>				
Scholarship and Creative Activities <sup>3</sup>				
Outreach and Extension <sup>4</sup>				
University Service and Leadership <sup>5</sup>				
Overall faculty member met or exceeded the expectations defined in the position description				

Commentary/recommendations on progress toward tenure, promotion, and/or continued satisfactory performance.\*

**\*Relationship to Promotion and Tenure Process.** The faculty annual performance evaluation is an administrative review. Annual evaluations are one component of the independent promotion and tenure process. See FSH 3520 and 3560 for details on the promotion and tenure process.

\_\_\_\_\_  
Unit Administrator Signature Date

\_\_\_\_\_  
Unit Administrator (joint appointments [if applicable]) Date

\_\_\_\_\_  
Faculty Signature<sup>6</sup> Date

\_\_\_\_\_  
Dean Signature Date

- Interdisciplinary/Center Administrator Comments Attached** (if applicable). The unit administrator is responsible to solicit, discuss and consider evaluative comments from those interdisciplinary/center administrators listed in the faculty narrative. All solicited comments are to be attached to this form.<sup>7</sup>
- Faculty Comments Attached** (optional). The faculty member is allowed to include comments that respond to the administrator's evaluation.
- Dean's Comments Attached** (optional). If there is any significant difference in the commentary, recommendations, or evaluation overall between the department chair and college dean, the dean shall include a narrative stating the reasons for these differences. The form with attachments must be returned to the faculty member and an opportunity provided for the faculty member to respond.<sup>8</sup>

**Disclosure of Conflicts<sup>9</sup>**

- If you have a conflict to disclose then you also will need to complete Form FSH 6240A.
  - If there is any change in your circumstance that may give rise to potential conflicts or eliminate potential conflicts previously disclosed, then you will need to complete Form FSH 6240A within 30 days of the change.
  - Disclose outside employment for compensation of more than 20 hours/week by completing FORM 6240B
- I **DO NOT** have any conflicts of interest, conflicts of commitment or apparent conflicts, according to FSH 6240, to report.
  - I **DO** have any conflicts of interest, conflicts of commitment or apparent conflicts, according to FSH 6240, to report.
    - I have submitted FSH 6240A and a plan to manage each conflict or apparent conflict to my unit administrator.

\_\_\_\_\_  
Faculty Signature Date

\_\_\_\_\_  
Unit Administrator Signature Date

<sup>1</sup> Faculty Staff Handbook section 3320

<sup>2</sup> Faculty Staff Handbook section 1565 C-1

<sup>3</sup> Faculty Staff Handbook section 1565 C-2

<sup>4</sup> Faculty Staff Handbook section 1565 C-3

<sup>5</sup> Faculty Staff Handbook section 1565 C-4, 1420E

<sup>6</sup> "At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator." FSH 3320 A1 e

<sup>7</sup> Faculty Staff Handbook section 3050 B-2, 3320 A-1 d, 3520 E-1, G-3, G-4c, and 3560 C,E-2d

<sup>8</sup> If there is a disagreement, see Faculty Staff Handbook section 3320 A-1 i

<sup>9</sup> Faculty Staff Handbook section 6240

## UI FACULTY-STAFF HANDBOOK

## CHAPTER THREE:

## EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

October 2017

--\_ January

3320

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. In July 2014 changes were incorporated to ensure all faculty go through a review by their peers. In January 2017 a temporary fix to this policy was put in place to allow for a pilot narrative evaluation process for 2016 and ensure that existing policy would apply. Further information may be obtained from the Provost's Office (208-885-6448. [ed. 7-03, rev. 7-07, 1-08, 7-09, 7-10, 7-14, 1-17]*

## CONTENTS:

- A. Annual Performance Evaluation ~~and Salary Determination~~ for Faculty Members
- B. ~~Faculty Performance Below that does not Meet Expectations of Non-tenured Faculty Members~~
- C. ~~Performance Below Expectations of Tenured Faculty Members~~ DC. Performance Evaluation of Academic Administrators
- DE. 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 bylaws 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 annual performance evaluations ~~successive steps~~. Personnel on international assignment see FSH 3380 C. [rev. 7-03, 7-09, 7-14, ed. 7-10, 1-17]

**a. Forms ~~Distributed~~.** The Annual Performance Evaluation ~~Pilot~~ Form is available below. The form may not be altered without following the appropriate governance process (see FSH 1460). The unit administrator ~~immediate administrative officer~~ is responsible for ensuring that each faculty member uses the proper form together with ~~a copy of~~ the supplementary instructions as provided by the Provost Office. [rev. 7-01, 1-17]

~~**Approach during Pilot Study:** While the pilot narrative Annual Performance Evaluation form is being used, the specific references to performance and ratings found in this section are not in effect. Checking the "not meeting expectations box" on the pilot form triggers section B-1 for non-tenured faculty and section C for tenured faculty. The evaluator must document the areas of concern that warrant checking the "not meeting expectations" box in the narrative review. If there are areas of concern that warrant attention, but do not rise to the level of "not meeting expectations" these too should be documented in the written narrative. [add. 1-17]~~

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

b. Performance expectations levels for each criterion are described below. The narrative in the evaluation form shall provide evidence to support the evaluation as follows: [ed. 7-10]

i. ~~Exceptional Performance that Meets or Exceeds Expectations (5)~~ is the satisfactory extraordinary performance during the review period of a faculty member well beyond that required relative to the position description.

ii. ~~Performance that does not Meet Above Expectations (4)~~ denotes ~~represents~~ performance during the review period that is less better than expected of a faculty member relative to the position description and means improvement is necessary. An evaluation of not meeting expectations in one or more responsibility areas triggers procedures outlined in FSH 3320 B below. [ed. 7-09, 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]~~

~~v. Unacceptable Performance (1) is performance that is not acceptable relative to the position description and/or is inconsistent with the conditions for continued employment with the institution. Failure to meet these standards in any of the following ways will result in a rating of unacceptable performance: [rev. 7-09]~~

- ~~a) received a "1" rating the previous period but did not make the improvements required;~~
- ~~b) consistently violated one or more of the institution's standards for meeting the expectations of the position; or~~
- ~~c) violated one or more standards of conduct as specified in the Faculty Staff Handbook.~~

c. **Annual Report of Efforts and Accomplishments by Faculty Member.** Each faculty member shall provide his or her unit administrator with the following materials in preparation for use in the annual performance evaluation:

- (1) Current Curriculum Vitae
- (2) UI Faculty Position Description for Annual Performance Review
- (3) Written detailed summary report of faculty activity for the period of the annual performance review that compares accomplishments to expectations in the Position Description for the review period ~~under review. This report may be in the form of a self-evaluation using the annual evaluation form included in this policy.~~ [rev. 7-09]
- (4) Other materials necessary to document efforts and accomplishments for the review period ~~under review.~~ [add. 7-01, ed. 7-10]

d. **Evaluation of Faculty by Unit Administrators.** Unit administrators evaluate the ~~if~~ faculty members in their unit. The performance of each faculty member during the review period is judged on the basis of the position description(s) in effect during that period. In the case of a faculty member holding joint appointments and/or involved in interdisciplinary activities, as described in the position description, in two or more academic or administrative units, it is the responsibility of the administrator in the faculty member's primary academic discipline to solicit and consider relevant information on job performance from other administrators with responsibility for the faculty member's work. [See also 3080 E-3.] [rev. 7-09, ed. 7-10]

~~Ratings are~~ Whether a faculty member's performance meets expectations is determined by comparing the faculty member's performance to the position description for the review period. ~~The results of the student evaluation of teaching are carefully weighed and used as a factor in this evaluation.~~ For each area of responsibility, the unit administrator shall describe the basis for her/his evaluation of ~~in assessing~~ the faculty member's performance. ~~Fin the ratings and narrative are entered as indicated on the form. The annual evaluation score for a faculty member in Form 1 relates to the faculty member's performance evaluation~~

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
 and Performance Evaluation of Academic Administrators

~~relative to his/her position description. The overall unit average is provided to the faculty member upon request so that each faculty member can gauge his/her performance relative to other faculty members within the unit. After the unit administrator has completed ratings and the narrative evaluations for all faculty for the review period, the unit administrator or she shall provide the following items to each reviewed individual as they become available: [rev. 7-03, 7-09]~~

- ~~(1) a copy of the individual's annual evaluation form and narrative [rev. 7-09]~~
- ~~(2) if requested, comparative information to help assess performance evaluation and numerical ratings, including, but not limited to: [rev. 7-09]~~
  - ~~(a) Frequency distribution for overall ratings for the unit~~
  - ~~(b) Frequency distribution for overall ratings for the college [rev. 7-97, ren. and rev. 7-01]~~

~~The unit administrator shall also include comments and recommendations for the faculty member's progress toward tenure, promotion or continued satisfactory performance in the appropriate place on the annual evaluation form.~~

**e. Self-Evaluation and Conference.** ~~Each faculty member is given an opportunity to use the evaluation form (FSH 3320 Form 1) to make an evaluation of his or her own performance. It is strongly recommended that the unit administrator meet with each faculty member. The unit administrator shall provide each faculty member with the opportunity to meet to discuss the unit administrator's evaluation. (Suitable alternate arrangements shall be made for off-campus personnel.) The purpose of this meeting is to review and discuss the administrator's evaluation and the faculty member's detailed report of activities self-evaluation, if any. The unit administrator should explain the his or her ratings and narrative providing a formative assessment on progress towards tenure, promotion, and/or continued satisfactory performance related to the faculty member's performance during the year and any revisions in professional goals and objectives for the coming year. The faculty member and the unit administrator should work to identify strategies to help the faculty member improve performance. The ratings narrative evaluation may be modified as a result of the discussion. At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator. If the faculty member wishes to respond to disagrees with the contents of the review, he/she shall be permitted to append a report response to the unit administrator's evaluation, detailing the nature of the dissent. A copy of the administrator's final evaluation shall be given to the faculty member. [ren. and rev. 7-01, rev. 7-09, ed. 7-10]~~

**f. College-Level Action.** Copies of the performance evaluation materials forwarded by the unit administrator to the appropriate dean(s), for evaluation at the college(s) level, shall include: [rev. 7-09]

- ~~1) the a narrative evaluation form with the complete narrative and the including comments and recommendations on progress towards tenure, promotion, and/or continued satisfactory performance, and [rev. 7-09]~~
- ~~2) any evaluative comments provided by interdisciplinary/center administrators or from those administrators of faculty holding joint appointments provided pursuant to subsection A-1. d., above, and [rev. 7-09]~~
- ~~3) the evaluation form, [rev. 7-09]~~

**g.** ~~If the unit administrator fails to include attach the the required narrative and comments regarding whether the faculty member met expectations and comments/recommendations on the faculty member's progress toward tenure, promotion or continued satisfactory performance, evaluation and evaluative comments, the college shall will return the materials to the unit administrator. [add. 7-09, rev. 7-10]~~

**h.** ~~If the faculty member has attached a report response to the evaluation files a dissenting from, the unit administrator's evaluation, the unit report response shall be provided a copy to the dean with the annual evaluation form. The dean shall arrange a meeting with the unit administrator and the faculty member to attempt to resolve the relevant issues. The dean enters an evaluation in the space provided on the evaluation form. A copy of that form is given to the faculty member and the original is forwarded to the Provost's Office for permanent filing [see FSH 1470 and APM 65.02]. A copy of the evaluation form is retained in the college~~

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

~~office. If the dean concurs with the overall evaluation and rating of the faculty member by the unit administrator, no additional signature is required from the faculty member. [rev. 7-09, 7-10]~~

~~i. If there are any differences in any rating between the unit administrator and college dean disagrees with the unit administrator's evaluation, the dean shall attach a narrative stating the reasons for the disagreement ~~se~~ differences. A copy of the dean's narrative shall be provided to the faculty member. The faculty member may respond to the dean's evaluation before the evaluation is forwarded to the provost. The faculty member, unit administrator, and dean are encouraged to resolve the disagreement before forwarding the evaluation to the provost. If the matter remains unresolved at the college level, the provost shall be notified of the disagreement.~~

~~j. and a second and subsequent signature by the faculty member, acknowledging receipt of the dean's evaluation and rating, is requiredThe college shall forward all the completed original evaluation material at the unit and college level, including the dean's narrative and faculty responses, if any, form, faculty member's report, and dean's and narrative to the pProvost's Office for permanent filing. If the college fails to attach the narrative, the provost will return the form to the college. A copy of the evaluation form is retained in the college office. If the faculty member disagrees with the dDean's evaluation and the disagreement cannot be resolved at the college level, either party may choose to refer the matter to the University Ombuds (FSH 3820) and the faculty member may provide a response that shall be included with the evaluation forwarded to the provost. If the matter remains unresolved at the college level, the pProvost shall be notified of the disagreement. [ren. and rev. 7-01, rev. 12-06, 7-09, 7-10]~~

~~**A-2. SALARY DETERMINATION.** This process is carried out at the departmental and higher levels of academic administration. [see FSH 3420.] [rev. 7-09]~~

~~**B.— FACULTY PERFORMANCE THAT DOES NOT MEET BELOW EXPECTATIONS OF NON-TENURED FACULTY MEMBERS.** [add. 7-10]~~

~~**B-1.** If the unit administrator determines that a non-tenured faculty member is not meeting performing below expectations, the unit administrator should consider the reasons for and explanations of the performance ~~variety of possible causes, other than inadequate effort on the faculty member's part, that might be responsible for the performance.~~ (see FSH 3190) [ed. 7-09, rev. 7-10]~~

The unit administrator, in consultation with the faculty member, should address the possible causes of the problem, should suggest appropriate resources and encourage the employee to seek such help. Faculty members and unit administrators may obtain referral information and advice from the University Ombuds, and Human Resources, or the Provost's Office. [ed. 12-06, 7-09, 7-14, rev. 7-16]

~~**C-1B-2.— ANNUAL ASSESSMENT OF BELOW EXPECTATIONS PROVOST INVOLVEMENT.** In the event of an overall evaluation of "does not meet expectations" where the faculty member's performance is so far below expectations that is it not acceptable in relation to the position description, score of 1, the provost may, in consultation with the dean and unit administrator, determine that further review of the faculty member's performance is required pursuant to ~~-. This review will be conducted in accordance with the procedures prescribed in FSH 3320 B-5 below~~ C-2. [ren. and ed. 7-09, rev. 7-16]~~

~~**B-32. FIRST ANNUAL OCCURRENCE.**~~

~~**a.** In the event that a non-tenured faculty member receives an annual evaluation concluding that he or she has performed below has not met expectations overall or (2 or lower) within one or more areas of responsibility, the unit administrator shall will, at the same time he or she delivers the performance evaluation, offer to meet with the faculty member to identify the reasons for the performance below expectations. At this meeting, the faculty member and the unit administrator shall will review the faculty member's current Position Description and examine strategies that would permit the faculty member to improve his or her performance. A mentoring committee shall~~

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

~~be formed upon the request of either the faculty member or the unit administrator. may request a mentoring committee. The committee shall be composed of two or more faculty members agreed upon by the unit administrator and faculty member. [rev. 7-09, 7-10]~~

~~b. In the event that a non-tenured faculty member receives an annual evaluation concluding that he or she has performed below expectations (2 or below) in the overall score, the unit administrator will, at the same time he or she delivers the performance evaluation, offer to meet with the faculty member to identify the reasons for evaluating the performance as below expectations. At this meeting, the unit administrator will appoint a mentoring committee by selecting three individuals from a list of five faculty members nominated by the faculty member, or if the faculty member makes no nominations, will appoint three faculty members of her/his choosing. The mentoring committee's purpose is to help the faculty member improve performance. The members of the committee need not be drawn from the same unit as the faculty member. The faculty member or unit administrator may request that the University Ombuds attend meetings of the mentoring committee and faculty member. [ed. 12-06, rev. 7-09, 7-10]~~

~~**B-43. TWO SECOND CONSECUTIVE TWO OCCURENCES WITHIN THREE YEARS ANNUAL ASSESSMENTS OF BELOW EXPECTATIONS.** In the event of two consecutive annual evaluations within three years concluding that the non-tenured faculty member has not met performed below expectations overall or within one or more areas of responsibility (2 or lower) the unit administrator shall will, at the same time he or she delivers the performance evaluation, arrange a meeting of the faculty member, the unit administrator and, in the unit administrator's discretion, the college dean Dean of the College. The faculty member or the unit administrator may request that the University Ombuds attend the meeting. [ed. 12-06, rev. 7-10]~~

The intent of the meeting is to review:

- a. the current position description and revise it if necessary to address the issues identified during the discussion. [ed. 7-09]
- b. the strategies implemented in the previous year(s) and to identify why the strategies did not result in the faculty member meeting expectations. The parties should re-examine strategies that would support improved performance by permit the faculty member to improve his or her performance. [ed. 7-09]

~~**C. PERFORMANCE BELOW EXPECTATIONS OF TENURED FACULTY MEMBERS.** Tenured faculty will follow the same process as described in B-1 through B-3 above. In addition, to identify and address specific problems early on, a tenured faculty member may be subject to a review as described in C-1 and C-2 below. The purpose of C-1 and C-2 is to assist the faculty member with getting back on track. [add. 7-16]~~

~~**C-1. ANNUAL ASSESSMENT OF BELOW EXPECTATIONS.** In the event of an overall score of 1, the provost may determine that further review of the faculty member's performance is required. This review will be conducted in accordance with the procedures prescribed in 3320 C-2. [ren. and ed. 7-09, rev. 7-16]~~

~~**BC-52. THREE OCCURENCES WITHIN FIVE YEARS CONSECUTIVE ANNUAL EVALUATION ASSESSMENTS OF BELOW EXPECTATIONS.** In the event of three consecutive annual evaluations of "does not meet below expectations" overall or within a five-year period, either overall or within one or more areas of responsibility, or a pattern of below expectations evaluations over five years (a summary score of 2 or lower), the Dean shall initiate a formal peer review. [rev. 7-09, ren. 7-10]~~

~~**a. Composition of the Review Committee.** The Review Committee will shall consist of sat least four (4) ~~ix~~ (6) members, appointed as follows:~~

- (1) The ~~f~~faculty member may will submit to the unit administrator a list of the names of three faculty members from within the unit and at least one ~~three tenured~~ faculty members from outside of the unit. If the faculty member is tenured or on the tenure track, faculty on the committee should be tenured faculty unless no tenured faculty are available. The unit administrator shall appoint the committee, including at least two names from the faculty member's list, will submit a similar list to the faculty member. From the list given to the faculty member, he/she will select one person from inside of the unit and one from

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

~~outside the unit. From the list given to the unit administrator, he/she will select one person from inside of the unit and one from outside the unit.~~

~~(2) The committee members will shall select as chair another faculty member from within the unit.~~

~~(3) The Ombuds or his/her designee shall be an ex-officio member of the committee. [ed. 12-06]~~

**b. Report and Timing of the Review.** The ~~committee report includes the review~~ and ~~possible recommendation(s), and shall will~~ be completed within sixty days of the annual evaluation.

**c. The Review.** The purpose of the review is to assess the level of performance of the faculty member, ~~and the unit administrator's evaluation of that performance. To that end, the committee shall assess~~ the reasonableness of the previous evaluations, and the appropriateness of the ~~development plans, as well as any material submitted by strategies put in place to assist~~ the faculty member ~~and the unit.~~

The faculty member and ~~chair the unit administrator shall will~~ provide the following materials ~~for the review period under review~~ to the committee:

- 1) Updated Curriculum Vitae of the faculty member,
- 2) Position Descriptions, ~~for the past four years~~
- 3) Annual evaluation materials submitted by the faculty member, ~~for the past three years~~
- 4) Annual Evaluations of the faculty member by the unit ~~administrator head~~ and the ~~Dean,~~ ~~for the past three years~~
- 5) Student and peer evaluations (if any) of teaching, ~~for the past four years~~
- 6) ~~A summary of the strategies put in place to assist the faculty member,~~
- 6) ~~A self-evaluation of teaching~~
- 7) A self-assessment summary of ~~each area of the faculty member's responsibility and~~ what the faculty member has learned and achieved during the ~~review period under review~~ ~~past four (4) years,~~ including contributions to the department, university, state, nation, and field (about 2 pages).

The faculty member may submit any additional information he or she desires, and the committee may request additional materials as it deems necessary.

**d. Responses to Committee Report.** The ~~committee chair shall submit the report to the~~ faculty member, ~~unit administrator chair,~~ and dean, ~~will receive the report and will~~ Each recipient shall have fifteen days from the report's date to submit written responses to the review committee. The ~~review~~ committee ~~chair shall will~~ send the report and all responses to the provost.

**e. Provost.** The ~~P~~provost ~~shall will~~ be responsible for determining the appropriate resolution, which may include: [rev. 7-09]

- 1) continuing the status quo;
- 2) mentoring to address area(s) of concern;
- 3) termination for cause;
- 4) consideration of other recommended resolution(s). [1-4 add. 7-09]

**B-6. Non-Tenured Faculty.** Pursuant to Regent's policy, ~~non-tenured faculty do not have an expectation of contract renewal, absent a specific written multi-year contract. The process set forth in Section B does not require the University to renew a non-tenured faculty contract. The process set forth in Section B shall not be required for a non-tenured faculty member who has been given notice of non-renewal.~~

**B-7. Relationship to Promotion and Tenure Process.** The faculty annual performance evaluation is an administrative review. Annual evaluations are one component of the independent promotion and tenure process. See FSH 3520 and 3560 for details on the promotion and tenure process.

**D. PERFORMANCE EVALUATION OF ACADEMIC ADMINISTRATORS.** ~~[ed. 7-09, ren. 7-10]~~

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

**D-1. EVALUATION BY FACULTY MEMBERS.** Opportunity is provided for an annual performance evaluation of college deans, assistant and associate deans, and administrators of academic departments and other intracollege units by the faculty members of the respective units. The provost sends each faculty member an appropriate number of copies of the form, "Annual Faculty Evaluation of Academic Administrators" [form 2 appended to this section] to be used for evaluation of the unit or center administrator, one to be used for evaluation of the dean, and one to be used for evaluation of each assistant or associate dean in the college. [*ren. & ed. 7-10, 10-10*]

**D-2. EVALUATION OF UNIT AND CENTER ADMINISTRATORS AND ASSISTANT AND ASSOCIATE DEANS.** The review and evaluation of unit and center administrators, and assistant and associate deans, require consideration of their responsibilities as faculty members and as administrators as defined by percentage allocations in the Annual Position Description. All administrators are entitled to a review and evaluation of their performance as faculty members. Further, all administrators are entitled to a review of their performance as administrators. (Forms to be used in the evaluation of administrators are found in Form 1 and 2. [*rev. 7-99, ed. 3-07, rev. & ren. 7-10 (incorporated 1420 E-6 into this entire section D-2 through D-4)*])

**1. Evaluation as a Faculty Member.**

**a. Annual Evaluation.** The annual evaluation of an administrator's performance as a faculty member shall be conducted by the dean of the college in accordance with the provisions of *FSH 3320 A* above.

**b. Third Year Review.** If the administrator is untenured, there shall be a third-year review in accordance with the procedures outlined in *FSH 3520 G-4*.

**2. Evaluation as an Administrator.**

**a. Annual Evaluation.** The dean shall conduct an annual evaluation of each administrator's performance in accordance with the responsibilities specified in *FSH 1420 E-1* and in the Annual Position Description. The dean and administrator will negotiate the administrator's Annual Position Description on the basis of the unit's needs, and make it available to the faculty for annual evaluation purposes. The administrator will present his or her annual goals for the unit at the beginning of the review year and report on his/her effectiveness in meeting last year's goals. Annual goals should be based on the unit action plan, needs of the unit, and discussion with the dean. The dean will make a conscientious effort to solicit input from unit faculty through evaluation form 2. [*rev. 7-99, ed. 6-09, 10-10*]

Unit faculty must send completed copies of form 2 directly to the dean. The dean furnishes the administrator a summary of the faculty evaluations in such a way that the confidentiality of individual evaluations is preserved. The dean may arrange a conference with the administrator to discuss the summary. After these steps have been completed, the dean shall destroy the individual faculty members' evaluations and shall file the written summary in the dean's office. The dean then submits a summary of conclusions and recommendations resulting from the review to the provost, who in turn makes his or her review and forwards recommendations to the president. The dean will then provide feedback to faculty who have submitted form 2, as appropriate. [*ed. 10-10*]

**D-3. EVALUATION OF DEANS.** The provost shall conduct an annual evaluation of each dean's performance in accordance with the dean's responsibilities specified in *FSH 1420 D-2* and in the Annual Position Description. The provost and dean will negotiate the Annual Position Description for the dean on the basis of the college's needs and make it available to the faculty for annual evaluation purposes. The dean will present his or her annual goals for the college at the beginning of the review year and report on his or her effectiveness in meeting last year's goals. Annual goals should be based on the college's action plan, needs of the college, and discussion with the provost. The provost will make a conscientious effort to solicit input from college faculty through evaluation form 2. [*ed. 10-10*]

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

College faculty will send completed copies of form 2 directly to the provost. The provost will summarize the faculty responses and share that summary with the dean. In preparing and conveying that summary, the provost has the responsibility to ensure that faculty comments are confidential. This includes, but is not limited to, avoiding the use of any phrases that can identify the faculty member making the comments. The provost may arrange a conference with the dean to discuss the summary. After these steps have been completed, the provost shall destroy individual faculty members' evaluations and file the written summary in the Office of Academic Affairs. The provost must then submit a summary of conclusions and recommendations resulting from the review to the president. The provost will then provide feedback to faculty who have submitted form 2, as appropriate. *[ed. 10-10]*

**D-4. PERIODIC REVIEW OF ADMINISTRATORS.** Each administrator is formally reviewed at least six months before the end of each appointment term, or, if there is not a fixed appointment term, at least every five years.—The Provost appoints an ad hoc review committee to include faculty, department chairs, and experienced administrators of other units. The periodic review will be conducted at the request of the Provost and Executive Vice President and in accordance with the mechanisms of formal review, which must provide for the following:

1. Opportunity for the dean, center administrator, or unit administrator to prepare a report/portfolio summarizing his or her administrative achievements for the period, including annual reviews; *[rev. and ren. 7-99]*
2. Opportunity for all faculty and staff of the college/unit to participate in the review;
3. Solicitation of input by the committee from appropriate constituencies of the college/unit. Confidentiality of all individual evaluations will be ensured; *[add. 7-99]*
4. Preparation by the review committee of a written report summarizing the findings and recommendations of the review, which will be forwarded to the Provost and the dean/center or unit administrator; *[ed. and ren. 7-99]*
5. The provost will submit the written report along with any additional comments and recommendations to the president and provide appropriate feedback to the administrator. *[rev. and ren. 7-99]*

**a. Additional Review.** The provost and/or college dean may initiate a review at any time he or she determines a review is needed.—The dean shall submit to the provost a summary of conclusions and recommendations resulting from this additional review. If the review is conducted by the provost, he or she shall submit a summary of conclusions and recommendations to the president.

The faculty of the unit may also initiate, by majority vote, a formal review (as outlined above) of the unit administrator. The tenured faculty of a college may also initiate, by majority vote, a formal review (as outlined above) of the college dean.

**E. SEQUENCE OF EVALUATION OF FACULTY MEMBERS AND ADMINISTRATORS.** The provost prepares the schedule for completion of steps in the performance evaluation and salary determination process each year. The schedule will ensure that faculty members' evaluations of unit or center administrators and assistant and associate deans have been received by the dean before the administrators' recommendations on salary, promotion, and tenure are made known to the faculty and, similarly, that faculty members' evaluations of deans have been received by the provost before the deans' recommendations on salary, promotion, and tenure are made known to the faculty. Likewise, the summaries of faculty evaluations of unit or center administrators, assistant and associate deans, and deans will be communicated to the persons evaluated after their recommendations on faculty salary, promotion, and tenure have been transmitted to the provost. *[ren. & rev. 7-10]*

(Forms on next few pages)

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

\*NOTE: In October of 2010 it was determined that elimination of Form 2A was possible with minor edits to Form 1 (addition of reference FSH 1420 E to box 4).—As such, Form 1 may be used in lieu of Form 2A by administrators, if desired.—Given this change, form 2B becomes Form 2 (see the UI Policy website for redline versions or contact the Faculty Secretary's Office or Provost's Office for further clarification).

**UI FACULTY-STAFF HANDBOOK**

## CHAPTER THREE:

## EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

October 2017

3320

ANNUAL PERFORMANCE EVALUATIONS 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 I 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 I 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. In July 2014 changes were incorporated to ensure all faculty go through a review by their peers. In January 2017 a temporary fix to this policy was put in place to allow for a pilot narrative evaluation process for 2016 and ensure that existing policy would apply. Further information may be obtained from the Provost's Office (208-885-6448. [ed. 7-03, rev. 7-07, 1-08, 7-09, 7-10, 7-14, 1-17]*

**CONTENTS:**

- A. Annual Performance Evaluation for Faculty Members
- B. Faculty Performance that does not Meet Expectations
- C. Performance Evaluation of Academic Administrators
- D. Sequence of Evaluation of Faculty Members and Administrators.

**A. ANNUAL PERFORMANCE EVALUATION 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 unit administrator. The provost is responsible for preparing supplementary instructions each year, including the schedule for completion of the annual performance evaluation. Personnel on international assignment see FSH 3380 C. [rev. 7-03, 7-09, 7-14, ed. 7-10, 1-17]

**a. Forms.** The Annual Performance Evaluation Form is available below. The form may not be altered without following the appropriate governance process (see FSH 1460). The unit administrator is responsible for ensuring that each faculty member uses the proper form together with the supplementary instructions as provided by the Provost Office. [rev. 7-01, 1-17]

**b.** Performance expectations are described below. The narrative in the evaluation form shall provide evidence to support the evaluation. [ed. 7-10]

**i. Performance that Meets or Exceeds Expectations** is the satisfactory performance during the review period of a faculty member relative to the position description.

**ii. Performance that does not Meet Expectations** denotes performance during the review period that is less than expected of a faculty member relative to the position description and means improvement is necessary. An evaluation of not meeting expectations in one or more responsibility areas triggers procedures outlined in FSH 3320 B below.

**c. Annual Report of Efforts and Accomplishments by Faculty Member.** Each faculty member shall provide his or her unit administrator with the following materials in preparation for the annual performance evaluation:

- (1) Current Curriculum Vitae
- (2) UI Faculty Position Description for Annual Performance Review
- (3) Written detailed summary report of faculty activity for the period of the annual performance review that compares accomplishments to expectations in the Position Description for the review period. This

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

report may be in the form of a self-evaluation using the annual evaluation form included in this policy. [rev. 7-09]

(4) Other materials necessary to document efforts and accomplishments for the review period. [add. 7-01, ed. 7-10]

**d. Evaluation of Faculty by Unit Administrators.** Unit administrators evaluate the faculty members in their unit. The performance of each faculty member during the review period is judged on the basis of the position description(s) in effect during that period. In the case of a faculty member holding joint appointments and/or involved in interdisciplinary activities, as described in the position description, in two or more academic or administrative units, it is the responsibility of the administrator in the faculty member's primary academic discipline to solicit and consider relevant information on job performance from other administrators with responsibility for the faculty member's work. [See also 3080 E-3.] [rev. 7-09, ed. 7-10]

Whether a faculty member's performance meets expectations is determined by comparing the faculty member's performance to the position description for the review period. For each area of responsibility, the unit administrator shall describe the basis for her/his evaluation of the faculty member's performance in the narrative on the form. After the unit administrator has completed the narrative evaluation for all faculty for the review period, the unit administrator shall provide the following items to each reviewed individual as they become available: [rev. 7-03, 7-09]

- (1) a copy of the individual's annual evaluation form [rev. 7-09]
- (2) if requested, comparative information to help assess performance evaluation

The unit administrator shall also include comments and recommendations for the faculty member's progress toward tenure, promotion or continued satisfactory performance in the appropriate place on the annual evaluation form.

**e. Conference.** It is strongly recommended that the unit administrator meet with each faculty member. The unit administrator shall provide each faculty member with the opportunity to meet to discuss the unit administrator's evaluation. (Suitable alternate arrangements shall be made for off-campus personnel.) The purpose of this meeting is to review and discuss the administrator's evaluation and the faculty member's detailed report of activities. The unit administrator should explain the narrative providing a formative assessment on progress towards tenure, promotion, and/or continued satisfactory performance. The faculty member and the unit administrator should work to identify strategies to help the faculty member improve performance. The evaluation may be modified as a result of the discussion. At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator. If the faculty member wishes to respond to the contents of the review, he/she shall be permitted to append a response to the unit administrator's evaluation. A copy of the administrator's final evaluation shall be given to the faculty member. [ren. and rev. 7-01, rev. 7-09, ed. 7-10]

**f. College-Level Action.** Copies of the performance evaluation materials forwarded by the unit administrator to the appropriate dean(s), for evaluation at the college(s) level, shall include: [rev. 7-09]

- 1) the evaluation form with the complete narrative and the comments and recommendations on progress towards tenure, promotion, and/or continued satisfactory performance, and [rev. 7-09]
- 2) any comments provided by interdisciplinary/center administrators or from those administrators of faculty holding joint appointments provided pursuant to subsection A-1. d., above. [rev. 7-09]

**g.** If the unit administrator fails to include the required narrative and comments/recommendations the college shall return the materials to the unit administrator. [add. 7-09, rev. 7-10]

**h.** If the faculty member has attached a response to the evaluation, the response shall be provided to the dean with the annual evaluation form. The dean shall arrange a meeting with the unit administrator and the faculty member to attempt to resolve the relevant issues.

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

i. If the college dean disagrees with the unit administrator's evaluation, the dean shall attach a narrative stating the reasons for the disagreement. A copy of the dean's narrative shall be provided to the faculty member. The faculty member may respond to the dean's evaluation before the evaluation is forwarded to the provost. The faculty member, unit administrator, and dean are encouraged to resolve the disagreement before forwarding the evaluation to the provost. If the matter remains unresolved at the college level, the provost shall be notified of the disagreement.

j. The college shall forward all evaluation material at the unit and college level, including the dean's narrative and faculty responses, if any, to the provost for permanent filing. *[ren. and rev. 7-01, rev. 12-06, 7-09, 7-10]*

**B. FACULTY PERFORMANCE THAT DOES NOT MEET EXPECTATIONS.** *[add. 7-10]*

**B-1.** If the unit administrator determines that a faculty member is not meeting expectations, the unit administrator should consider the reasons for and explanations of the performance (see FSH 3190) *[ed. 7-09, rev. 7-10]*

The unit administrator, in consultation with the faculty member, should address the possible causes of the problem, should suggest appropriate resources and encourage the employee to seek such help. Faculty members and unit administrators may obtain referral information and advice from the Ombuds, Human Resources, or the Provost's Office. *[ed. 12-06, 7-09, 7-14, rev. 7-16]*

**B-2. PROVOST INVOLVEMENT.** In the event of an overall evaluation of "does not meet expectations" where the faculty member's performance is so far below expectations that is it not acceptable in relation to the position description, the provost may, in consultation with the dean and unit administrator, determine that further review of the faculty member's performance is required pursuant to FSH 3320 B-5 below. *[ren. and ed. 7-09, rev. 7-16]*

**B-3. FIRST OCCURRENCE.** In the event that a faculty member has not met expectations overall or within one or more areas of responsibility, the unit administrator shall offer to meet with the faculty member. At this meeting, the faculty member and the unit administrator shall review the faculty member's Position Description and examine strategies that would permit the faculty member to improve performance. A mentoring committee shall be formed upon the request of either the faculty member or the unit administrator. The committee shall be composed of two or more faculty members agreed upon by the unit administrator and faculty member. *[rev. 7-09, 7-10]*

**B-4. TWO OCCURENCES WITHIN THREE YEARS.** In the event of two annual evaluations within three years concluding that the faculty member has not met expectations overall or within one or more areas of responsibility the unit administrator shall arrange a meeting of the faculty member, the unit administrator and the college dean *[ed. 12-06, rev. 7-10]*

The intent of the meeting is to review:

a. the current position description and revise it if necessary to address the issues identified during the discussion. *[ed. 7-09]*

b. the strategies implemented in the previous year(s) and to identify why the strategies did not result in the faculty member meeting expectations. The parties should re-examine strategies that would support improved performance by the faculty member. *[ed. 7-09]*

**B-5. THREE OCCURENCES WITHIN FIVE YEARS.** In the event of three annual evaluations of "does not meet expectations" within a five-year period, either overall or within one or more areas of responsibility, the dean shall initiate a formal peer review. *[rev. 7-09, ren. 7-10]*

a. **Composition of the Review Committee.** The Review Committee shall consist of at least four (4) members, appointed as follows:

(1) The faculty member may submit to the unit administrator a list of the names of three faculty members from within the unit and at least one faculty member from outside of the unit. If the faculty member is

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

tenured or on the tenure track, faculty on the committee should be tenured faculty unless no tenured faculty are available. The unit administrator shall appoint the committee, including at least two names from the faculty member's list.

(2) The committee members shall select a chair.

**b. Report and Timing.** The committee report includes the review and possible recommendation(s), and shall be completed within sixty days of the annual evaluation.

**c. The Review.** The purpose of the review is to assess the level of performance of the faculty member, the reasonableness of the previous evaluations, and the appropriateness of the strategies put in place to assist the faculty member.

The faculty member and the unit administrator shall provide the following materials for the review period to the committee:

- 1) Updated Curriculum Vitae of the faculty member,
- 2) Position Descriptions,
- 3) Annual evaluation materials submitted by the faculty member,
- 4) Annual Evaluations of the faculty member by the unit administrator and the dean,
- 5) Student and peer evaluations (if any) of teaching,
- 6) A summary of the strategies put in place to assist the faculty member,
- 7) A self-assessment summary of each area of the faculty member's responsibility and what the faculty member has learned and achieved during the review period, including contributions to the department, university, state, nation, and field (about 2 pages).

The faculty member may submit any additional information he or she desires, and the committee may request additional materials as it deems necessary.

**d. Responses to Committee Report.** The committee chair shall submit the report to the faculty member, unit administrator, and dean. Each recipient shall have fifteen days from the report's date to submit written responses to the review committee. The committee chair shall send the report and all responses to the provost.

**e. Provost.** The provost shall be responsible for determining the appropriate resolution, which may include:  
*[rev. 7-09]*

- 1) continuing the status quo;
- 2) mentoring to address area(s) of concern;
- 3) termination for cause;
- 4) consideration of other recommended resolution(s). *[1-4 add. 7-09]*

**B-6. Non-Tenured Faculty.** Pursuant to Regent's policy, non-tenured faculty do not have an expectation of contract renewal, absent a specific written multi-year contract. The process set forth in Section B does not require the University to renew a non-tenured faculty contract. The process set forth in Section B shall not be required for a non-tenured faculty member who has been given notice of non-renewal.

**B-7. Relationship to Promotion and Tenure Process.** The faculty annual performance evaluation is an administrative review. Annual evaluations are one component of the independent promotion and tenure process. See FSH 3520 and 3560 for details on the promotion and tenure process.

**D. PERFORMANCE EVALUATION OF ACADEMIC ADMINISTRATORS.** *[ed. 7-09, ren. 7-10]*

**D-1. EVALUATION BY FACULTY MEMBERS.** Opportunity is provided for an annual performance evaluation of college deans, assistant and associate deans, and administrators of academic departments and other intracollege units by the faculty members of the respective units. The provost sends each faculty member an appropriate number of copies of the form, "Annual Faculty Evaluation of Academic Administrators" [form 2 appended to this section] to be used for evaluation of the unit or center administrator, one to be used for evaluation

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

of the dean, and one to be used for evaluation of each assistant or associate dean in the college. [*ren. & ed. 7-10, 10-10*]

**D-2. EVALUATION OF UNIT AND CENTER ADMINISTRATORS AND ASSISTANT AND ASSOCIATE DEANS.** The review and evaluation of unit and center administrators, and assistant and associate deans, require consideration of their responsibilities as faculty members and as administrators as defined by percentage allocations in the Annual Position Description. All administrators are entitled to a review and evaluation of their performance as faculty members. Further, all administrators are entitled to a review of their performance as administrators. (Forms to be used in the evaluation of administrators are found in Form 1 and 2. [*rev. 7-99, ed. 3-07, rev. & ren. 7-10 (incorporated 1420 E-6 into this entire section D-2 through D-4)*])

**1. Evaluation as a Faculty Member.**

**a. Annual Evaluation.** The annual evaluation of an administrator's performance as a faculty member shall be conducted by the dean of the college in accordance with the provisions of *FSH 3320 A* above.

**b. Third Year Review.** If the administrator is untenured, there shall be a third-year review in accordance with the procedures outlined in *FSH 3520 G-4*.

**2. Evaluation as an Administrator.**

**a. Annual Evaluation.** The dean shall conduct an annual evaluation of each administrator's performance in accordance with the responsibilities specified in *FSH 1420 E-1* and in the Annual Position Description. The dean and administrator will negotiate the administrator's Annual Position Description on the basis of the unit's needs, and make it available to the faculty for annual evaluation purposes. The administrator will present his or her annual goals for the unit at the beginning of the review year and report on his/her effectiveness in meeting last year's goals. Annual goals should be based on the unit action plan, needs of the unit, and discussion with the dean. The dean will make a conscientious effort to solicit input from unit faculty through evaluation form 2. [*rev. 7-99, ed. 6-09, 10-10*]

Unit faculty must send completed copies of form 2 directly to the dean. The dean furnishes the administrator a summary of the faculty evaluations in such a way that the confidentiality of individual evaluations is preserved. The dean may arrange a conference with the administrator to discuss the summary. After these steps have been completed, the dean shall destroy the individual faculty members' evaluations and shall file the written summary in the dean's office. The dean then submits a summary of conclusions and recommendations resulting from the review to the provost, who in turn makes his or her review and forwards recommendations to the president. The dean will then provide feedback to faculty who have submitted form 2, as appropriate. [*ed. 10-10*]

**D-3. EVALUATION OF DEANS.** The provost shall conduct an annual evaluation of each dean's performance in accordance with the dean's responsibilities specified in *FSH 1420 D-2* and in the Annual Position Description. The provost and dean will negotiate the Annual Position Description for the dean on the basis of the college's needs and make it available to the faculty for annual evaluation purposes. The dean will present his or her annual goals for the college at the beginning of the review year and report on his or her effectiveness in meeting last year's goals. Annual goals should be based on the college's action plan, needs of the college, and discussion with the provost. The provost will make a conscientious effort to solicit input from college faculty through evaluation form 2. [*ed. 10-10*]

College faculty will send completed copies of form 2 directly to the provost. The provost will summarize the faculty responses and share that summary with the dean. In preparing and conveying that summary, the provost has the responsibility to ensure that faculty comments are confidential. This includes, but is not limited to, avoiding the use of any phrases that can identify the faculty member making the comments. The provost may arrange a conference with the dean to discuss the summary. After these steps have been completed, the provost

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

shall destroy individual faculty members' evaluations and file the written summary in the Office of Academic Affairs. The provost must then submit a summary of conclusions and recommendations resulting from the review to the president. The provost will then provide feedback to faculty who have submitted form 2, as appropriate. *[ed. 10-10]*

**D-4. PERIODIC REVIEW OF ADMINISTRATORS.** Each administrator is formally reviewed at least six months before the end of each appointment term, or, if there is not a fixed appointment term, at least every five years. The Provost appoints an ad hoc review committee to include faculty, department chairs, and experienced administrators of other units. The periodic review will be conducted at the request of the Provost and Executive Vice President and in accordance with the mechanisms of formal review, which must provide for the following:

1. Opportunity for the dean, center administrator, or unit administrator to prepare a report/portfolio summarizing his or her administrative achievements for the period, including annual reviews; *[rev. and ren. 7-99]*
2. Opportunity for all faculty and staff of the college/unit to participate in the review;
3. Solicitation of input by the committee from appropriate constituencies of the college/unit. Confidentiality of all individual evaluations will be ensured; *[add. 7-99]*
4. Preparation by the review committee of a written report summarizing the findings and recommendations of the review, which will be forwarded to the Provost and the dean/center or unit administrator; *[ed. and ren. 7-99]*
5. The provost will submit the written report along with any additional comments and recommendations to the president and provide appropriate feedback to the administrator. *[rev. and ren. 7-99]*

**a. Additional Review.** The provost and/or college dean may initiate a review at any time he or she determines a review is needed. The dean shall submit to the provost a summary of conclusions and recommendations resulting from this additional review. If the review is conducted by the provost, he or she shall submit a summary of conclusions and recommendations to the president.

The faculty of the unit may also initiate, by majority vote, a formal review (as outlined above) of the unit administrator. The tenured faculty of a college may also initiate, by majority vote, a formal review (as outlined above) of the college dean.

**E. SEQUENCE OF EVALUATION OF FACULTY MEMBERS AND ADMINISTRATORS.** The provost prepares the schedule for completion of steps in the performance evaluation and salary determination process each year. The schedule will ensure that faculty members' evaluations of unit or center administrators and assistant and associate deans have been received by the dean before the administrators' recommendations on salary, promotion, and tenure are made known to the faculty and, similarly, that faculty members' evaluations of deans have been received by the provost before the deans' recommendations on salary, promotion, and tenure are made known to the faculty. Likewise, the summaries of faculty evaluations of unit or center administrators, assistant and associate deans, and deans will be communicated to the persons evaluated after their recommendations on faculty salary, promotion, and tenure have been transmitted to the provost. *[ren. & rev. 7-10]*

(Forms on next few pages)

**\*NOTE:** In October of 2010 it was determined that elimination of Form 2A was possible with minor edits to Form 1 (addition of reference FSH 1420 E to box 4). As such, Form 1 may be used in lieu of Form 2A by administrators, if desired. Given this change, form 2B becomes Form 2 (see the UI Policy website for redline versions or contact the Faculty Secretary's Office or Provost's Office for further clarification).

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #10**

**3:30 p.m. - Tuesday, October 24, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #9, October 17, 2017 (vote)

**III. Chair's Report.**

**IV. Other Announcements and Communications.**

**V. Special Orders.**

- **FS-18-008: FSH 6880** – Campus Recreation (Mahoney) (vote)

**VI. Committee Reports.**

- **University Curriculum Committee** (Hubbard/Chermak)(vote)
  - **FS-18-005** (UCC-18-007a): Regulation F
  - **FS-18-006** (UCC-18-007c): Regulation J
  - **FS-18-007** (UCC-18-007d): Regulation O
  - **FS-18-009** (UCC-18-021): Final Exam
- **Faculty Affairs** (Ytreberg)(introduction)
  - **FS-18-010: FSH 3320** – Annual Performance Evaluation Form
  - **FS-18-011: FSH 3320** – Annual Performance Evaluation Policy

**VII. Provost's Report.**

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #9  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #9, Tuesday, October 17, 2017**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Barbour (Twin Falls), Brandt (w/o vote), Brown, Bugingo, Tenuto for Cannon (w/o vote) (Boise), Caplan, Hormel for De Angelis (w/o vote), Foster, Ellison, Grieb, Hrdlicka, Jeffrey, Johnson, Orr for Kern (w/o vote) (Coeur d'Alene), Leonor, Mahoney, Morgan, Morrison, Nicotra, Panttaja, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote), Zhao. **Absent:** Baird, Cannon (Boise), De Angelis, Kern (Coeur d'Alene) **Guests:** 8

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Johnson/Seamon) to approve the minutes unanimously passed.

**Chair's Report:**

- Annual benefits enrollment began October 16 and runs through November 7.
- Sabbatical applications are due by October 27.
- On Monday October 16 faculty and staff received an email from University Communications and Marketing (UCM) with a link to a survey of UI employees to assess the effectiveness of internal communication. The chair encouraged senate members to complete the survey.
- UCM gave university leaders a sneak peek at UI's new marketing and branding campaign during the Presidential Leadership Breakfast on October 17. Chair Hrdlicka reported that the presentation was very impressive. Senate leadership will extend an invitation to Stefany Bales from UCM to give a presentation to Senate later in the year.
- UCM has developed a new webpage on the Faculty-Staff site to make it easier for employees to find the links for how they can participate in philanthropic and charitable activity at UI: <http://www.uidaho.edu/faculty-staff/employee-giving>
- In order to streamline operations in the Faculty Secretary Office, the meeting agenda will be sent out on Monday afternoon. The draft agenda will be available on the website by Friday afternoon and will be updated as material and handouts become available.
- The chair called on Secretary Brandt who briefed senators on the progress of the Faculty Affairs Committee (FAC) in updating the forms and process for annual performance evaluations. The revised form and policy will come to senate soon. In the meantime, the draft form is being used by Vice Provost Jeanne Stevenson in workshops with unit administrators in preparation for the annual evaluation process. Brandt stressed that this is not intended to truncate the senate governance process but is, rather, an effort to ease the transition to the new form and policy.

**Provost's Report:**

- The College of Natural Resources celebrated the 100<sup>th</sup> anniversary of the college with a very successful event last week.
- The Borah Symposium was also a very successful event. The Provost particularly commented on the insightful participation of students in the question and answer period at Monday evening's lecture. He conveyed his thanks to the organizers particularly to the co-chairs Professors Bill Smith and Steven Daley-Laursen.
- The College of Education, Health and Human Services (CEHHS) sponsored a presentation about an experimental school called One Stone – a high school focused on providing project-based learning for students. The innovative learning process at the school is student-led with a guiding hand from teachers and administrators. He invited others to follow up with the CEHHS for more information.
- The Vandal Student Success Initiative continues to be rolled out. The initiative is currently focused on providing high quality support our students.

- Faculty Senate nominations for the University-level Promotion Committee are due to Mary Stout ([mstout@uidaho.edu](mailto:mstout@uidaho.edu)) by October 27. Details regarding the nomination process and the nomination form are included in the packet for this meeting. The provost reminded senators that they must make nominations even if one of their college representatives has been asked to continue service on the committee this year. Chair Hrdlicka encouraged senators to be certain to include off campus faculty colleagues from their college in the nomination process.

A senator asked the provost to comment on the centralization of advising. The provost responded that he is in the process of communicating with deans regarding the possibility of centralizing some advising functions. Our current advising structure is not consistent with best practices for ensuring student success. Details on how advising may be re-organized will be forthcoming. The senator followed up by stating that the initial reaction of his colleagues was concern. His college has developed a strong connection with stakeholders through which they engage in substantial student recruitment. He did not want to see these successful initiatives undermined. The provost responded that the intention is not to move any advising staff or disrupt relationships. The changes will be behind the scenes in the organization. He stressed that expectations and approaches are still being finalized.

A senator asked if the fall enrollment numbers were available. The provost responded that UI's enrollment will be over 12,000 reflecting another year of enrollment growth. We continue to work on first year freshman student enrollment which is slightly down this year. The drivers of increase in enrollment were the continued growth of dual credit enrollment and international student enrollment. Once the final enrollment report is finalized and submitted, we will begin a deeper analysis of the data.

**Starfish/Strategic Enrollment Management.** Dean Kahler, Vice Provost for Strategic Enrollment Management (SEM) began by introducing senators to important initiatives pending in his area. SEM received a grant through Vandal Ideas Project for the I Go Program. Through this program the division has placed a peer mentor in three different high schools in Idaho—Caldwell, Skyview and Nampa – to advise high school students as they make decisions about whether and where to pursue post-secondary education. The program is fully up and running. So far the feedback from principals at the schools has been very positive.

SEM is also working with the UI's recruitment team. Bobbi Gerry was hired four months ago as the Assistant Vice Provost for SEM. UI has a good recruitment team in place with recruiters in California, Seattle, Coeur d'Alene, the main UI campus and southern Idaho. SEM has launched a plan to visit every high school in the state. They had over 1000 RSVPs including both students and guests for the fall recruitment event held on October 14. The event had strong faculty and staff participation. Preliminary reviews of the event are very good.

Navitas, the UI's international student recruitment partner, has kicked into gear to bring more international students to campus. They report that the UI is being received very well by students in their process. Not only was the first year of the Navitas program successful, but enrollment of additional international students increased, as did enrollment in the American Language and Culture Program.

SEM is working aggressively on retention. Vice Provost Kahler estimated that if UI increases its retention of students from the freshman to sophomore year by one percent, we would receive \$250,000 in additional tuition revenue. He pointed out that retention is also important to recruitment because prospective students and parents want to know that UI supports student success. The Student Success Center has opened in the Commons. Student success services are also available in each of the colleges.

Career services is also linked to student success. 150 employers were present for last week's career fair. 1268 students attended; this level of student participation was lower than hoped. SEM is looking at ways to engage students in career development and convince them to speak to employers earlier in their college careers.

SEM is implementing VandalSTAR – a student success software powered by Starfish. The UI name was selected by ASUI. The software allows the institution to serve students once they have been admitted to the university. It is designed to identify students who are exhibiting behaviors (such as cutting classes) or whose academic performance signals that they may be at risk. The software would allow us to collaboratively intervene with the students to identify problems and to proactively access support services. The software will allow advisors and faculty to monitor a student’s progress. Vice Provost Kahler has met with the ASUI President and received positive feedback and support from students. He plans to follow up on the software implementation. This software will allow us to evaluate intervention strategies and evaluate the ROI and determine if we are impacting students. Phase one of the initiative will roll out in January. Two implementation teams – a technical team and a functional team – are meeting every two weeks to further the implementation process.

A senator asked who would have access to information through VandalSTAR. Vice Provost Kahler responded that a variety of different people will have different levels of access. Students will have access to their own data. Faculty will have access to information necessary for their mentoring role. Advisors and administrators will have different types of access. The access levels are determined by UI through a process that is analogous to Banner access levels. SEM will control the level of access granted to different categories of users.

A senator asked whether information in VandalSTAR will be pulled from BBLearn and expressed concern that not all faculty use BBLearn. Kahler responded that some information will likely be pulled from BBLearn. He stressed that there will be a variety of different inputs. Provost Wiencek added that we have an opportunity to more fully implement BBLearn. He acknowledged that some faculty have good reasons for not using BBLearn and that these barriers need to be addressed.

A senator commented that the RFP committee did not recommend the Starfish platform and wanted to know how the decision was made to go with this particular software. Kahler stated that an RFP committee including a faculty member met and reviewed a number of different products during the spring semester last year. The committee made its recommendation in late spring. Provost Wiencek explained that he and President Staben selected Starfish because they were both familiar with the system. The senator also asked about the cost of the software. Kahler did not have the cost information immediately available. However, he believes UI will see significant returns on its investment and emphasized that other schools have seen such significant returns.

Another senator commented that the implementation of VandalSTAR raises significant issues for some faculty. She expressed concern that the decision to implement the software was made without adequate faculty input. In her opinion and those of her colleagues, the decision to implement VandalSTAR was made without consulting faculty experts who study the long-term repercussions of labelling people as risks. RFP committee members gave this input and identified problems that may particularly impact students of color, students from low income backgrounds and women. These concerns were not addressed. If students know they are being identified as “at risk” by every advisor on campus they may be deterred from trying and may not be able to improve their performance.

Throughout the ensuing discussion, senators expressed concern about the process by which the software was adopted and pointed out that technology changes have potential to make changes that are not always positive.

Kahler responded that we already use data but we aren’t using it effectively. For example, we have access to student admission test scores but aren’t using that information when we advise students. Our students have needs and could benefit from mentoring or advising yet our approach to supporting them is hit or miss. Both the institution and our students are suffering from this lack of effectiveness. VandalSTAR is not intended to slap a label on the students and cause them to be unsuccessful. The senator followed up by indicating that data about test scores was an example of the potential problem with the system. The test scores may be old information and yet they might form the basis for labeling a student as a poor student. She pointed out that we have all worked with students for whom test scores were not predictive of college academic success. Her view was that relying on such data interferes with the true key to student success – personal advising

relationships between students and faculty. She was troubled that we overrode the decision of the RFP committee which contained sociological experts.

A senator asked for clarification on the cost savings of investing in retention. Kahler responded that he calculated the number by determining the tuition revenue from one percent of the freshman class and then assuming that if retained they would stay at UI for the full four years.

A senator asked how many and what types of schools are using Starfish. Kahler responded that a variety of schools use Starfish or a similar product. In addition, some schools have developed internal software platforms. Student success platforms are common enough that the State Board of Education recently assumed that such software was deployed at each institution in Idaho and asked for information about *which* platform the schools were using.

The provost elaborated that UI has long used a student success platform. Previously the university used a product called Mapworks. The software was originally deployed to allow residence life counselors to track and support student success. UI originally made plans to expand its use of Mapworks. However, the company was sold and the platform developed problems. Expanded use could not be implemented. Last year the UI discontinued its license and initiated the RFP process that led to the adoption of Starfish. He emphasized that although he and President Staben pushed the implementation of the particular product in which UI has invested, the process included many people in the student support arena who believed that we should continue and expand our use of a software platform that could marshal data to support student success.

A senator stressed that students he knew were supportive of the implementation of VandalSTAR and viewed the software as a tool that would support their success at the university. Another senator pointed out that when a student receives early warning grades under a current system they can be deluged with emails that can be difficult to manage even though supportive. He believed that consolidating our efforts to support students would be helpful and that VandalSTAR could be implemented without alienating students.

A senator asked if Kahler could give examples of how the software will change the student experience? He responded that each student's experience would be customized to the student's needs. He gave the example of a hypothetical student who receives low early warning grades in three of five classes through the 4<sup>th</sup> week early warning system. The student's professors also have reported that the student has not been regularly attending morning classes. Through VandalSTAR the attendance and grading information would be collected into a single system and, thus, the cumulative assessment would be available. An advisor could analyze the information and reach out to the student by email or text to arrange a meeting. At the meeting, the student explains that he must work late because he is short on funds. Through VandalSTAR the advisor can directly connect student with a financial aid advisor to see if more financial aid or campus employment might be possible. The senator responded that this example sounded just like the kind of general advising that happens now. She pointed out that many advisors would call financial aid for the student. She pushed for information on exactly what difference VandalSTAR will make in the process? Kahler elaborated that VandalSTAR will provide one unified system containing all the data in a single place. Faculty members can add notes so others working with the student can see what advice has been given. The system will prompt the advisor to follow up and will prompt the student to complete the advised actions. The scheduling of appointments will be automated.

A senator asked who is anticipated to be the primary user of the system – advisors, administrators, others? Kahler explained that different constituencies would be the primary users at different points in the process and depending on the issues confronting a particular student.

A senator asked how student privacy would be protected. He pointed out that sometimes a student's academic performance is affected by a disability. The student may not choose to identify her or his disability to faculty and advisors. Kahler indicated that information will be available in the system on a need to know basis similar

to Banner access. The implementation teams are looking at these sorts of issues and at what the recommendations for best practices are. UI will likely tailor information access to meet our specific situation but will base decisions on best practices.

A senator, referring to the example previously given regarding the intersection between success and financial aid, asked whether there is a safety valve to advise students that it is not in their interest to continue. He was concerned that we should not advise students to seek more financial aid when they are not likely to succeed. Kahler responded that strict federal regulations require us to advise students about the risks of financial aid. Our responsibility is to advise students to consider other options, if we believe they will not succeed. We also have a disqualification process, which is a safety valve to dismiss students who may not be taking things seriously.

Another senator asked whether UI has the capacity and staffing to respond appropriately when students are identified by the system as “at risk” since the new system may well identify more students for support. Some expertise and time investment beyond what we have seen in our current advisors may be required. The Provost and VP Kahler stated that the UI has a good advisor to student ratio. The current advisors are being trained in the new system and should be able to handle the demands.

A senator questioned why it was necessary to link VandalSTAR to BBLearn. She believes that some faculty will be hesitant to enter information in BBLearn, if it is going to be used in this way. She also asked whether the university has examined the risk of data breach as so much student information would be available in one place. Kahler responded that the security of the system has been evaluated. All of the external software platforms used by the university including BBLearn and Banner must meet certain standards for security. He also responded to the first part of the question stating that data in BBLearn can be helpful in identifying students who are struggling. Decisions have not yet been made regarding what data to gather from BBLearn. The provost suggested that the grade center in BBLearn could be tailored to include an “at risk” column that a professor could check. Only the data in this column would be mined for use in VandalSTAR.

**Distance Education.** The chair moved the discussion to the topic of distance education. Vice Provost Kahler introduced Bobbi Gerry, Assistant Vice Provost for Strategic Enrollment Management, and Bob Hails, Director for Distance and Extended Education Initiatives. Gerry is responsible for distance and extended education including dual credit and Independent Study Idaho. Director Hails will provide leadership for the design, delivery and assessment of distance education programs. Gerry and Hails have been familiarizing themselves with UI’s distance and extended education programs. They plan to work collaboratively with the colleges within the existing decentralized framework. Hails will be developing a plan/framework to support distance education at UI. Right now he is assessing our current programs and identifying opportunities for improvement. He is reaching out to the deans to introduce himself and discuss programs and needs. He has a number of ideas about where the university should improve, but wants to vet these against the college needs and expectations. Once a plan is developed, Hails will move aggressively.

As part of his assessment process, Hails is identifying gaps in our online curriculum that prevent students from completing an online program. Once these gaps are filled, he plans to approach students who withdrew from UI and did not finish their degrees to determine whether they would be interested in finishing online. Assistant Vice Provost Gerry added that the university is also working on how to better identify and track online students so we send them supportive and relevant communications. We also must address issues such as how we proctor online assessment, and how we provide academic support to online students.

A senator stated that in her view UI has needed an e-campus so we can centralize information and access for online students. Hails responded that the e-campus idea is on his list of possible improvements for UI’s distance education programs. Our website is extremely frustrating for distance students. Assistant Vice Provost Gerry commented that she attempted to map out how an online student would discover the amount of tuition they might owe. She struggled until she finally made phone calls to get the information she needed. UI needs a

central platform where online students can get everything they need. The system should mimic the environment in which domestic students are involved. The senator cautioned that she does not want to lose the variety of unique programs as part of an effort to centralize. She pointed out that e-campus or similar software can help, but student experiences are ultimately determined by their learning experience. When administrators get in the way, no one wins! Gerry responded that SEM wants to provide the platform and tools. Colleges can deliver the programs the way they determine is best. SEM is in conversations with the Vice Provost for Academic Initiatives and Center for Excellence in Teaching and Learning to ensure that our faculty are prepared and supported in their distance education efforts.

The chair announced that the remaining two agenda items (consideration of the campus recreation policy and the report of the Ombuds) could be postponed to a future meeting to allow additional questions for Vice Provost Kahler about the implementation of VandalSTAR.

A senator asked whether there are faculty on the VandalSTAR implementation committees. Kahler responded that there are a variety of individuals on the committees including faculty, although the names escaped him in the moment. Both the Vice Provost for Academic Initiatives and the Vice Provost for Faculty are involved with the implementation. The chair recognized Vice Provost Cher Hendricks who was at the meeting as a guest. She explained that she is an advocate for implementing VandalSTAR. At her prior institution faculty were frustrated because they had to navigate too many systems to advise students. She commented that there would be growing pains as we implement the system, but that it would be a valuable tool for student success.

A senator suggested that if more faculty were added to the implementation team, Vice Provost Kahler should also consider adding more students.

The time for the meeting having expired, a motion to adjourn (Johnson/Mahoney) was made and the meeting was adjourned at 4:59.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate



6880

### CAMPUS RECREATION

*PREAMBLE: This section outlines recreational opportunities for students, faculty, staff, and the general public offered by Campus Recreation. In January 2017 an outdated section on Swim Center use was removed. Unless otherwise noted, the text is as of July 1996. For further information, call 208-885-6381. [ed. 7-00, rev. 1-17]*

~~A. Campus Recreation provides students, faculty, staff, and to a limited extent the general public with recreation opportunities. Activities provide opportunities for:~~

~~A-1. Spending leisure time in structured or unstructured sport and recreational activities.~~

~~A-2. Meeting and participating with others who have similar recreational interests.~~

~~A-3. Increasing interest in sport and recreational activities that can continue throughout the participant's lifetime.~~

~~A-4. Developing group spirit and identity by participating together in play situations.~~

~~A-5. Improving fitness and, consequently, enjoying a healthier body and a more alert mind.~~

~~B. Campus Recreation administers the following functional areas:~~

~~**B-1. Intramural Sports.** The intramural sports program consists of structured activities that involve organized competition (men's, women's, and co-rec) in individual, dual, and team sports among residence halls, fraternities, sororities, off-campus student groups, and faculty staff. Program direction, selection of activities, and development of operational policies are provided by the student managers of groups participating in intramural sports.~~

~~**B-2. Informal Recreation.** The informal recreation program consists of unstructured activities in which facilities, supervision, and equipment are provided but for which there are few organized events.~~

~~**B-3. Fitness.** Campus Recreation provides opportunities for individuals to acquire new activity skills, improve skills, gain knowledge and insight, and improve fitness through self-directed activities and non-credit classes for university students, faculty, and staff.~~

~~**B-4. Special Events.** Special event programs provide opportunities to participate in organized recreation and sport events. The program meets needs and interests that are not met through competitive intramural sports programs or other recreation programs. [ed. 7-00]~~

~~**B-5. Swim Center.** The Swim Center program provides:~~

~~a. Opportunities to improve fitness through self-directed and staff-directed activities.~~

~~b. Recreational swimming and aquatic play opportunities during leisure time.~~

~~c. Structured fun and competitive special events.~~

~~d. Noncredit instructional classes to improve swimming, safety, and rescue skills.~~

~~**B-6. Locker Room Services.** Locker room services provide locker and shower room facilities and attendants, towel and locker service, and equipment checkout for physical education classes and general recreational use.~~

~~**B-7. Summer Session Recreation.** The summer session recreation program provides special leisure time opportunities for students and employees.~~

~~**B-8. Sport Clubs.** In cooperation with the ASUI Recreation Advisory Board and the Director of the Student Union/Student Activities the Campus Recreation unit manages the University of Idaho Sports Club Program.~~

~~**C. USE OF RECREATIONAL FACILITIES.** Access to the Memorial Gymnasium and the Physical Education Building for recreational use is as follows *(ed. 7-00)*:~~

~~**C-1. UI Students.** Full or part time undergraduate and graduate students may use recreational facilities free of charge (valid UI identification card required).~~

~~**C-2. Faculty and Staff.** Faculty and staff members on regular appointment, as well as retired personnel, may use recreational facilities free of charge (valid UI identification card required).~~

~~**C-3. Irregular Help.** UI employees not on regular appointment may use recreational facilities through the fee-based facility pass program.~~

~~**C-4. Special Programs.** Persons attending UI sponsored programs such as workshops, seminars, and short courses, may use recreational facilities with a special programs activity pass available from the specific program director or coordinator.~~

~~**C-5. University Guests.** UI departments may purchase passes that can be used by their guests for access to recreational facilities.~~

~~**C-6. Personal Guests.** Friends and relatives may use recreational facilities as guests of students or employees. Guests must be accompanied by their UI host while using facilities. One day guest passes may be purchased at the Campus Recreation Office during regular office hours. Guest passes are not transferable and are good only on the dates specified.~~

~~**C-7. General Public.** Persons not connected with UI may use recreational facilities on a regular basis through the fee-based facility pass program. Some restrictions apply to children.~~

~~**C-8. Spouses.** The spouse of a UI student or faculty or staff member may use recreational facilities on a regular basis through the fee-based facility pass program.~~

~~**C-9. Children and Youth.** Children and youth, whether of a UI-related family or not, may use recreational facilities under the following conditions:~~

~~a. All children must have a facility pass or guest pass.~~

~~b. Children under the age of 18 must be accompanied and supervised by their parents or guardians who are participating in the same activity.~~

~~e. Use of the weight room is limited to individuals who are 18 years old or older.~~

**Office of the Registrar  
Proposed Catalog Changes  
Effective Summer 2018**

1. Make the following changes to **Regulation F**:

**F-1.** A grade of "Incomplete" is assigned only when the student has been in attendance and has done passing work up to a time within three weeks of the close of the semester, or within one week of the close of the summer session. It may be assigned only upon agreement of the student and course instructor when extenuating circumstances make it impossible for the student to complete course requirements on time (Extenuating circumstances include serious illness, car accidents, death of a family member, etc. It does not include lateness due to procrastination, the student's desire to do extra work to raise his/her grade, allowing a student to retake the course, etc.). Graduate students on probation, see College of Graduate Studies section on Probation, Disqualification, and Reinstatement. If a grade of "Incomplete" is submitted, the instructor will assign a reversion grade in the event the missing work is not completed. The instructor must also specify to the student the conditions and requirements for completing the deficient work, as well as any deadline shorter than the maximum time period allowed in F-2. At the end of each semester, the Registrar's Office will send an Incomplete Grade Report (IGR) to departmental administrators detailing every I grade submitted by their faculty that semester and the conditions for student completion.

**F-2. Completion of "Incomplete" Grades.** Final grades for incompletes received in the Fall semester or Intersession, must be assigned by the last day of the following Summer semester. Final grades for incompletes received in the Spring semester or Summer Session, must be assigned by the last day of the following Fall semester. When a student has completed the deficient work, the instructor will assign a final grade. An incomplete that is not completed within the time limit specified above would automatically be changed to the reversion grade assigned by the instructor at the time the incomplete was submitted. Instructors may assign a final grade anytime within the time period specified above. In the event the instructor leaves the university, the departmental administrator may assign the final grade. An incomplete remains on the student's permanent record and is accompanied by the final grade (i.e. I/A, I/B, I/C).

**F-3. "Incomplete" Grades on Record at End of Final Term.** A student cannot graduate with a grade of "Incomplete" on his or her record. At the end of the term in which the student will graduate, a grade of "Incomplete" in any UI course on that degree level (undergraduate, graduate, law, etc.) reverts to the grade that the instructor had specified on the on-line grade roster (see F-1). Reverted grades are included in the computation of the student's cumulative grade-point average at graduation. ~~Nonetheless, a student who has graduated may make up the incomplete work within the usual time limit in an effort to raise the grade on the permanent record.~~

**Office of the Registrar  
Proposed Catalog Changes  
Effective Summer 2018**

1. Make the following changes to **Regulation J**:

**J-7. Second-Concurrent and Subsequent Baccalaureate Degrees.**

**J-7-a. Concurrent Degrees.** ~~Students may concurrently pursue two different majors leading to two different baccalaureate degrees (e.g., B.A. and B.S.Ed.) from UI by working to fulfill the general university requirements for one degree and the departmental and college subject-matter requirements for each. For exceptions to this regulation, see general studies part 4. Students who plan to pursue two degrees concurrently should develop a schedule of studies that combines the degree requirements and present it to the dean(s) of the college(s) concerned as early as possible, preferably before the end of the junior year. A student may concurrently pursue degrees in one or more colleges. For exceptions to this rule, see general studies in part 4. In addition to the university requirements students must fulfill the departmental and college requirements for **all** degrees.~~

**J-7-b. Subsequent Degrees.** ~~Students who have earned a baccalaureate degree at UI and who wish to complete the requirements for a subsequent degree different major and receive a second baccalaureate degree must earn at least ~~16~~**15** credits as an undergraduate student after completion of the previous baccalaureate degree. in UI courses other than those offered by independent study after the receipt of the first degree and fulfill the university, departmental and college subject-matter requirements for the second degree. (See B-9.) ~~Students may return to UI and earn a second degree carrying the same name as one previously granted by UI so long as the requirements for a different major are satisfied and the students earn at least 16 credits as an undergraduate student in UI courses other than those offered by independent study after the receipt of the first degree. For exceptions to this regulation, see general studies in part 4. This regulation does not apply to students who were concurrently pursuing two different degrees under regulation J-7-a or to students who were concurrently pursuing two different majors under regulation J-8.~~~~

~~**J-7-c.** Students who have a baccalaureate degree from another recognized institution and who wish to earn another baccalaureate degree at UI, must earn a minimum of 32 credits as an undergraduate student in upper-division UI courses other than those offered by independent study after the receipt of the first degree and fulfill the departmental and college subject-matter requirements for the degree.~~

**J-8. Degree with Double Major.** Students may complete two different majors (curricula) offered under a particular baccalaureate degree and have both majors shown on their academic records and diplomas, e.g., Bachelor of Arts with majors in history and political science. In addition to the university requirements, students must fulfill the departmental and college requirements for all majors. Each of the majors must lead to the same degree. When majors leading to different degrees are involved, see the requirements applicable to the awarding of a second-concurrent baccalaureate degree (J-7-a).

**Office of the Registrar  
Proposed Catalog Changes  
Effective Summer 2018**

1. Make the following changes to **Regulation O**:

**O-3. Application for ~~Degrees~~ Graduation.** ~~In the semester prior to the completion of degree requirements, candidates for degrees must pay the graduation fee (graduate students may also need to pay a binding and microfilming fee) and file an application with the dean of the college through which the degree is offered. Degree candidates must submit an Application for Graduation to their college. Students should submit applications no later than the semester in which they will be completing their degree requirements.~~ If two degrees are to be received concurrently, separate applications must be filed with the dean(s) of the college(s) concerned. ~~The application must be filed with the dean after the graduation, binding, and microfilming fees have been paid at the Student Accounts/Cashiers Office will be posted on the student's account once the graduation application has been approved (See "Fees and Expenses").~~ The deadline for filing ~~applications for degree~~ **Applications for Graduation** without a late service charge, is the ~~final day of the Fall semester for degrees to be awarded in May, and the final day of the Spring semester for degrees to be awarded in August or December.~~ 10th day of the semester in which the student will be graduating.

## Fall Final Examination Schedule December 10-14, 2018

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.**

First Regular Class Meeting Day of the Week	Class Start Time	Final Exam Day	Final Exam Time	
			From	To
Monday	7:30 AM	Wednesday	8:00 AM	10:00 AM
Monday	8:30 AM	Thursday	8:00 AM	10:00 AM
Monday	9:30 AM	Friday	8:00 AM	10:00 AM
Monday	10:30 AM	Monday	10:15 AM	12:15 PM
Monday	11:30 AM	Tuesday	10:15 AM	12:15 PM
Monday	12:30 PM	Wednesday	12:45 PM	2:45 PM
Monday	1:30 PM	Thursday	12:45 PM	2:45 PM
Monday	2:30 PM	Monday	3:00 PM	5:00 PM
Monday	3:30 PM	Thursday	3:00 PM	5:00 PM
Monday	4:30 PM	Tuesday	3:00 PM	5:00 PM
Tuesday	8:00 AM	Tuesday	8:00 AM	10:00 AM
Tuesday	9:30 AM	Monday	8:00 AM	10:00 AM
Tuesday	11:00 AM	Wednesday	10:15 AM	12:15 PM
Tuesday	12:30 PM	Friday	10:15 AM	12:15 PM
Tuesday	2:00 PM	Tuesday	12:45 PM	2:45 PM
Tuesday	3:30 PM	Wednesday	3:00 PM	5:00 PM
Wednesday	7:30 AM	Friday	8:00 AM	10:00 AM
Wednesday	8:30 AM	Monday	8:00 AM	10:00 AM
Wednesday	9:30 AM	Tuesday	8:00 AM	10:00 AM
Wednesday	10:30 AM	Thursday	10:15 AM	12:15 PM
Wednesday	11:30 AM	Friday	10:15 AM	12:15 PM
Wednesday	12:30 PM	Monday	12:45 PM	2:45 PM
Wednesday	1:30 PM	Tuesday	12:45 PM	2:45 PM
Wednesday	2:30 PM	Wednesday	12:45 PM	2:45 PM
Wednesday	3:30 PM	Friday	3:00 PM	5:00 PM
Wednesday	4:30 PM	Friday	3:00 PM	5:00 PM
Thursday	8:00 AM	Wednesday	8:00 AM	10:00 AM
Thursday	9:30 AM	Thursday	8:00 AM	10:00 AM
Thursday	11:00 AM	Thursday	10:15 AM	12:15 PM
Thursday	12:30 PM	Monday	12:45 PM	2:45 PM
Thursday	2:00 PM	Monday	12:45 PM	2:45 PM
Thursday	3:30 PM	Tuesday	3:00 PM	5:00 PM
Friday	7:30 AM	Monday	8:00 AM	10:00 AM
Friday	8:30 AM	Tuesday	8:00 AM	10:00 AM
Friday	9:30 AM	Wednesday	8:00 AM	10:00 AM
Friday	10:30 AM	Tuesday	10:15 AM	12:15 PM
Friday	11:30 AM	Friday	10:15 AM	12:15 PM
Friday	12:30 PM	Thursday	12:45 PM	2:45 PM
Friday	1:30 PM	Friday	12:45 PM	2:45 PM
Friday	2:30 PM	Wednesday	3:00 PM	5:00 PM
Friday	3:30 PM	Thursday	3:00 PM	5:00 PM
Friday	4:30 PM	Monday	3:00 PM	5:00 PM

- **Common final exam** periods are from 7:00 to 9:00 p.m. on Monday, Tuesday, Wednesday, and Thursday.
- Students with more than two finals in one day may have the excess final(s) rescheduled. The **conflict exam** periods are from 5:00 to 7:00 p.m. on Thursday and Friday. 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.
- 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.
- For online classes that have in person finals, the final examination will be on 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 6-10, 2019

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.**

First Regular Class Meeting Day of the Week	Class Start Time	Final Exam Day	Final Exam Time	
			From	To
Monday	7:30 AM	Thursday	8:00 AM	10:00 AM
Monday	8:30 AM	Friday	8:00 AM	10:00 AM
Monday	9:30 AM	Monday	8:00 AM	10:00 AM
Monday	10:30 AM	Tuesday	10:15 AM	12:15 PM
Monday	11:30 AM	Wednesday	10:15 AM	12:15 PM
Monday	12:30 PM	Thursday	12:45 PM	2:45 PM
Monday	1:30 PM	Friday	12:45 PM	2:45 PM
Monday	2:30 PM	Tuesday	3:00 PM	5:00 PM
Monday	3:30 PM	Friday	3:00 PM	5:00 PM
Monday	4:30 PM	Wednesday	3:00 PM	5:00 PM
Tuesday	8:00 AM	Wednesday	8:00 AM	10:00 AM
Tuesday	9:30 AM	Tuesday	8:00 AM	10:00 AM
Tuesday	11:00 AM	Thursday	10:15 AM	12:15 PM
Tuesday	12:30 PM	Monday	10:15 AM	12:15 PM
Tuesday	2:00 PM	Wednesday	12:45 PM	2:45 PM
Tuesday	3:30 PM	Thursday	3:00 PM	5:00 PM
Wednesday	7:30 AM	Monday	8:00 AM	10:00 AM
Wednesday	8:30 AM	Tuesday	8:00 AM	10:00 AM
Wednesday	9:30 AM	Wednesday	8:00 AM	10:00 AM
Wednesday	10:30 AM	Friday	10:15 AM	12:15 PM
Wednesday	11:30 AM	Monday	10:15 AM	12:15 PM
Wednesday	12:30 PM	Tuesday	12:45 PM	2:45 PM
Wednesday	1:30 PM	Wednesday	12:45 PM	2:45 PM
Wednesday	2:30 PM	Thursday	12:45 PM	2:45 PM
Wednesday	3:30 PM	Monday	3:00 PM	5:00 PM
Wednesday	4:30 PM	Monday	3:00 PM	5:00 PM
Thursday	8:00 AM	Thursday	8:00 AM	10:00 AM
Thursday	9:30 AM	Friday	8:00 AM	10:00 AM
Thursday	11:00 AM	Friday	10:15 AM	12:15 PM
Thursday	12:30 PM	Tuesday	12:45 PM	2:45 PM
Thursday	2:00 PM	Tuesday	12:45 PM	2:45 PM
Thursday	3:30 PM	Wednesday	3:00 PM	5:00 PM
Friday	7:30 AM	Tuesday	8:00 AM	10:00 AM
Friday	8:30 AM	Wednesday	8:00 AM	10:00 AM
Friday	9:30 AM	Thursday	8:00 AM	10:00 AM
Friday	10:30 AM	Wednesday	10:15 AM	12:15 PM
Friday	11:30 AM	Monday	10:15 AM	12:15 PM
Friday	12:30 PM	Friday	12:45 PM	2:45 PM
Friday	1:30 PM	Monday	12:45 PM	2:45 PM
Friday	2:30 PM	Thursday	3:00 PM	5:00 PM
Friday	3:30 PM	Friday	3:00 PM	5:00 PM
Friday	4:30 PM	Tuesday	3:00 PM	5:00 PM

- **Common final exam** periods are from 7:00 to 9:00 p.m. on Monday, Tuesday, Wednesday, and Thursday.
- Students with more than two finals in one day may have the excess final(s) rescheduled. The **conflict exam** periods are from 5:00 to 7:00 p.m. on Thursday and Friday. 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.
- 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.
- For online classes that have in person finals, the final examination will be on 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.



# FACULTY ANNUAL EVALUATION<sup>1</sup>

ENTER CALENDAR YEAR for review period: \_\_\_\_\_

Faculty Name:  
Title/Rank:  
Unit(s):

V Number:  
Administrative Title:  
(if applicable)

Responsibilities	PD %	Achievements Narrative	Met or Exceeded Expectations	
			Yes	No
Teaching and Advising <sup>2</sup>				
Scholarship and Creative Activities <sup>3</sup>				
Outreach and Extension <sup>4</sup>				
University Service and Leadership <sup>5</sup>				
<u>Overall faculty member met or exceeded the expectations defined in the position description</u>				

Commentary on Faculty Performance

Commentary/recommendations on progress toward tenure, promotion, and/or continued satisfactory performance.

Faculty member is making progress on the goals defined in the position description, and contributes positively to life and learning at the University of Idaho.

Faculty member is not meeting University of Idaho performance expectations.

---

Unit Administrator Signature Date

---

Unit Administrator (joint appointments [if applicable]) Date

---

Faculty Signature<sup>6</sup> Date

---

Dean Signature Date

- Interdisciplinary/Center Administrator Comments Attached** (if applicable). The unit administrator is responsible to solicit, discuss and consider evaluative comments from those interdisciplinary/center administrators listed in the faculty narrative. All solicited comments are to be attached to this form.<sup>7</sup>
- Faculty Comments Attached** (optional). The faculty member is allowed to include comments that respond to the administrator's evaluation.
- Dean's Comments Attached** (optional). If there is any significant difference in the commentary, recommendations, or evaluation overall between the department chair and college dean, the dean shall include a narrative stating the reasons for these differences. The form with attachments must be returned to the faculty member for a second signature.<sup>8</sup>

---

Second Faculty Signature (if applicable) Date

### Disclosure of Conflicts<sup>9</sup>

- If you have a conflict to disclose then you also will need to complete Form FSH 6240A.
  - If there is any change in your circumstance that may give rise to potential conflicts or eliminate potential conflicts previously disclosed, then you will need to complete Form FSH 6240A within 30 days of the change.
  - Disclose outside employment for compensation of more than 20 hours/week by completing FORM 6240B
- I **DO NOT** have any conflicts of interest, conflicts of commitment or apparent conflicts, according to FSH 6240, to report.
  - I **DO** have any conflicts of interest, conflicts of commitment or apparent conflicts, according to FSH 6240, to report.
    - I have submitted FSH 6240A and a plan to manage each conflict or apparent conflict to my unit administrator.

---

Faculty Signature Date

---

Unit Administrator Signature Date

<sup>1</sup> Faculty Staff Handbook section 3320

<sup>2</sup> Faculty Staff Handbook section 1565 C-1

<sup>3</sup> Faculty Staff Handbook section 1565 C-2

<sup>4</sup> Faculty Staff Handbook section 1565 C-3

<sup>5</sup> Faculty Staff Handbook section 1565 C-4, 1420E

<sup>6</sup> "At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator." FSH 3320 A1 e, f

<sup>7</sup> Faculty Staff Handbook section 3050 B-2, 3320 A-1 d, 3520 E-1, G-3, G-4c, and 3560 C,E-2d

<sup>8</sup> If there is a disagreement, see Faculty Staff Handbook section 3320 A-1 f

<sup>9</sup> Faculty Staff Handbook section 6240

## UI FACULTY-STAFF HANDBOOK

### CHAPTER THREE:

#### EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

January 2017

3320

#### 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. In July 2014 changes were incorporated to ensure all faculty go through a review by their peers. In January 2017 a temporary fix to this policy was put in place to allow for a pilot narrative evaluation process for 2016 and ensure that existing policy would apply. Further information may be obtained from the Provost's Office (208-885-6448. [ed. 7-03, rev. 7-07, 1-08, 7-09, 7-10, 7-14, 1-17])*

#### CONTENTS:

- A. Annual Performance Evaluation and Salary Determination for Faculty Members
- B. ~~Faculty~~ Performance ~~Below that does not Meet~~ Expectations of ~~Non-tenured Faculty Members~~
- ~~C. Performance Below Expectations of Tenured Faculty Members~~
- ~~D.~~ Performance Evaluation of Academic Administrators
- ~~E.D.~~ 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~~the 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 bylaws and will include tenure-track faculty (see FSH 3560 E-2 e). 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 annual performance evaluation. Personnel on international assignment see FSH 3380 C. [rev. 7-03, 7-09, 7-14, ed. 7-10, 1-17]~~

**a. Forms Distributed.** The Annual Performance Evaluation ~~Pilot~~ Form is available below. The form may not be altered without following the appropriate governance process (see FSH 1460). The ~~immediate administrative officer~~unit administrator is responsible for ensuring that each faculty member uses the proper form together with a copy of the supplementary instructions as provided by the Provost Office. [rev. 7-01, 1-17]

**Approach during Pilot Study:** While the pilot narrative Annual Performance Evaluation form is being used, the specific references to performance and ratings found in this section are not in effect. Checking the "not meeting expectations box" on the pilot form triggers section B-1 for non-tenured faculty and section C for tenured faculty. The evaluator must document the areas of concern that warrant checking the "not meeting expectations" box in the narrative review. If there are areas of concern that warrant attention, but do not rise to the level of "not meeting expectations" these too should be documented in the written narrative. ~~{add. 1-17}~~

**Commented [BE(1):** This relates to 3d year review and should not be in this section. It is basically included in 3520G-4, although we may want to tweak that section.

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

b. Performance levels for each criterion are described below, as follows. The narrative in the evaluation form shall provide evidence to support the evaluation. [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. 7-09, 7-10]

iii. **Meets Expectations (3)** Performance that **Meets or Exceeds eExpectations** is the satisfactory performance expected of a faculty member relative to the position description. Narrative in the evaluation should document whether performance meets expectations, but also whether the faculty member's performance is better than expected or extraordinary relative to the performance evaluation position description.

iv. **Performance that does not Meet Below Expectations (2)** denotes performance that is less than expected of a faculty member relative to the position description and means improvement is necessary. Narrative in the evaluation should document whether the faculty member's performance is so far below expectations that it is not acceptable relative to the position description and/or is inconsistent with the conditions for continued employment with the institution. An evaluation of not meeting rating of below expectations in one or more criteria triggers procedures outlined in 3320 B or C. [rev. 7-09, 7-10]

v. **Unacceptable Performance (1)** is performance that is not acceptable relative to the position description and/or is inconsistent with the conditions for continued employment with the institution. Failure to meet these standards in any of the following ways will result in a rating of unacceptable performance: [rev. 7-09]

- a) received a "1" rating the previous period but did not make the improvements required;
- b) consistently violated one or more of the institution's standards for meeting the expectations of the position; or
- c) violated one or more standards of conduct as specified in the *Faculty-Staff Handbook*.

c. **Annual Report of Efforts and Accomplishments by Faculty Member.** Each faculty member shall provide his or her unit administrator with the following materials for use in preparation for the annual performance evaluation:

- (1) Current Curriculum Vitae
- (2) UI Faculty Position Description for Annual Performance Review
- (3) Written detailed summary report of faculty activity for the period of the annual performance review that compares accomplishments to expectations in the Position Description for the period under review. This report may be in the form of a self-evaluation using the annual evaluation form included in this policy proposed annual employment evaluation. [rev. 7-09]
- (4) Other materials necessary to document efforts and accomplishments for the period under review. [add. 7-01, ed. 7-10]

d. **Evaluation of Faculty by Unit Administrators.** Unit administrators evaluate ~~their~~ the faculty members in their unit. The performance of each faculty member during the review period is judged on the basis of the position description(s) in effect during that period. In the case of a faculty member holding joint appointments and/or involved in interdisciplinary activities, as described in the position description, in two or more academic or administrative units, it is the responsibility of the administrator in the faculty member's primary academic discipline to solicit and consider relevant information on job performance from other administrators with responsibility for the faculty member's work. [See also 3080 E-3.] [rev. 7-09, ed. 7-10]

Ratings are Whether a faculty member's performance meets expectations is determined by comparing the faculty member's performance to the position description. The results of the student and peer evaluation of teaching are carefully weighed and used as a factor in this evaluation. For each area of responsibility, the unit administrator shall describe the basis for her/his evaluation in assessing of the faculty member's performance. The ratings and narrative are entered must be included as indicated on the form. The annual evaluation score for a faculty member in Form 1 relates to the faculty member's performance evaluation relative to his/her position description. The overall unit average is provided to the faculty member upon request so that each

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
 and Performance Evaluation of Academic Administrators

faculty member can gauge his/her performance relative to other faculty members within the unit. After the unit administrator has completed ratings and the narrative evaluation for all faculty for the review period, he or she the unit administrator shall provide the following items to each reviewed individual as they become available: [rev. 7-03, 7-09]

- (1) a copy of the individual's annual evaluation form and narrative [rev. 7-09]
- (2) if requested, comparative information to help assess performance evaluation.

The unit administrator should also include comments and recommendations for the faculty member's progress toward tenure, promotion or continued satisfactory performance in the appropriate place on the annual evaluation form, and numerical ratings, including, but not limited to: [rev. 7-09]

- (a) Frequency distribution for overall ratings for the unit
- (b) Frequency distribution for overall ratings for the college [rev. 7-97, ren. and rev. 7-01]

**e. Self-Evaluation and Conference.** Each faculty member is given an opportunity to use the evaluation form (FSH 3320 Form 1) to make an evaluation of his or her own performance. It is strongly recommended that the unit administrator meet with each faculty member. The unit administrator shall provide each faculty member with the opportunity to meet to discuss the unit administrator's evaluation. (Suitable alternate arrangements are shall be made for off-campus personnel.) The purpose of this meeting is to review and discuss the administrator's evaluation and the self-evaluation faculty member's detailed report of activities, if any. The unit administrator should explain his or her the ratings and narrative providing a formative assessment on progress towards tenure, promotion, and/or continued satisfactory performance related to the faculty member's performance during the year and any revisions in professional goals and objectives for the coming year. The faculty member and the unit administrator should work to identify strategies to help the faculty member improve performance. The ratings narrative evaluation may be modified as a result of the discussion. At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that she/he has had the opportunity to read the evaluation report and to discuss it with the unit administrator. If the faculty member wishes to respond to disagrees with the contents of the review, he/she shall be permitted to append a report to the unit administrator's evaluation, detailing the nature of the dissent. A copy of the administrator's final evaluation shall be given to the faculty member. [ren. and rev. 7-01, rev. 7-09, ed. 7-10]

**f. College-Level Action.** Copies of the performance evaluation materials forwarded by the unit administrator to the appropriate dean(s), for evaluation at the college(s) level, shall include: [rev. 7-09]

- 1) the narrative evaluation, including comments and recommendations on progress towards tenure, promotion, and/or continued satisfactory performance, and [rev. 7-09]
- any evaluative comments provided by interdisciplinary/center administrators or from those administrators of faculty holding joint appointments; and [rev. 7-09]
- 2) the evaluation form; [rev. 7-09].

**g.** If the unit administrator fails to attach the narrative evaluation and evaluative comments include narrative comments regarding whether the faculty member met expectations and comments and recommendations on the faculty member's progress toward tenure, promotion or continued satisfactory performance, the college will shall return the materials to the unit administrator. [add. 7-09, rev. 7-10]

**h.** If the faculty member files a dissent has attached a report to the evaluation dissenting from the unit administrator's evaluation, the unit report shall be provided a copy to the dean with the annual evaluation form. The dean shall arrange a meeting with the unit administrator and the faculty member to attempt to resolve the relevant issues.

**i.** The dean enters an evaluation in the space provided on the evaluation form. A copy of that form is given to the faculty member and the original is forwarded to the Provost's Office for permanent filing [see FSH 1470 and APM 65.02]. A copy of the evaluation form is retained in the college office. If the dean concurs with the

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
 and Performance Evaluation of Academic Administrators

overall evaluation and rating of the faculty member by the unit administrator; no additional signature is required from the faculty member. [ren. 7-09, 7-10]

If there are any differences in any rating between the unit administrator and college dean the college dean disagrees with the unit administrator's evaluation, the dean shall attach a narrative stating the reasons for these differences disagreement. A copy of the dean's narrative, if any shall be provided to the faculty member before the evaluation is forwarded to the provost's Office, and a second and subsequent signature by the faculty member, acknowledging receipt of the dean's evaluation and rating, is required. The college shall forward the original completed evaluation form, faculty member's report, if any, and dean's narrative, if any and narrative to the Pprovost's Office for permanent filing. If the college fails to attach the narrativethe evaluation does not include appropriate narrative evaluation or if the faculty member's report and/or dean's narrative are not attached, the provost will shall return the form to the college. A copy of the evaluation form is retained in the college office. If the faculty member disagrees with the Ddean's evaluation and the disagreement cannot be resolved at the college level, either party may choose to refer the matter to the University Ombuds (FSH 3820). If the matter remains unresolved at the college level, the pProvost shall be notified of the disagreement. [ren. and rev. 7-01, rev. 12-06, 7-09, 7-10]

**A-2. SALARY DETERMINATION.** This process is carried out at the departmental and higher levels of academic administration. [see FSH 3420.] [rev. 7-09]

**B. FACULTY PERFORMANCE BELOW THAT DOES NOT MEET EXPECTATIONS OF NON-TENURED FACULTY MEMBERS.** [add. 7-10]

**B-1.** If the unit administrator determines that a non-tenured faculty member is performing below not meeting expectations, the unit administrator should consider the variety of possible causes, other than inadequate effort on the faculty member's part; that might be responsible for the performance reasons for and explanations of the performance. (see FSH 3190) [ed. 7-09, rev. 7-10]

The unit administrator, in consultation with the faculty member, should address the possible causes of the problem, should suggest appropriate resources and encourage the employee to seek such help. Faculty members and unit administrators may obtain referral information and advice from the University Ombuds and Human Resources. [ed. 12-06, 7-09, 7-14, rev. 7-16]

~~C-1. ANNUAL ASSESSMENT OF BELOW EXPECTATIONS~~**B-2. PROVOST INVOLVEMENT.** In the event of an overall score of +evaluation of below does not meet expectations, the provost may, in consultation with the dean and unit administrator, determine that further review of the faculty member's performance is required. This review will shall be conducted in accordance with the procedures prescribed in 3320 ~~C-2B-5.~~ [ren. and ed. 7-09, rev. 7-16]

**B-23. FIRST ANNUAL OCCURRENCE.**

a. In the event that a non-tenured faculty member receives an annual evaluation concluding that he or she hasindicating performed performance belowhas not met expectations overall or (2 or lower) within one or more areas of responsibility, the unit administrator shall will, at the same time he or she delivers the performance evaluation, offer to meet with the faculty member, to identify the reasons for the performance below expectations. At this meeting, the faculty member and the unit administrator will shall review the faculty member's current Position Description and examine strategies that would permit the faculty member to improve his or her performance. The faculty member may request that a mentoring committee be selected (see C-5 below.) [rev. 7-09, 7-10]

b. In the event that a non-tenured faculty member receives an annual evaluation concluding that he or she hasindicating performed performance below expectations (2 or below) in the overall scoreevaluation, the unit administrator will, at the same time he or she delivers the performance evaluation, shall offer to meet with the faculty member to identify the reasons for evaluating the performance as below expectations. At this meeting,

**Commented [BE(2):** This section was moved from C-1 below.

**Commented [BE(3):** The committee below is NOT a mentoring committee. If we want this we should consider including language for a mentoring committee.

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
 and Performance Evaluation of Academic Administrators

~~The unit administrator will~~ shall appoint a mentoring committee by selecting three individuals from a list of five faculty members nominated by the faculty member, or if the faculty member makes no nominations, will shall appoint three faculty members of her/his ~~the administrator's~~ choosing. The mentoring committee's purpose is to help the faculty member improve performance. The members of the committee need not be drawn from the same unit as the faculty member. The faculty member or unit administrator may request that the University Ombuds attend meetings of the mentoring committee and faculty member. *[ed. 12-06, rev. 7-09, 7-10]*

**B-34. TWO CONSECUTIVE ANNUAL ASSESSMENTS OF BELOW EXPECTATIONS**~~SECOND CONSECUTIVE OCCURENCE~~. In the event of two consecutive annual evaluations concluding that the non-tenured faculty member has performed ~~below~~ not met expectations overall or within one or more areas of responsibility (~~2 or lower~~) the unit administrator ~~will~~ shall; ~~at the same time he or she delivers the performance evaluation,~~ arrange a meeting of the faculty member, the unit administrator and ~~in the unit administrator's discretion, the Dean of the College~~ the college dean. The faculty member or the unit administrator may request that the University Ombuds attend the meeting. *[ed. 12-06, rev. 7-10]*

The intent of the meeting is to review:

- a. the current position description and revise it if necessary to address the issues identified during the discussion. *[ed. 7-09]*
- b. the strategies implemented in the previous year and to identify why the strategies did not result in the faculty member meeting expectations. The parties should re-examine strategies that would ~~permit the support improved performance by the~~ faculty member to improve his or her performance. *[ed. 7-09]*

**CB-4. PERFORMANCE BELOW EXPECTATIONS OF TENURED FACULTY MEMBERS.** Tenured faculty will follow the same process as described in B-1 through B-3 above. In addition, to identify and address specific problems early on, a tenured faculty member may be subject to a review as described in C-1 and C-2 below. The purpose of C-1 and C-2 is to assist the faculty member with getting back on track. *[add. 7-16]*

Formatted: Indent: Left: 0.25"

**C-1. ANNUAL ASSESSMENT OF BELOW EXPECTATIONS**~~PROVOST INVOLVEMENT~~. In the event of an overall score of ~~evaluation of below does not meet~~ expectations, the provost may, in consultation with the dean and unit administrator, determine that further review of the faculty member's performance is required. This review will be conducted in accordance with the procedures prescribed in 3320 C-2B-5. *[ren. and ed. 7-09, rev. 7-16]*

Commented [TA(4)]: This provision was revised and moved to B-2 above.

**C-2B-5. THREE CONSECUTIVE ANNUAL EVALUATION ASSESSMENTS OF BELOW EXPECTATIONS**~~OCCURENCES WITHIN FIVE YEARS~~. In the event of three consecutive annual evaluations ~~of does not meet~~ expectations within a five year period, either below expectations overall or within one or more areas of responsibility, or a pattern of below expectations evaluations over five years (a summary score of ~~2 or lower~~), the ~~D~~ dean shall initiate a formal peer review. *[rev. 7-09, ren. 7-10]*

- a. **Composition of the Review Committee.** The Review Committee ~~will~~ shall consist of ~~six~~ at least four (64) members, appointed as follows:
  - (1) The ~~faculty member~~ will may submit to the unit administrator a list of the names of three faculty members from within the unit and ~~three at least one tenured~~ faculty members from outside of the unit. If the faculty member is tenured or on the tenure track, faculty on the committee should be tenured faculty unless no tenured faculty are available. The unit administrator will shall submit a similar list to the faculty member. From the list given to the faculty member, he/she will select one person from inside of the unit and one from outside the unit. From the list given to the unit administrator, he/she will select one person from inside of the unit and one from outside the unit shall appoint the committee, including at least two names from the faculty member's list.
  - (2) The committee members will shall select as chair another faculty member from within the unit.
  - (3) The Ombuds or his/her designee shall be an ex-officio member of the committee. *[ed. 12-06]*

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
 Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
 and Performance Evaluation of Academic Administrators

**b. Report and Timing of the Review.** The committee report includes the review and possible recommendation(s), and will shall be completed within sixty days of the annual evaluation.

**c. The Review.** The purpose of the review is to assess the level of performance of the faculty member, and the unit administrator's evaluation of that performance. To that end, the committee shall assess the reasonableness of the previous evaluations, and the appropriateness of the development plans/strategies put in place to assist the faculty member, as well as any material submitted by the faculty member and the unit.

The faculty member and chair/the unit administrator will/shall provide the following materials for the period under review to the committee:

- 1) Updated Curriculum Vitae of the faculty member.
- 2) Position Descriptions, for the past four years
- ← Annual evaluation materials submitted by the faculty member for the past three years
- 3) Annual Evaluations of the faculty member by the unit head and the Dean, for the past three years
- 4) Student and peer evaluations (if any) of teaching.
- 4)5) A summary of the strategies put in place to assist the faculty member for the past four years
- ← A self-evaluation of each area of the faculty member's responsibility/teaching
- 5)6) A self-assessment summary of each area of the faculty member's responsibility and what the faculty member has learned and achieved during the past four (4) year/the period under review, including contributions to the department, university, state, nation, and field (about 2 pages).

The faculty member may submit any additional information he or she desires, and the committee may request additional materials as it deems necessary.

**d. Responses to Committee Report.** The committee chair shall submit the report to the faculty member, chair, and dean, will shall receive the report and will shall Each recipient shall have fifteen days from the report's date to submit written responses to the review committee. The review committee chair will shall send the report and all responses to the provost.

**e. Provost.** The pProvost will shall be responsible for determining the appropriate resolution, which may include: [rev. 7-09]

- 1) continuing the status quo;
- 2) mentoring to address area(s) of concern;
- 3) termination for cause;
- 4) consideration of other recommended resolution(s). [1-4 add. 7-09]

**D. PERFORMANCE EVALUATION OF ACADEMIC ADMINISTRATORS.** [ed. 7-09, ren. 7-10]

**D-1. EVALUATION BY FACULTY MEMBERS.** Opportunity is provided for an annual performance evaluation of college deans, assistant and associate deans, and administrators of academic departments and other intracollege units by the faculty members of the respective units. The provost sends each faculty member an appropriate number of copies of the form, "Annual Faculty Evaluation of Academic Administrators" [form 2 appended to this section] to be used for evaluation of the unit or center administrator, one to be used for evaluation of the dean, and one to be used for evaluation of each assistant or associate dean in the college. [ren. & ed. 7-10, 10-10]

**D-2. EVALUATION OF UNIT AND CENTER ADMINISTRATORS AND ASSISTANT AND ASSOCIATE DEANS.** The review and evaluation of unit and center administrators, and assistant and associate deans, require consideration of their responsibilities as faculty members and as administrators as defined by percentage allocations in the Annual Position Description. All administrators are entitled to a review and evaluation of their performance as faculty members. Further, all administrators are entitled to a review of their performance as administrators. (Forms to be used in the evaluation of administrators are found in Form 1 and 2. [rev. 7-99, ed. 3-07, rev. & ren. 7-10 (incorporated 1420 E-6 into this entire section D-2 through D-4)])

**Commented [BE(5):** When we combined the tenure and non tenure sections we eliminated the references to a "development plan" and instead substituted language recommending "strategies to improve" (see B-1) and authorized the appointment of a mentoring committee. Given these changes, I think this language should be revised.

If we want the review committee to consider the appropriateness of the strategies

**Commented [BE(6):** If we want the review committee to consider the appropriateness of the strategies, we have to tell them what the strategies were.

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

**1. Evaluation as a Faculty Member.**

**a. Annual Evaluation.** The annual evaluation of an administrator's performance as a faculty member shall be conducted by the dean of the college in accordance with the provisions of *FSH 3320 A* above.

**b. Third Year Review.** If the administrator is untenured, there shall be a third-year review in accordance with the procedures outlined in *FSH 3520 G-4*.

**2. Evaluation as an Administrator.**

**a. Annual Evaluation.** The dean shall conduct an annual evaluation of each administrator's performance in accordance with the responsibilities specified in *FSH 1420 E-1* and in the Annual Position Description. The dean and administrator will negotiate the administrator's Annual Position Description on the basis of the unit's needs, and make it available to the faculty for annual evaluation purposes. The administrator will present his or her annual goals for the unit at the beginning of the review year and report on his/her effectiveness in meeting last year's goals. Annual goals should be based on the unit action plan, needs of the unit, and discussion with the dean. The dean will make a conscientious effort to solicit input from unit faculty through evaluation form 2. [*rev. 7-99, ed. 6-09, 10-10*]

Unit faculty must send completed copies of form 2 directly to the dean. The dean furnishes the administrator a summary of the faculty evaluations in such a way that the confidentiality of individual evaluations is preserved. The dean may arrange a conference with the administrator to discuss the summary. After these steps have been completed, the dean shall destroy the individual faculty members' evaluations and shall file the written summary in the dean's office. The dean then submits a summary of conclusions and recommendations resulting from the review to the provost, who in turn makes his or her review and forwards recommendations to the president. The dean will then provide feedback to faculty who have submitted form 2, as appropriate. [*ed. 10-10*]

**D-3. EVALUATION OF DEANS.** The provost shall conduct an annual evaluation of each dean's performance in accordance with the dean's responsibilities specified in *FSH 1420 D-2* and in the Annual Position Description. The provost and dean will negotiate the Annual Position Description for the dean on the basis of the college's needs and make it available to the faculty for annual evaluation purposes. The dean will present his or her annual goals for the college at the beginning of the review year and report on his or her effectiveness in meeting last year's goals. Annual goals should be based on the college's action plan, needs of the college, and discussion with the provost. The provost will make a conscientious effort to solicit input from college faculty through evaluation form 2. [*ed. 10-10*]

College faculty will send completed copies of form 2 directly to the provost. The provost will summarize the faculty responses and share that summary with the dean. In preparing and conveying that summary, the provost has the responsibility to ensure that faculty comments are confidential. This includes, but is not limited to, avoiding the use of any phrases that can identify the faculty member making the comments. The provost may arrange a conference with the dean to discuss the summary. After these steps have been completed, the provost shall destroy individual faculty members' evaluations and file the written summary in the Office of Academic Affairs. The provost must then submit a summary of conclusions and recommendations resulting from the review to the president. The provost will then provide feedback to faculty who have submitted form 2, as appropriate. [*ed. 10-10*]

**D-4. PERIODIC REVIEW OF ADMINISTRATORS.** Each administrator is formally reviewed at least six months before the end of each appointment term, or, if there is not a fixed appointment term, at least every five

**UI FACULTY-STAFF HANDBOOK**

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF  
Section 3320: Annual Performance Evaluations and Salary Determination of Faculty Members  
and Performance Evaluation of Academic Administrators

---

years. The Provost appoints an ad hoc review committee to include faculty, department chairs, and experienced administrators of other units. The periodic review will be conducted at the request of the Provost and Executive Vice President and in accordance with the mechanisms of formal review, which must provide for the following:

1. Opportunity for the dean, center administrator, or unit administrator to prepare a report/portfolio summarizing his or her administrative achievements for the period, including annual reviews; [*rev. and ren. 7-99*]
2. Opportunity for all faculty and staff of the college/unit to participate in the review;
3. Solicitation of input by the committee from appropriate constituencies of the college/unit. Confidentiality of all individual evaluations will be ensured; [*add. 7-99*]
4. Preparation by the review committee of a written report summarizing the findings and recommendations of the review, which will be forwarded to the Provost and the dean/center or unit administrator; [*ed. and ren. 7-99*]
5. The provost will submit the written report along with any additional comments and recommendations to the president and provide appropriate feedback to the administrator. [*rev. and ren. 7-99*]

**a. Additional Review.** The provost and/or college dean may initiate a review at any time he or she determines a review is needed. The dean shall submit to the provost a summary of conclusions and recommendations resulting from this additional review. If the review is conducted by the provost, he or she shall submit a summary of conclusions and recommendations to the president.

The faculty of the unit may also initiate, by majority vote, a formal review (as outlined above) of the unit administrator. The tenured faculty of a college may also initiate, by majority vote, a formal review (as outlined above) of the college dean.

**E. SEQUENCE OF EVALUATION OF FACULTY MEMBERS AND ADMINISTRATORS.** The provost prepares the schedule for completion of steps in the performance evaluation and salary determination process each year. The schedule will ensure that faculty members' evaluations of unit or center administrators and assistant and associate deans have been received by the dean before the administrators' recommendations on salary, promotion, and tenure are made known to the faculty and, similarly, that faculty members' evaluations of deans have been received by the provost before the deans' recommendations on salary, promotion, and tenure are made known to the faculty. Likewise, the summaries of faculty evaluations of unit or center administrators, assistant and associate deans, and deans will be communicated to the persons evaluated after their recommendations on faculty salary, promotion, and tenure have been transmitted to the provost. [*ren. & rev. 7-10*]

(Forms on next few pages)

**\*NOTE:** In October of 2010 it was determined that elimination of Form 2A was possible with minor edits to Form 1 (addition of reference FSH 1420 E to box 4). As such, Form 1 may be used in lieu of Form 2A by administrators, if desired. Given this change, form 2B becomes Form 2 (see the UI Policy website for redline versions or contact the Faculty Secretary's Office or Provost's Office for further clarification).

# Why?

## **Enrollment – Current structure not working as well as we need**

### **Board Direction**

- Complete College America – Game Changers: Meta-majors, Degree Maps, Retention, Time to Degree, Graduation Rate

### **Career Path for Advisors**

### **Starfish**

- Consistency of Interaction, Service and Reporting
- Accountability

### **Hobson’s (or Other) CRM**

- Consistency of use and entry

### **Retention**

- Will improve student outcomes (retention, graduation rate, job placement)
- There are opportunities for gains – estimate \$2 million in short run



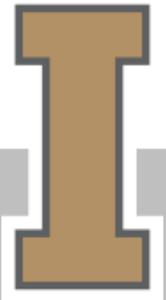
## Longer Term Vision and Goals

### Role of Faculty and Staff

- Professional advisors – program progression and registration (partner to faculty)
- Mentoring remains key faculty role but augmented with staff
- Recruiting and retention – everyone's responsibility, driven by one unified strategic voice

### University movement toward:

- Consistent management of contemporary advising and retention strategies
- Consistent service to students with General Advisor/Primary Advisor roles – irrespective of current College resources and operational protocols
- Ability to conduct evaluation of recruiting/retention initiatives and have university level data on effectiveness and ROI
- Campus wide implementation of initiatives such as Starfish Student Success System can be uniformly implemented



# Aligned Management of Advising and Recruitment at the University of Idaho

## Advising staff impacted:

- All advising staff will be managed under SEM
- Advising staff will continue to be physically present in colleges and centers
- There will be some movement of key personnel to more centralized positions with larger responsibility

## Recruitment staff impacted

- Recruitment outreach staff will be managed by the Admissions Office
- All search/outreach will be conducted by recruitment staff
- Development of inquiries to enrolled students is entire campus responsibility

## Resource impact

- Nominally 1/3 of current advising staff and 4/5 of current recruiting staff are funded from central funds already
- No funding shifts this year
- Staff will occupy same offices/space



**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #9**

**3:30 p.m. - Tuesday, October 17, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2017-18 Faculty Senate Meeting #8, October 10, 2017 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

- University-level Promotions Committee (FSH 3560 H)(Provost)

**V. Other Announcements and Communications.**

- STARFISH/SEM (Kahler) (FYI)
- Distance Education (Hails/Gerry) (FYI)

**VI. Committee Reports.**

- **Ombuds Annual Report** (Beatty) (FYI)

**VII. Special Orders.**

- **FS-18-008: FSH 6880 – Campus Recreation** (Mahoney) (vote)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #8  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #8, Tuesday, October 10, 2017**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Barbour (Twin Falls), Brandt (w/o vote), Brown, Bugingo, Cannon (Boise), Caplan, De Angelis, Foster, Ellison, Grieb, Hrdlicka, Johnson, Kern (Coeur d'Alene), Leonor, Mahoney, Morgan, Morrison, Nicotra, Seamon, Tibbals, Vella, Watson, Stevenson for Wiencek (w/o vote), Zhao (Idaho Falls).  
**Absent:** Baird, Jeffrey, Panttaja, Wiencek. **Guests:** 8

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Nicotra/Watson) to approve the minutes unanimously passed with one abstention.

**Consent agenda:** The chair reminded senators about the use of a consent agenda and asked if any senator wished to remove an item from the consent agenda. A senator asked whether items on the consent agenda could be discussed. The chair responded the item could be discussed, if a senator asked for it to be removed from the consent agenda. Another senator asked for a short description of the item on the consent agenda. The chair responded that the item on the agenda was the report of the Committee on Committees seeking Senate confirmation of summer and early fall committee appointments filling vacancies on committees. There were no requests to move items off the consent agenda, and said agenda items have been approved.

**Chair's Report:**

- Open Enrollment for the UI Health Plan will be from October 16 to November 7. Information forums will be held on October 12 and November 2. Details are available at: <http://www.uidaho.edu/human-resources/benefits>. The sessions will be available via Zoom to off-site employees. Recordings will be available on the Benefits website.
- This year's Borah Symposium will be in the fall semester on October 16-17 and is focused on Peace and efforts to outlaw the act of war. More information is available here: <http://www.uidaho.edu/class/borah/fall>.
- Sabbatical leave applications are due by October 27.

**Provost's Report:** Vice Provost Jeanne Stevenson reported on behalf of the provost:

- The provost has sent a communication to units within academic affairs summarizing the results of the program prioritization for this year. The Institutional Planning and Effectiveness Committee is beginning its consideration of how the process will be implemented in the future.
- In response to the report of the Great Colleges to Work For Survey results, the provost has asked Yolanda Bisbee, Executive Director of the Office of Equity and Diversity, to lead a small group in developing a cascaded plan to guide how the university will use the survey data to improve our university culture and climate.
- The process for nominating members of the University-level Promotion Committee is being accelerated to allow more time to form the committee. Senators should expect to receive information about the nominating process in the near future.
- The faculty market based compensation process is on course for initial implementation for the upcoming mid-year change in compensation.

A senator asked whether tuition waivers for TAs will be in place for next fall, noting the recruitment process has already begun and this information would be useful. Vice Provost Stevenson indicated the process is still being developed and would be in place for the fall. Chair Hrdlicka added that Senate Leadership just met earlier in the day with College of Graduate Studies Dean Jerry McMurtry on this issue. The process is a very complex undertaking. Complex issues are involved in part because current funding for TAs comes from many different sources. Dean McMurtry is working to develop an effective process. He plans to have his recommendations ready by approximately December 1. He is currently talking to chairs and unit leaders to gather their input. Another senator asked whether decisions regarding TAs would be centralized and expressed the view that the management of TAs remain with the colleges and units. Both Chair Hrdlicka and Secretary Brandt responded that Dean McMurtry was working to centralize the financial support for TAs, but that other decisions would remain at the college and unit level.

A senator who was on sabbatical last year, asked whether program prioritization was intended to be a one-time or continuing process. Stevenson responded that the State Board of Education expects the university to engage in a regular process of program prioritization. However, the decision has not been made regarding how the process would be implemented in future years.

Chair Hrdlicka followed up on the Vice Provost's announcement of the Great College cascaded plan workgroup. He stated that he would be part of the group and it would also include Dale Pietrzak (Director of Institutional Effectiveness and Accreditation), Patricia Baker (Vice Chair of Staff Council), Rula Awaad-Rafferty, and Ro Afatchao.

The chair also asked for clarification regarding the timing of University Promotion Committee nominations. The vice provost indicated she would have more information soon. Secretary Brandt clarified that senators are responsible for nominating members to the committee, even when a prior member of the committee from the senator's college has been asked to continue serving. In response to a comment from one of the off-site senators, the chair also encouraged senators to be sure to include off-site colleagues in their consultations regarding nominees for the committee.

**Student Code of Conduct Procedures.** A motion was made and seconded (Nicotra/Morrison) to approve the amendment of FSH 2400 regarding the disciplinary process for the Student Code of Conduct. Associate General Counsel Jim Craig pointed out that in response to the discussion and feedback the Student Code Taskforce made two revisions to the proposal that was presented for discussion during the September 26 Senate meeting. These changes are shown in red on the pending proposal. They include a definition of the investigator and provisions regarding confidentiality.

Secretary Brandt called senators' attention to her proposal to make a small drafting change to the Introduction subsection of the policy. Her proposal was to amend the language of proposed FSH 2400.A as follows:

- A. INTRODUCTION. The purpose of the Student Code of Conduct (Code) is to help protect the safety of the University community and educate students about appropriate and responsible behavior, and ~~to do so in a manner designed to educate students~~ **about\*** their civic and social responsibilities as members of the University community, while complying with applicable state and federal laws and institutional policy. ...

The mover and seconder agreed to accept this change as a friendly amendment. \*[N.B. the above change removing the additional word "about" was not in the draft amendment circulated to senate, it has been removed and treated as a grammatical edit.]

A senator proposed that the proposal be amended to add a new subsection to C-3 providing as follows:

- c. The notice will include a copy of the University Disciplinary Process for Alleged Violations of the Student Code of Conduct.

The mover and seconder agreed to accept this change as a friendly amendment.

A senator asked for clarification on who can attend and speak at disciplinary hearings. He expressed concern that a student may need a translator or may want an advisor to speak at the hearing. Craig responded that the advisor is broadly defined in the proposal and could include a friend, translator or attorney. He indicated that the policy of the proposed code procedures is that students speak on their own behalf. The advisor can be present and the student may ask for a break to consult the advisor. Also, the chair of the hearing panel has the discretion to permit the advisor to speak. Craig also responded that the university would be supportive of a translator on a case-by-case basis. The senator expressed the concern that the proposal did not provide enough support for students who, for whatever reason, were not able to speak for themselves. He suggested that we include specific information in the code to address this concern. Craig responded that in his opinion, a case-by-case approach was better and that we should avoid burdening the code with detailed provisions that would be the basis for future disagreements. Another senator asked whether the provision giving the hearing panel chair discretion to allow an advisor to speak had been

recently added to the proposal. Craig responded that the questioned language has been in the working draft since it was circulated to senators.

A senator expressed concern that the language in subsection C-5 of the proposal, stating that information could not be introduced at the hearing if it was not included in the report, is misleading. He pointed out that at the hearing new evidence that was not available at the time the report was drafted or that was omitted from the report, may be introduced. Craig and Brandt responded that the questioned language was drafted to limit manipulation of the process by withholding information until the hearing. This has been a problem in the past, Brandt elaborated that students need to understand that if they do not disclose information available to them during the investigatory process, they will be precluded from using it later on.

The senator also pointed to subsection C-6.c regarding review of preliminary report; he expressed concern that the proposed language seems vague compared to other provisions regarding student review of the final investigatory report. Craig responded that the method of review at the stage of the preliminary report is intentionally less specific. He explained that review of the preliminary report at the early stage of the investigation process would depend on the type of case. In some cases, the review might be by email. However, in highly sensitive cases such as Title IX cases, the investigator might request that the student come to the investigator's office to review the report in person. The senator expressed the concern that an investigator could make it quite difficult for a student to review the preliminary report.

The senator further asked when the hearing officer might be the sole member of the hearing panel. He expressed concern that this provision might cut off involvement of faculty and staff in the process. Craig responded that the hearing officer would be appointed to help move the disciplinary process forward in a timely fashion when student conduct board members are unavailable or otherwise committed. In addition, the hearing officer might be appropriate in complex cases where the complainant and respondent have personal legal counsel, or where the case involves highly sensitive information such as medical information. Brandt explained that academic dishonesty cases must go to a panel of the Student Conduct Board and that an appeal panel is available in all cases. A senator commented that he believed students might want a hearing officer instead of a larger panel for confidentiality reasons.

A senator suggested that given their difficult and sensitive nature, all Title IX cases should be heard by a hearing officer. Craig responded that either party can request that the administrator appoint a hearing officer, but explained that the taskforce decided not to give any of the parties the ability to force appointment of a hearing officer. He explained that hearing officers may not always be available. The senator responded that given the low standard of proof (more likely than not) and the importance of due process, a party should be able to require the university to appoint a hearing officer. Craig responded that the university is still in early discussions with the state attorney general regarding the availability of independent hearing officers. The senator asked whether a provision requiring review of FSH 2400 in the future to re-examine this question would be appropriate. Craig responded that the taskforce had specifically considered this idea and had decided not to include such a provision. Brandt explained her concern that if we include such a provision for re-consideration and a future senate does not reconsider, the continuing viability of the code might be questioned. The senator asked General Counsel Kent Nelson if he would speak to this issue. Nelson responded that he disagrees with the notion of providing a hearing officer in every case. He explained that the university is not required to do this, but that we would be held to the process we adopt. In his opinion, there is a delicate balance between providing due process to students and yet adopting a procedure that the university is capable of supporting.

A senator asked whether the failure to appoint a hearing officer be grounds for appeal. Craig answered that it would not be grounds for an appeal. The senator followed up by asking whether the respondent be aware that a hearing officer was being appointed. Craig responded that the notice of the hearing will state whether a hearing officer was appointed. Another senator pointed out that pursuant to one of the earlier amendments to the proposal, students would also receive a copy of FSH 2400 with the notice. A different senator commented that providing a copy of the code might be akin to a credit card agreement – somewhat impenetrable to a person un-versed in its provisions. Brandt stated that the Dean of Students Office is already working on developing helpful and supportive materials for students in the disciplinary process. A senator commented that students would also have access to the ASUI student defender to assist them in navigating the disciplinary process.

A senator asked whether it would be possible to amend the code or another provision of the FSH to provide a specific provision emphasizing that all UI faculty and Staff are required Title IX reporters. Craig responded that FSH 3220 currently provides that anyone having knowledge is encouraged to report. The provision is inconsistent with board policy and federal law. Craig has forwarded the provision to the Faculty Secretary to initiate the process of revising the FSH.

Finally, a senator commented about the difficulty of service on the Student Disciplinary Review Board and asked whether training will be offered to Student Conduct Board members. Craig responded that all members of the board are required to take extensive training. The training will be revised to reflect changes in the procedure if the pending proposal passes. Craig also noted that the external hearing officers and the president, if he/she chooses to become involved in a case, must obtain training.

The chair called for a vote on the pending motion as amended. The motion passed with one vote against adoption.

**Student Conduct Board.** The chair explained that given the passage of the amendments to the student disciplinary process, it was now necessary to amend FSH 1640 to provide for the new Student Conduct Board. The proposal amends FSH 1640.83 and eliminates FSH 1640.93. It comes as a seconded motion from the Committee on Committees. The proposal eliminates the two current committees, the Student Disciplinary Review Board and the Student Appeals Committee, and substitutes the Student Conduct Board. The new board is essentially a combination of the two current committees. The proposal passed unanimously.

**Staff Market Compensation Report.** Executive Director of Human Resources and Vice President for Finance Brian Foisy updated senate on the status of the staff market compensation initiative. Director Matthews reported that the proposal and related web portal were rolled out last Friday afternoon. He reminded senate that the institutional goal is to reach the point where our total staff salaries are equal to the total market rate of compensation by 2025. He stressed that this does not mean that every individual employee will be at the market average for their position -- in all likelihood entry level employees will make less than the market average while more experienced employees may make more than the market average. Human Resources has assigned market rates to over 1500 individual positions. Overall, total staff salaries at the university are currently approximately \$10.7 million below the total market average. Of that amount, \$5.8 million is the gap for total salaries paid with general education funds. The rest of the amount is comprised of salaries paid by grant funding, professional fees and other types of non-general education funding. Last spring the staff compensation task force proposed using seven factors to determine where an individual employee's compensation should be. First, the target salary of incoming employees should be at least 80% of the market salary for a particular occupation. Other factors that influence the target salary include the following:

- Education. The taskforce believed it was important to respect educational qualifications. Thus, even where a particular educational level is not required for a job, it is acknowledged in the process of setting compensation.
- Prior experience *directly* related to the job. This factor is difficult to apply. Prior experience plays a different role in the context of setting compensation than it does in the hiring context. Director Matthews gave the example of hiring versus setting compensation for a supervisor of carpenters. In the hiring context, the candidate's experience as a carpenter would be highly relevant to the decision to hire the person as a supervisor. But in compensation context, prior experience as a carpenter is not particularly relevant to the supervisory experience of the person. Despite the difficulty, the consideration of direct prior experience is particularly important because it enables the university to hire the best personnel.
- Additional factors include time with the university, time in the position, and time with responsibility.
- The final factor is merit. The approach to merit has not been finalized.

The web interface that allows individual staff to see their assigned job category (SOC code), market salary, factors contributing to their target salary, and final target salary, appears to be working well so far. Supervisors can also view information about the people they supervise and can download a .csv file containing all the information for their reports.

The upcoming midyear adjustment will consist of approximately \$1 million in general education funding and \$800,000 in other funding. The two primary goals for this adjustment will be to address compensation for staff who are egregiously behind their target salaries (a few staff are up to 50% behind their target salaries) and to begin the process of moving forward all staff who are behind their target salary. Staff who are ahead of their target salary, will not see a mid-year salary adjustment. In the spring, all staff will see some increase as part of the annual change in employee compensation process so long as their job performance is satisfactory.

A senator expressed his view that merit should be taken into account. Some staff who are below market average may be in this position because of weak performance. The opinion of the senator is that it would be a mistake to increase such an employee's compensation while not giving an increase to a similar employee who is ahead of market because of prior excellent performance. Matthews responded that we must get to an equitable baseline for all salaries and that means asking some employees to be patient while other inequitable compensation is adjusted. He also suggested that if an employee's performance is so weak that a unit director declined to even raise the employee's compensation to 80% of market, perhaps the employee's job performance should be evaluated differently. Matthews stressed that supervisors would still have discretion in making salary recommendations. However, he emphasized that the university must develop an equitable and principled compensation system. The chair commented that it is difficult to increase salaries for those ahead of their target salaries as part of a mid-year adjustment, as these adjustments aren't based on performance evaluations.

Chair Hrdlicka commented that merit will be a consideration in the faculty compensation process, but that the approach to merit was still being developed. He also stated that the faculty compensation process is on track to be part of the midyear salary adjustment process. Merit will also not be part of the midyear process. The faculty model will, however, have an inherent merit component in future years as the projected total target salaries calculated the longevity-based model, are below the total market salaries. The gap between the total target salaries and the total market salaries will be utilized to address merit compensation at the discretion of chairs and deans.

The faculty secretary asked if there was a process for addressing possible errors in the assignment of SOC codes or determinations of longevity. Matthews responded that employees should raise these sorts of issues with their supervisor. Human Resources has been working to address and correct such errors. A senator asked whether employees may contact Human Resources directly? Matthews stated that they could do so, but that Human Resources would then consult with the employee's supervisor. Hrdlicka pointed out that the ombuds is a point of contact for employees who are upset about the process. The ombuds, who was a guest at the meeting, explained that she would be available to assist staff in processing information about compensation and in talking to supervisors. However, she emphasized that she was not in a position to make decisions.

Another senator asked whether post docs are included in the market compensation process. Matthews responded that at present they are not included. He was not certain whether they would be included in the process in the future as they are generally paid through grant funding. Chair Hrdlicka pointed out that post docs received an increase in minimum salary last winter as the university worked to come into compliance with then pending Fair Labor Standards Act regulations and that this salary minimum is regarded to be very high by some principal investigators.

The time for the meeting having expired, a motion to adjourn (Morrison/Watson) was made and the meeting was adjourned at 5:06.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

**Provost and Executive Vice President**

Administration Building, Suite 105

PO Box 443152

Moscow ID 83844-3152

Phone: 208-885-6448

Fax: 208-885-6558

uidaho.edu

**Date:** October 12, 2017

**To:** Patrick Hrdlicka, Chair, Faculty Senate

**From:** John M. Wiencek, Provost and Executive Vice President

**Subject:** Selection of Members for University-Level Promotion Committee

**CC:** Liz Brandt, Faculty Secretary  
Ann Thompson, Assistant to Faculty Secretary

It is time to ask the Faculty Senate for nominations to fill the vacancies on this year's University-Level Promotions Committee, tentatively scheduled for Saturday, February 3, 2018. **Colleges must submit the number of nominees as identified below.** Nominees must be available and attend the University-Level Promotions Committee meeting. In accordance with *Faculty Staff Handbook*, Section 3560 H-2, the nominations from Faculty Senate should include the following:

<u>College/Unit</u>	<u>Number of Nominees</u>
College of Letters, Arts & Social Sciences	4
College of Art & Architecture	2
College of Business & Economics	2
College of Education	2
College of Engineering	2
College of Natural Resources	2
College of Law	2
College of Science	2
College of Agricultural & Life Sciences	
Faculty w/>50% Teaching & Research	2
Faculty w/>50% University Extension	2
Faculty at Large	2

Some colleges/units will have representation from individuals who served last year so we may not need to use nominees from these areas; however we would appreciate having names to use as backup should we need to make a substitution. Please join me in asking Faculty Senate representatives to work within their colleges/units to identify nominees. They can submit the names of nominees by completing the attached form and sending it to Mary Stout ([stoutm@uidaho.edu](mailto:stoutm@uidaho.edu)) in my office **by Friday, October 27, 2017**. I will schedule a meeting with you to discuss the formation of the committee.

Please ask the Senators to consider the broad cross section of academic duties for the professorate--scholarly work via teaching, research/creative activity, outreach, and service--when making nominations. It is important to have a committee that on the whole is representational of these major pursuits. I encourage you to nominate professors who are seen as leaders in their colleges and departments. The responsibilities of the committee collectively are to understand and implement the university's policies regarding promotion. Thank you.

## Nominations for 2017-18 University Level Promotions Committee

DUE: **October 27, 2017**

SUBMIT TO: Mary Stout, [stoutm@uidaho.edu](mailto:stoutm@uidaho.edu), or Admin Bldg, Room 104D, or campus zip 3152

College / Unit	Number of Nominees to Submit	College / Unit	Number of Nominees to Submit
College of Agricultural and Life Sciences (4) Faculty w/ >50% Teaching & Research Faculty w/>50% University Extension	2 2	College of Letters, Arts, and Social Sciences	4
College of Art and Architecture	2	College of Natural Resources	2
College of Business and Economics	2	College of Law	2
College of Education	2	College of Science	2
College of Engineering	2	Faculty at Large	2

**Nominee 1:**

College: \_\_\_\_\_  
 Department: \_\_\_\_\_  
 Nominee Full Name: \_\_\_\_\_  
 Current Rank: \_\_\_\_\_  
 Faculty Type: \_\_\_\_\_  
 Work Email Address: \_\_\_\_\_  
 Work Phone Number: \_\_\_\_\_  
 Working Mailing Address/Campus Zip: \_\_\_\_\_

**Nominee 2:**

College: \_\_\_\_\_  
 Department: \_\_\_\_\_  
 Nominee Full Name: \_\_\_\_\_  
 Current Rank: \_\_\_\_\_  
 Faculty Type: \_\_\_\_\_  
 Work Email Address: \_\_\_\_\_  
 Work Phone Number: \_\_\_\_\_  
 Working Mailing Address/Campus Zip: \_\_\_\_\_

**Nominee 3 (CALC & CLASS):**

College: \_\_\_\_\_  
 Department: \_\_\_\_\_  
 Nominee Full Name: \_\_\_\_\_  
 Current Rank: \_\_\_\_\_  
 Faculty Type: \_\_\_\_\_  
 Work Email Address: \_\_\_\_\_  
 Work Phone Number: \_\_\_\_\_  
 Working Mailing Address/Campus Zip: \_\_\_\_\_

**Nominee 4 (CALC & CLASS):**

College: \_\_\_\_\_  
 Department: \_\_\_\_\_  
 Nominee Full Name: \_\_\_\_\_  
 Current Rank: \_\_\_\_\_  
 Faculty Type: \_\_\_\_\_  
 Work Email Address: \_\_\_\_\_  
 Work Phone Number: \_\_\_\_\_  
 Working Mailing Address/Campus Zip: \_\_\_\_\_

Ombuds Office

Brink Hall G-4  
875 Perimeter Drive MS 1106  
Moscow ID 83844-1106

Phone: 208-885-7668  
Fax: 208-885-8947  
[www.uidaho.edu/ombuds](http://www.uidaho.edu/ombuds)

Date: September 30, 2017

To: Charles Staben, President  
Patrick Hrdlicka, Chair, Faculty Senate  
Elizabeth Brandt, Faculty Secretary  
Summer Howard, Chair, Staff Council  
McKenzie MacDonald, President, ASUI

From: Barbara L. Beatty, Ombuds

I am pleased to provide you with the 2016-17 Ombuds Office Annual Report in accordance with *Faculty-Staff Handbook* 3820. This was my first full year as the University Ombuds, and I have been here for one and one-half years to date.

I continue to appreciate the confidence the university administration, faculty senate and student leadership place in the Ombuds Office and the role and function of the ombuds. Without your support, it would not be possible to work effectively in pursuing greater academic and workplace satisfaction and resolutions to many of the sensitive issues brought to the Ombuds Office. I am dedicated to doing my part to empower civility and collaboration throughout the University of Idaho, and take pride in being part of our community.

I am grateful for the commitment the community has given to maintaining this important service for faculty, staff, students, and administrators.

Sincerely,

*Barbara Beatty*

Barbara L. Beatty, M.D.R.  
University Ombuds

# The Ombuds Office 2016-2017 Annual Report

**UNIVERSITY OF IDAHO**

**July 1, 2016– June 30, 2017**



PREPARED BY  
BARBARA L. BEATTY, M.D.R.  
UNIVERSITY OMBUDS

September 30, 2017

## Message from the Ombuds



The 2016-2017 fiscal year completes my first full fiscal year as the University of Idaho Ombuds with approximately one and one half years of service to date. I am even more honored to serve the faculty, staff, students, and administrators as the university's seventh ombuds the longer I am here. I continue experiencing the commitment the university community exhibits towards excellence.

I appreciate President Chuck Staben, Provost and Executive Vice President John Wiencek and the Faculty Senate for their continuing support of the Ombuds

Office and recognizing how our service is integral to accomplishing the Strategic Plan. This commitment to the Ombuds Office and our guiding principles--confidentiality, impartiality, informality and independence--demonstrates respect for all individuals in the Vandal community, especially those who choose to seek the Ombuds' assistance with resolving challenging issues.

Everyone I meet appears to contribute to the mission and goals of the University in their individual and collective ways, and it is evident in helping to make the university a better place to work, learn and live. I am grateful for the privilege to serve as the University Ombuds, and I thank each you for your continued trust and the honor of serving in this capacity.

Sincerely,

*Barbara Beatty*

Barbara L. Beatty, M.D.R.  
University of Idaho Ombuds

September 30, 2017

*"Out beyond right and wrong there is a field. I will meet you there."* – Rumi<sup>1</sup>

---

<sup>1</sup>Rumi was a 13<sup>th</sup> century Persian poet, philosopher and teacher.

# The Ombuds Office 2016-2017 Annual Report

## UNIVERSITY OF IDAHO

### History of the University of Idaho Ombuds Office

The Ombuds Office at the University of Idaho has now reached the quarter century mark and has grown from one part-time faculty ombuds to a full-time ombuds serving the entire university population, including faculty, staff, students, administrators and the occasional concerned parent, retiree or alumni. The previous and first full-time ombuds serving all constituents, R. Ellen Schreiber, retired at the end of 2015. Barbara L. Beatty joined the university in April 2016 as the seventh Ombuds. See Appendix A for the history of the Office.

### Mission, Purpose and Function

The mission of the University of Idaho Ombuds Office is to foster and support a positive and productive working, learning and living environment for faculty, staff, students, and administrators. The office fulfills this mission by promoting mutual respect, enabling fair process and helping resolve problems that emerge within the university.

The Ombuds Office officially became policy in 1999. The Faculty Staff Handbook (FSH) 3820 A-1. States *“The establishment of an ombuds office is predicated on the following premises: (1) disagreements are inevitable in human organizations; (2) unresolved conflict inhibits productive enterprise and disrupts interpersonal relationships; and (3) an impartial third party may afford insights and informal processes for conflict resolution.”*

The primary purpose of the Ombuds Office is to assist members of the university community with resolving their own problems or conflicts informally, and at the lowest level possible, by providing a safe place where they can speak confidentially and candidly about their issues of concern. The ombuds services are voluntary, and people contacting the ombuds are referred to as ‘visitors.’ Visitors receive assistance with clarifying their concerns, understanding applicable policies and procedures, and identifying resources and response options to address their concerns. Like many US academic ombuds offices, the UI Ombuds Office embraces a ‘solutions-focused’ approach to problem solving. While the ombuds may help the visitor to identify possible response options, at all times, the visitor remains empowered to and responsible for selecting his or her own course of action or non-action. The office also serves as a supporter of positive change by helping to identify issues of concern, and by providing timely upward feedback when appropriate.

An Ombuds Office mission and purpose are accomplished by the following:

- listening to concerns compassionately and non-judgmentally
- analyzing problems and exploring possible response options
- providing information about policies and services
- providing individual and group/unit conflict coaching
- facilitating dialogue between individuals and groups
- mediating disputes

The Ombuds Office adheres to and operates by the *Standards of Practice and the Code of Ethics* established by the International Ombudsman Association (IOA) for Organizational Ombuds. The four key tenants are:

- **Confidentiality\***
- **Impartiality/Neutrality**
- **Informality**
- **Independence**

(Definitions Appendix B.)

*\*Certain limitations apply, e.g., concern for imminent harm to self or others and abuse of populations that cannot take care of themselves.*

- providing leadership, management and supervisory consultation/coaching
- referring to campus and community resources
- coordinating with other university offices
- providing training in human relations, communication and conflict resolution
- noting trends and impacts
- bringing systemic problems to the forefront

The benefit to the University of Idaho is the potential for greater workplace satisfaction, higher morale, less turnover and fewer unnecessary formal processes, including legal action.

The Ombuds Office does not maintain records about individual or group issues. The office only keeps general statistical information as used in this report.

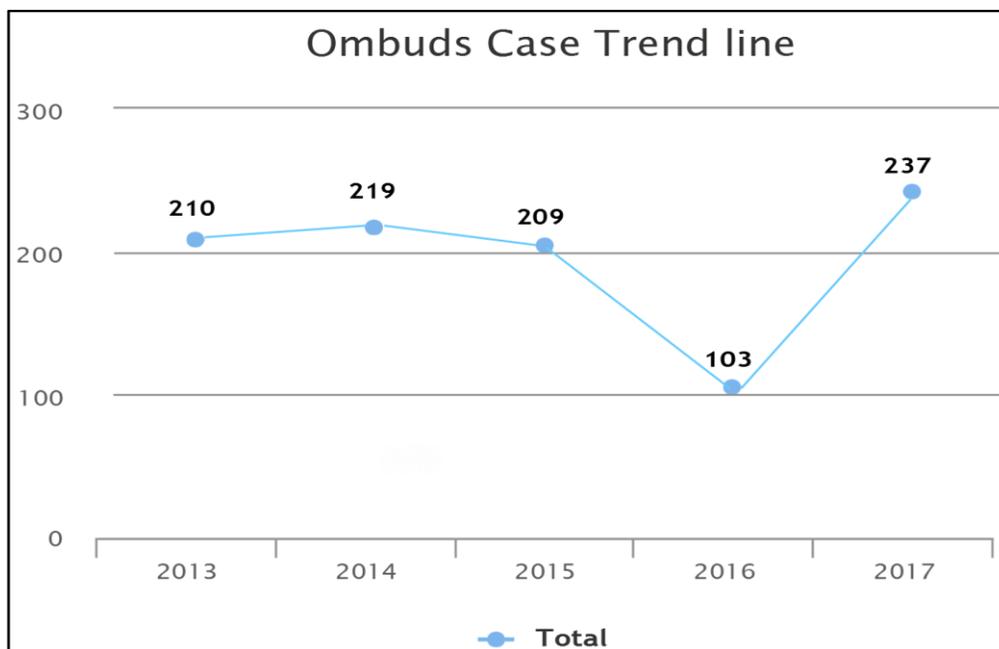
An ombuds is not an official agent of the university and will not serve as a witness nor offer testimony in any formal proceeding, unless required by law. Individuals using the services of the Ombuds Office retain their rights to all formal procedures ordinarily available to them and are solely responsible for determining their course of action.

## Year in Review

2016-2017 resulted in a typical caseload for the Ombuds Office. The ombuds had 237 individual cases, the most ever reported in the 25 year history of the office. The ombuds conducted 2 mediations, 28 facilitated discussions and 1 group facilitation; provided eight visitors with long-term coaching; and gave 22 trainings and 2 guest lectures. See Appendix C for descriptions of each type of service.

*“Do your little bit of good where you are. It’s those little bits of good put together that overwhelm the world.”*

--Marshall Rosenberg<sup>2</sup>

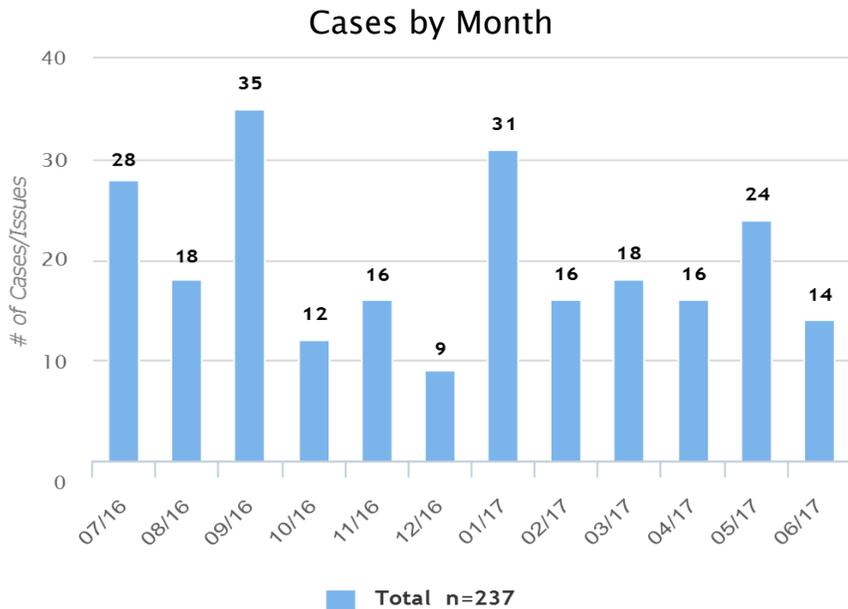


**Figure 1: Total number of Ombuds cases by year.** The previous year, 2016, was a transition year with no ombuds during one month and three different Ombuds throughout the year, resulting in variations in data collecting methods.

<sup>2</sup>Marshall Rosenberg was an American psychologist, mediator, author, and teacher and developed the process referred to as Non-violent Communication, Compassionate or Collaborative Communicatio

***Number of Cases by Month***

The case distribution by month follows a typical ebb and flow throughout the academic year and has been similar for at least the past five years. The middle of summer is typically a slow time for visitors whereas the beginning of each semester shows peaks in caseload.



**Figure 2: Cases by month, 2016-2017**

***Nature of Visitors and Contacts***

This year saw a slight increase in the number of female visitors (141/59%) compared with male visitors (96/41%) In prior years, the distribution was virtually equal. Ten percent of visitors were referred, 90% were self-referred. In 2015-16, 19% of cases were referred and 81% were self-referred to others (administrators, supervisors, advisors, HR, Counseling and Testing Center, EAP, and co-workers/peers.) These statistics may indicate that the Ombuds Office is becoming more established each year and that people know of the service and are willing to use it.

***University Affiliation***

The Ombuds Office provides services to all faculty, staff, students, and administrators of the university with the affiliation designation tied to the party initiating an individual case. The affiliation of all parties within a case is not gathered. The people involved in any one case may include one or multiple administrators; chairs; supervisors; exempt, classified, part-time, temporary staff; students; or other individuals connected with the university. The ‘Other’ category includes temporary help (TH), consultants, visiting faculty, former students, former employees, parents, employment applicants, retirees, and campus visitors that are tracked as long as an issue pertains to a current experience with the university.

Table 1 on the next page shows the distribution of cases based on the initiators’ university affiliation. Visitor affiliations remained largely consistent and within normal fluctuations of the previous five years. Exempt and classified staff continue to make-up the largest number of cases at 41%. Tenured and non-tenured faculty cases combined were 28%. Graduate and undergraduate student cases combined represented 22% of cases and Administrators, including Directors, comprised 6% of visitors.

**Table 1: University Affiliation by Percentage of Cases**

<u><i>Affiliation</i></u>	<u><i>2012-13</i></u>	<u><i>2013-14</i></u>	<u><i>2014-15</i></u>	<u><i>2015-16</i></u>	<u><i>2016-17</i></u>
Percentage	%	%	%	%	%
Classified Staff	34	37	33	31	<b>23</b>
Exempt	18	19	12	15	<b>18</b>
Faculty (tenure-track)	14	20	16	22	<b>22</b>
Faculty (non-tenure track)	1	1	5	4	<b>6</b>
Administrator (Director up)	11	9	8	7	<b>6</b>
Undergraduate	9	7	10	10	<b>8</b>
Graduate Student	5	3	8	4	<b>9</b>
Graduate Assistant (TA/RA)	2	0	0	0	<b>4</b>
Other	3	4	7	6	<b>4</b>
Retiree	0	0	0	0	<b>1</b>
<b>Total</b>					<b>100%</b>

The most notable difference from last year was the increase in undergraduate, graduate and graduate TA/RAs visits by seven percent in 2016-2017.

### ***Volume of Individuals and Number of Contacts per Case***

Table 2 shows that single party cases are the most common, although in past years two-party cases have been more common in some years. Individuals the ombuds gathered basic information or clarification from, such as in Human Resources or other departments, were not counted as parties to a case.

**Table 2: Number of Visitors and involved parties per Case 2016-2017**

<i>Individuals (parties) Involved/Case</i>	<i>No. of Cases/Issues</i>	<i>Percentage</i>	<i>Total No. Contacts</i>	<i>Contacts per No. Individuals</i>
1	165	70 %	349	1 - 13
2	44	19 %	248	1 - 27
3	12	5%	71	1 - 15
4	7	3 %	78	4 - 27
5 - 11	8	3 %	106	9 - 27
<b>Totals</b>	<b>236</b>	<b>100 %</b>	<b>852</b>	<b>1 - 27</b>

### ***Types of Appointments***

Face-to-face consultations were the preferred type of contact for visitors, accounting for 75% of all visits. Twenty-five percent were by phone and five percent were conducted by email, Skype or other means. The percent total is 104% accounting for cases with substantial contacts using multiple methods. Two cases were partially conducted by video conferencing. It will be interesting to see if video technology will be a growing trend for handling ombuds cases, particularly at distance campuses and extension offices. The new Cisco video phones and use of Skype and Zoom have provided improved communication and the ability to connect with visitors.

***"It is never what people do that makes us angry. It's what we tell ourselves about what they did that makes us angry."***  
 — Marshal Rosenberg

Visitors continue to report that being able to talk openly with an informed, confidential and impartial person about their concern was the most helpful feature of the Ombuds Office.

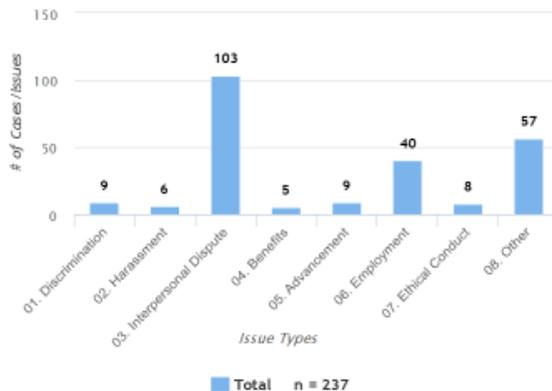
Cases vary significantly for involvement needed. This involvement was reported as ‘*number of contacts*’ in Table 2. Seventy percent of cases involved one visit or contact with no further ombuds/visitor/other involvement. This single contact may involve several hours of consultation in a single session. A typical session is scheduled for 90 minutes; however many last longer than this. The remaining cases involved multiple consultations or contacts, either with the visitor alone (the person bringing the case) and/or with others as needed. The total number of contacts for 2016-17 was 852 as noted in Table 2.

Seven cases involved five to eleven individuals and total contacts ranging from eight to 27 depending on the case. These cases were complex and often involved contacts with others that were not directly involved in the cases. Those secondary contacts were not counted.

***Nature of Problems***

Every organization will have concerns or problems that emerge within the normal process of conducting business. The University of Idaho, like other organization, provides multiple resources in addition to the Ombuds Office to help members of the community address their issues constructively. It is the confidential, impartial, informal, and independent features of the Ombuds Office that most often prompt visitors to seek ombuds services, especially as an initial resource. While contact with the Ombuds Office is confidential, the presenting *issues* are tracked. In noting the *nature* of problems, the Ombuds Office can inform the University of areas requiring attention. Figure three below, shows the distribution of problem categories received by the Ombuds Office across three years, 2015, 2016 and 2017. Descriptions of each category are in Appendix D.

**Total Cases/Issues by Issue Type**



**Figure 3: Problem type by FY years, 2015, 2016 and 2017**

**Resolution of Problems**

Ombuds use a variety of processes to assist visitors with addressing concerns, and most cases involve multiple actions, thus the Actions categories below are *not* mutually exclusive. Five basic categories of ombuds’ actions are summarized in Table 5.

**Table 3: Actions Used by Ombuds 2016-2017**

<i>Action</i>	<i>Cases</i>	<i>Percentage of Cases*</i>
<b>Information</b>	217	92%
<b>Problem exploration</b>	213	90%
<b>Intercession</b> (e.g., mediation, shuttle diplomacy, facilitated discussions)	47	20%
<b>Referrals</b> (e.g., EAP, Counseling and Testing, HR, Civil Rights, Diversity)	11	5%
<b>Longer Term Coaching</b>	5	2%

\*Cases, n = 237. Categories are *not* mutually exclusive and therefore exceed 100%.

**Outreach and Other Services**

The Ombuds Office contributes to the university’s Strategic Plan as a service that supports all of the goals: *Innovate, Engage, Transform and Cultivate*. The Office provides direct problem resolution services for faculty, staff, students, and administrators with the intended result to enable individuals to reduce conflict and work collaboratively to reach their own and the university’s goals. Outreach activities include teaching communication and conflict resolution classes for Professional Development and Learning (PDL,) individual seminars and group facilitations for academic and support departments and for student groups.

Outreach activities help members of the university community become informed about the role of the ombuds and the availability of services as well as provide a venue for meeting the ombuds. It also helps acquaint the ombuds with areas of rising concern.

New Employee Orientation/Benefits Orientation. Attending live monthly New Employee Orientation sessions was an effective outreach activity that reached nearly all new Moscow-based employees and some new employees from off-campus locations. Additional agenda items necessitated Human Resources to to discontinued the live presentation by the ombuds and revert to the voice-over discussion in the general online orientation video. Whenever possible the ombuds meets new faculty and staff personally to welcome them to the university.

Employee and Student Development. The ombuds again continued providing employee professional development classes, unit in-service trainings, department retreat facilitation, student leadership trainings, and student group presentations. Occasionally, faculty members invite the ombuds to give guest lectures on communication skills and conflict resolution. All of these sessions focused on civility, interpersonal communication, conflict management, change, collaboration, and team building. Additionally, the ombuds offers many ‘Meet and Greets’ (M&G) ten minute introductions to the Ombuds Office to groups whenever the opportunity arises.

University Service. The ombuds continued providing service to the broader university community through continuing ex-officio participation on the Benefits Advisory Group, the Professional Development Coordinating Committee and the newly formed Coordinated Community Response Team (CCRT.)

*Professional Service.* The ombuds continued to be a member of the International Ombudsman Association (IOA) and the Ombuds Committee in the Dispute Resolution Section of the American Bar Association (ABA). This year the ombuds worked with the ABA to develop and administer a discounted membership program for ombuds desiring to join the ABA.

In order to promote a broader understanding of the ombuds profession, the ombuds participated in the ABA approved lecture service to Colleges of Law to educate upcoming lawyers to this form of Alternative/Appropriate Dispute Resolution (ADR.) Faculty have asked the ombuds to continue this training. Additionally in August 2016, the ombuds gave three 90-minute talks on communication and conflict resolution to the Northwest Consortium of Professional Staff Annual Conference reaching 100+ participants.

*Professional Development.* The ombuds is committed to continuous professional development and engages regularly in reflective practice with other experienced academic, healthcare, government and corporate ombuds through video conferencing, telephonic consultation and on-site review, when opportunities become available. Reading and research on relevant topics are also part of the ombuds' practice. In 2016-17, the ombuds attended the IOA annual conference and the California Caucus of College and University Ombuds (CCCUO.) The ombuds attended various webinars and teleseminars as time permitted.

### ***Effectiveness of the Ombuds Office***

The definition of a successful outcome and ombuds effectiveness cannot be gauged by whether a problem is ultimately resolved according to a visitor's satisfaction or an ombuds' preference. It is always the visitor's decision how (s)he will choose to resolve their issues. There are multiple descriptors of success:

- Visitor better understands their concern and identifies solution options, is better informed and prepared to self-advocate, act or not act and better understands the potential benefits and consequences of their actions
- A potential problem is avoided
- Further deterioration or escalation of a situation is avoided
- A manifest problem is resolved
- A policy or system problem (and a potential modification) is identified
- Observations and recommendations are made to one or both of the governing bodies.

Helping visitors and all parties to be more respectful, effective, constructive, and fair in seeking solutions to their concerns, and to reduce harmful tensions or hostility are considered successful outcomes from the perspective of the Ombuds Office. However, there are many problems where no remedies or resolution options are available. Some cases can leave visitors with few options, such as:

- termination for cause or performance
- intractable disagreement over disciplinary actions and/or evaluation ratings
- expectations for a position and/or for the corresponding compensation
- many academic or employment decisions with clear processes and policies
- and many academic or employment decisions where no clear procedures or policies exist

In these cases, being heard and being able to confirm that relevant policy or action was appropriately or fairly applied, including talking about possible next steps are crucial to moving forward for all parties. Where procedures or policies are vague this also helps visitors gain insight that can assist their decision making about their issue(s) involved.

**Being heard and understood is *the most powerful intervention***<sup>3</sup>. Each year this intervention alone has likely lessened the emergence of unnecessary escalation. The most common and highly appreciated benefit reported to the ombuds is being heard without judgment or fear of retaliation and being assisted with sorting out issues and response options.

When assessing impacts of ombuds services, results are difficult to measure since visitor perceptions of outcomes are often tied to factors outside of an ombuds' role (an ombuds cannot reverse decisions, change a grade, or adjudicate complaints, etc.) In addition, confidentiality precludes the use of many of the usual forms of evaluation.

Assessment. The Ombuds Office uses three methods to assess the outcomes and impacts of services. The first is a feedback and evaluation form. For individual visitor meetings, a voluntary anonymous feedback form is given to each visitor with instructions to send it directly to the President's Office. These forms are summarized for the annual ombuds evaluation discussion. A second voluntary anonymous feedback form is given to individuals that have received group training from the ombuds. These are also delivered to the President's Office.

Third is an assessment based on the ombuds' self-analysis of completed cases ranking each case resolution between 'Satisfactory', 'Neutral' and 'Unsatisfactory.' These assessments are not a measure of visitor satisfaction, but are used as an element of reflective practice. The scale attempts to help the ombuds evaluate the service provided and outcome of each case as objectively as possible. Appendix E describes the Outcome Identifiers that fall within each category that guides the ombuds' appraisals.

As in previous years, the greater number of cases gauged to be positive outcomes reflects the ombuds' observation that the activities noted below generally contributed to more positive and less negative outcomes for most issues. This was true even when the visitor had received an irrevocable action from the university. Despite not attaining a full resolution, an adverse situation that stabilizes and does not decline further, may at best be considered a satisfactory or, at the least, a neutral outcome.

Contributing to more positive and less negative outcomes:

- non-judgmentally actively listening, empathizing and understanding
- working through an issue or problem with an impartial skilled listener
- developing a broader perspective on the problem
- identifying relevant policies and procedures
- developing constructive response options
- having difficult conversations mediated directly or indirectly

### ***Ombuds Observations and Comments***

Most concerns or problems brought to the Ombuds Office are specific to a set of circumstances or particular individuals. However, when issues appear to be systemic within a college or division, or reflect broader trends that might warrant further attention, the ombuds may share these directly with the relevant administrator(s) and make recommendations in accordance with the provisions of the *Faculty-Staff Handbook*. Individuals bringing the concerns are still kept confidential and when possible, individual colleges and departments are kept confidential.

*“The ombuds is encouraged to comment on policies, procedure and processes with an eye to positive future change. These observations should be shared with the administrators and bodies with jurisdiction over those policies, procedures, and processes.” (FSH 3820 B-6)*

<sup>3</sup>Gallup Polls did a survey of one million employees asking them what the most important attribute their bosses could have. The number one answer was *“The ability to be heard.”*

Workplace culture and climate. The ombuds has observed that visitors appear to be focusing forward with fewer references to past concerns about the overall direction of the university. Changing the climate and culture of an organization takes time, patience and dedication. The dedication of the current administration seems to be apparent to more and more faculty and staff. However, there continues to be a steady concern about potential or perceived retaliation. This is not the type of retaliation covered under Federal Law as protected classes. It is retaliation based on the perceived current and potential behaviors and actions of those in equal or higher positions of authority than that of the visitors.

This is concerning to the ombuds because, unless dealt with appropriately, even a small amount of retaliation can infect a culture with levels of fear that can limit the pursuit of excellence in an organization. Retaliation can quickly stop a culture from changing and reverse any small gains that might have been made. Continuing to instill from the top down to each college, department and unit the importance for respect for and civility to all individuals in the community will help minimize the stifling effect perceived retaliation can have on people.

One thing the ombuds observed was the appreciation for administrators and executive staff increased transparency about issues university and workplace. Transparency enhances trust and trust is critical to enhancing a strong, positive culture.

General Civility. Civility and basic courtesies are often a concern of visitors who come with concerns about individual colleagues, co-workers, peers, supervisors, managers and administrators (directors, deans, vice presidents.) The overall university campus is professional and generates a certain level of community cohesiveness and commitment. Individuals who are perceived as uncivil, or to the extreme, bullies, appear to not know or not be using certain traits of leadership that will engender the best from their faculty, employees and co-workers. These people can generate a disproportionate amount of dissatisfaction in their spheres of influence. There are several ways in which this could be addressed. Again, such changes are best at succeeding if there is commitment and action from the top down with a conscious effort to model such behavior throughout the leadership to individual employees.

Supervisory Training. Effectiveness and efficiency of supervisors (supervisor, manager, director, chair, and dean) continues to present as something that could be improved upon from basic skills through leadership attitudes and approaches. The majority of visitors to the Ombuds Office share that all or part of their concerns were related to what they perceived as inappropriate, unprofessional behavior by supervisors. These concerns applied to both new and experienced supervisors at several levels. The issues related to these management concerns are varied. Improving supervisory and management hiring and training will likely result in a strong positive impact on the workplace culture and climate. In turn, this significantly improves the overall culture and climate at the university enhancing our journey to our individual and collective goals.

Support for Employees. The ombuds has noted that the perspective of many first and second line employees visiting the office is that there is no real support, beyond the Ombuds Office, either informally or formally for them when actions are necessary to reduce conflict. Their perspective is that the chain of command above them and their immediate supervisor have given or will always give preference to the supervisor without considering the employee's viewpoint when an issue arises. Such attitudes and actions can be disempowering to employees who seek fairness and a desire to grow and become the best they can be in their current and future positions. Some want to eventually move to positions of greater responsibility, but believe it is futile if they cannot be treated fairly in their present positions.

The Ombuds Office exists to informally help individuals and bring observations and recommendations, as noted above, to the awareness of the governing bodies of the university. While the totality of issues brought to the ombuds represents a limited number of people, they are nonetheless significant. It is generally understood that for every one visitor, there may be several others who do not come forward that have the same or similar issues. When responded to effectively by those who have both the responsibility and authority they are likely to steer the course of a culture to a more positive place. The ombuds remains committed to helping all individuals collectively and collaboratively reach their individual and mutual goals.

## Appendix A

### History of the Ombuds Office

A faculty member first proposed the Ombuds Office to the Faculty Council in 1988. The office was established in 1992 under President Elizabeth Zinser and operated under the title of Office of the Faculty Ombudsman. The office was originally staffed by a half-time faculty member whose responsibility was to serve the faculty.

In response to a growing need for staff ombudsman services, Carol Hahn was appointed interim staff ombudsman in 1994, and served for one year. The following year, the faculty ombudsman's services were formally expanded to include staff. Due to the increase in caseload by 1998, President Robert Hoover approved the addition of a half time, non-faculty ombudsman. R. Ellen Schreiber was appointed to the position.

From 1998 through 2009, the Ombuds Office expanded to include staff and eventually students. In January 2010, upon the retirement of then Co-Ombuds James Fazio, ombuds R. Ellen Schreiber become the university's first full-time ombuds charged with serving administrators, faculty, staff, and students.

The terms 'Ombudsman,' 'Ombudsperson' and 'Ombuds' are used interchangeably in the profession. During approximately the last ten years the shortened version 'Ombuds' has become the dominant name for this position.

#### Evolution of the University of Idaho Ombuds Office 1988-present

Office

- 1998-2009     **Students** were officially allowed to use the services of the Ombuds Office
- 1995            **Staff** were officially allowed to use the services of the Faculty Ombuds Office and 'Faculty' was dropped from the name
- **1992**           **President Elizabeth Zinser** officially established the Faculty Ombuds Office staffed by a half-time faculty member
- 1988            **Ombudsman Office proposed** by faculty member to the Faculty Council

Ombuds

- 2016- present   **Barbara L. Beatty**
- 2010-2015      **R. Ellen Schreiber** became the first fulltime ombuds (full service 1998-2015)
- 2006-2009      **James R. Fazio**, Dept. of Conservation Social Sciences
- 2003-2005      **Charles Morrison**, Counseling and Testing Center
- 1999-2003      **Thomas V. Trotter**, Dept. of Counseling and School Psychology, Special Education and Educational Leadership
- 1998             **R. Ellen Schreiber** was appointed as a half-time non-faculty ombuds
- 1994             **Carol Hahn** was appointed as an interim staff ombuds
- 1992-1999      **David J. Walker**, Dept. of Agricultural Economics/Rural Sociology

## Appendix B

### Tenets of the Organizational Ombuds

In fulfilling its purpose, the Ombuds Office at the University of Idaho adheres to and operates by the *Standards of Practice* and the *Code of Ethics* for Organizational Ombuds as established by the International Ombudsman Association (IOA.) Organizational Ombuds differ from Classical/Executive Ombuds and other types of Ombuds in that they do not conduct formal investigations where confidentiality cannot be maintained. Nor do they advocate for anything other than fair process. Organizational Ombuds are not official agents of the University and therefore are not required to report certain events as mandated by Federal law.

**Confidentiality.** All contacts, conversations and information exchanged with the ombuds remain confidential and are not disclosed by the ombuds without the consent of all parties involved. Limits to confidentiality exist when disclosure is necessary to protect someone from imminent harm and when otherwise required by law.

**Neutrality and Impartiality.** An ombuds is a designated neutral on behalf of all members of the university community. As such, the ombuds remains impartial and unaligned. An ombuds does not take sides, serve as an agent, represent or advocate on behalf of any party or the university. Rather, it is the role of the ombuds to consider the facts, rights, interests, and safety of all parties involved in a search for a fair resolution to a problem. An ombuds promotes and advocates fairness and justice.

**Informality.** Consultations are conducted ‘off the record’ and *do not constitute notice to the university* in any way. Organizational Ombuds are not mandated reporters for most Federal and State laws. An ombuds does not become involved in or part of formal institutional processes (such as mandatory reporting, formal complaints, investigations, appeals, etc.), unless otherwise specified in policy, and then only as a neutral process observer. No personal information is retained or used for subsequent formal proceedings. An ombuds will not serve as a witness nor offer testimony in any formal proceeding, unless required by law. Individuals using the services of the Ombuds Office retain their rights to all formal procedures ordinarily available to them and are solely responsible for determining their course of action.

**Independence.** To ensure objectivity, the office operates independently of all university entities and reports to the highest possible level of the organization. *An ombuds exercises sole discretion over whether or how to act regarding an individual’s concern, a trend or concerns of multiple individuals over time* (IOA Standards of Practice.)

## Appendix C

### Types of Services offered by the ombuds

**Cases** A ‘case’ is any new or recurrent *issue* (after a previous case closure) that is brought to the ombuds’ attention by one or more individuals seeking assistance. While the Ombuds Office does market its services, it does not proactively seek or initiate cases.

Cases vary from a single informational visit to highly complex interventions involving multiple parties and meetings, and requiring considerable time. There may be more than one case initiated by a single visitor if each issue requires independent follow-up.

The number of cases represents a conservative figure since numerous contacts occur informally and spontaneously in the course of doing ombuds business, such as during university meetings, training workshops, periodic involvement within units (when multiple concerns emerge) and during training and outreach visits.

While some of these encounters do result in case entries, numerous others are part of the ombuds’ routine function and are not entered for tracking purposes. The number of *issues* and number of contacts tracked are far better reflections of the time the Ombuds spends on cases rather than the number of individual visitors.

**Mediations** are formal facilitated discussions where an agreement is written. When legal issues are involved, the mediations are binding and an official agent of the university signs the agreement. Other mediations are non-binding good faith agreements between parties.

**Facilitated Discussions** are similar to mediations however, they are more informal and do not have written agreements.

**Group Facilitations** can be focused on team building, conflict resolution or general meetings and are a combination of training and working through the leadership goals of the group.

## Appendix D

### Types of Issues Presented

Figure 3, page 4

- Discrimination:** Nine cases involving a potential discrimination issue came directly to the Ombuds Office. The situations were discussed and the visitors was referred to the appropriate resources. This number is up from one year ago.
- Harassment:** Six cases of harassment came directly to the Ombuds Office. Four involved general harassment or actual or perceived bullying, and two were regarding sexual harassment that was referred to the Civil Rights Office.
- Interpersonal Dispute with/between:** The largest category of disputes this year were with or between individuals, totaling 103 cases. Of these, the majority were with Supervisors, followed by supervisees.
- Benefits:** There were five cases attributed to benefit issues. One cases related to retirement or health insurance, three cases involved family medical leave.
- Advancement:** There were nine cases related to faculty advancement. Of the nine cases, three were concerning salary. Increasing perceptions of salary inequities, complaints of significant disparities among similar positions and raises continued the core issues. Another three were related to promotions. Tenure and non-reappointment issues accounted for three of the remaining advancement cases, with one additional case related to a probationary period.
- Employment:** The employment category had 40 cases relating to specific areas of concern. This was the second largest category of problems brought to the Ombuds Office. The most frequent sub-categories within the employment category concerned salary agreement decisions amounting to 34 cases. Another two cases were related to the hiring process, two related to teaching load/course assignment, two related to working conditions, and two related to job descriptions.
- Ethical:** There were eight ethical concerns. Four dealt with academic honesty and authorship, and two with intellectual property and two with lab health/safety issues.
- Other:** The 'Other' category allows for the ombuds to fill in an issue that is not listed in the other categories. There were 58 cases listed in this category, up 13 from last year. Eleven were not specified and left as 'miscellaneous' and 12 dealt with policy/procedure issues. Another four dealt with academic issues and two dealt with disciplinary action. Financial aid issues accounted for five; department/unit/chair function 23. One case dealt with performance, selection and removal of a department/unit chair.

## Appendix E

### Ombuds Self-Appraisal of Outcomes/Impacts of Cases, 2016-17 Total n - 237

#### Outcome Category and Specifier

---

<b>Resolved satisfactorily with Ombuds Office assistance</b>	<b>n= 194</b>	<b>82%</b>
<ul style="list-style-type: none"> <li>• <u>Mediation</u>: agreement/compromise reached through mediation; formal action avoided; visitor given another chance or situation otherwise satisfactorily resolved. <span style="float: right;">1%</span></li> <li>• <u>Miscellaneous Techniques</u>: conflict resolved short of mediation; may involve ‘shuttle diplomacy’ or similar workshops intervention, with entire unit, or other techniques; formal action not taken. <span style="float: right;">--</span></li> <li>• <u>Facilitated Discussions</u>: Ombuds served, by invitation or suggestion, as neutral observer; may involve role as moderator, but not mediator; party(ies) satisfied with outcome; formal action not taken. <span style="float: right;">24%</span></li> <li>• <u>Coaching</u>: Long-term coaching was provided. <span style="float: right;">5%</span></li> <li>• <u>Information only or ‘light coaching:’</u> was provided by ombuds; and/or helps party to self-advocate. Visitor satisfied. <span style="float: right;">70%</span></li> <li>• <u>Policy/Procedure</u> or system modification/improvement. <span style="float: right;">0%</span></li> <li>• Other <span style="float: right;">0%</span></li> </ul>		
<b>Neutral Outcome (Ombuds Office had no direct impact)</b>	<b>n = 39</b>	<b>16%</b>
<ul style="list-style-type: none"> <li>• <u>Neutral Listener</u>: Ombuds role was primarily as a neutral listener; little or no ‘coaching’ \or additional information was provided. Visitor already had or did not need information, but needed ‘someone to listen;’ may have received confirmation of ideas/plans, but nothing new added by ombuds. <span style="float: right;">80%</span></li> <li>• <u>Cancels or ‘vanishes’</u>: Visitor initiated and then canceled or ‘vanished’ after setting appointment or before follow-up action was completed. <span style="float: right;">15%</span></li> <li>• <u>‘Unrepairable:’</u> situation upon arrival (e.g. temporary help, already terminated, tenure was denied for appropriate reason, or visitor resigned). <span style="float: right;">3%</span></li> <li>• Other.</li> </ul>		
<b>Results Unsatisfactory</b>	<b>n= 4</b>	<b>2%</b>
<ul style="list-style-type: none"> <li>• <u>Visitor disgruntled</u>: with ombuds efforts and discontinued visits or contacts. <span style="float: right;">0%</span></li> <li>• <u>Visitor disregarded</u> advice/solution and suffered consequences. <span style="float: right;">75%</span></li> <li>• <u>Lack of cooperation</u>: unfair practice or situation not resolved nor corrected due to <span style="float: right;">25%</span></li> <li>• Other. <span style="float: right;">0%</span></li> </ul>		

On occasion, problems would resurface or new issues arose with previously served parties. Situations that deteriorate after concluding ombuds involvement are not reflected in the ombuds assessment above.

*“You can waste your life drawing lines. Or, you can live your life crossing them.”*

*--Shonda Rhimes<sup>4</sup>*

<sup>4</sup>Shonda Rhimes America is an American television producer, screenwriter, and author.



6880

### CAMPUS RECREATION

*PREAMBLE: This section outlines recreational opportunities for students, faculty, staff, and the general public offered by Campus Recreation. In January 2017 an outdated section on Swim Center use was removed. Unless otherwise noted, the text is as of July 1996. For further information, call 208-885-6381. [ed. 7-00, rev. 1-17]*

~~A. Campus Recreation provides students, faculty, staff, and to a limited extent the general public with recreation opportunities. Activities provide opportunities for:~~

~~A-1. Spending leisure time in structured or unstructured sport and recreational activities.~~

~~A-2. Meeting and participating with others who have similar recreational interests.~~

~~A-3. Increasing interest in sport and recreational activities that can continue throughout the participant's lifetime.~~

~~A-4. Developing group spirit and identity by participating together in play situations.~~

~~A-5. Improving fitness and, consequently, enjoying a healthier body and a more alert mind.~~

~~B. Campus Recreation administers the following functional areas:~~

~~**B-1. Intramural Sports.** The intramural sports program consists of structured activities that involve organized competition (men's, women's, and co-rec) in individual, dual, and team sports among residence halls, fraternities, sororities, off-campus student groups, and faculty staff. Program direction, selection of activities, and development of operational policies are provided by the student managers of groups participating in intramural sports.~~

~~**B-2. Informal Recreation.** The informal recreation program consists of unstructured activities in which facilities, supervision, and equipment are provided but for which there are few organized events.~~

~~**B-3. Fitness.** Campus Recreation provides opportunities for individuals to acquire new activity skills, improve skills, gain knowledge and insight, and improve fitness through self-directed activities and non-credit classes for university students, faculty, and staff.~~

~~**B-4. Special Events.** Special event programs provide opportunities to participate in organized recreation and sport events. The program meets needs and interests that are not met through competitive intramural sports programs or other recreation programs. [ed. 7-00]~~

~~**B-5. Swim Center.** The Swim Center program provides:~~

~~a. Opportunities to improve fitness through self-directed and staff-directed activities.~~

~~b. Recreational swimming and aquatic play opportunities during leisure time.~~

~~c. Structured fun and competitive special events.~~

~~d. Noncredit instructional classes to improve swimming, safety, and rescue skills.~~

~~**B-6. Locker Room Services.** Locker room services provide locker and shower room facilities and attendants, towel and locker service, and equipment checkout for physical education classes and general recreational use.~~

~~**B-7. Summer Session Recreation.** The summer session recreation program provides special leisure time opportunities for students and employees.~~

**UI FACULTY-STAFF HANDBOOK**

Chapter VI: OTHER GENERAL INSTITUTIONAL POLICIES

Section 6880: Campus Recreation

2007 (editorial)

---

~~**B-8. Sport Clubs.** In cooperation with the ASUI Recreation Advisory Board and the Director of the Student Union/Student Activities the Campus Recreation unit manages the University of Idaho Sports Club Program.~~

~~**C. USE OF RECREATIONAL FACILITIES.** Access to the Memorial Gymnasium and the Physical Education Building for recreational use is as follows *(ed. 7-00)*:~~

~~**C-1. UI Students.** Full or part time undergraduate and graduate students may use recreational facilities free of charge (valid UI identification card required).~~

~~**C-2. Faculty and Staff.** Faculty and staff members on regular appointment, as well as retired personnel, may use recreational facilities free of charge (valid UI identification card required).~~

~~**C-3. Irregular Help.** UI employees not on regular appointment may use recreational facilities through the fee-based facility pass program.~~

~~**C-4. Special Programs.** Persons attending UI sponsored programs such as workshops, seminars, and short courses, may use recreational facilities with a special programs activity pass available from the specific program director or coordinator.~~

~~**C-5. University Guests.** UI departments may purchase passes that can be used by their guests for access to recreational facilities.~~

~~**C-6. Personal Guests.** Friends and relatives may use recreational facilities as guests of students or employees. Guests must be accompanied by their UI host while using facilities. One day guest passes may be purchased at the Campus Recreation Office during regular office hours. Guest passes are not transferable and are good only on the dates specified.~~

~~**C-7. General Public.** Persons not connected with UI may use recreational facilities on a regular basis through the fee-based facility pass program. Some restrictions apply to children.~~

~~**C-8. Spouses.** The spouse of a UI student or faculty or staff member may use recreational facilities on a regular basis through the fee-based facility pass program.~~

~~**C-9. Children and Youth.** Children and youth, whether of a UI-related family or not, may use recreational facilities under the following conditions:~~

~~a. All children must have a facility pass or guest pass.~~

~~b. Children under the age of 18 must be accompanied and supervised by their parents or guardians who are participating in the same activity.~~

~~e. Use of the weight room is limited to individuals who are 18 years old or older.~~

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #8**

**3:30 p.m. - Tuesday, October 10, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

- I. Call to Order.**
- II. Minutes.**
  - Minutes of the 2017-18 Faculty Senate Meeting #7, October 3, 2017 (vote)
- III. Consent Agenda.**
  - Committee on Committee Summer/Fall Committee Appointments
- IV. Chair's Report.**
- V. Provost's Report.**
- VI. Other Announcements and Communications.**
- VII. Committee Reports.**
  - **Student Code Task Force** (Craig/Eckles/Brandt)
    - **FS-18-003: FSH 2400** – Disciplinary Process for Violations of Student Code of Conduct (vote)
    - **FS-18-004: FSH 1640.83** – Student Conduct Board (vote)
- VIII. Special Orders.**
  - Staff Compensation (Foisy/Matthews)
- IX. Unfinished Business and General Orders.**
- X. New Business.**
- XI. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #7  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #7, Tuesday, October 3, 2017**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Baird, Barbour (Twin Falls), Brandt (w/o vote), Brown, Bugingo, Cannon, Caplan, De Angelis, Foster, Grieb, Hrdlicka, Jeffery, Johnson, Kern (Coeur d'Alene), Leonor, Morgan, Morrison, Nicotra, Ostrom for Zhao (Idaho Falls)(w/o vote), Panttaja, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote). **Absent:** Ellison, Mahoney, Zhao (Idaho Falls). **Guests:** 10

**Call to Order and Minutes:** The chair called the meeting to order at 3:30. A motion (Panttaja/Johnson) to approve the minutes unanimously passed with one abstention.

**Chair's Report:**

- On October 6<sup>th</sup> a campus-wide meeting regarding staff market-based compensation will be held at 2:30 in the International Ballroom at the Pittman Center. Information about the meeting is available here: <http://www.uidaho.edu/news/news-articles/faculty-staff-news/2017-september/091117-marketbasedcompensation>
- Annual enrollment for the UI health plans will be between October 16 and November 7. A schedule of informational meetings is posted at: <http://www.uidaho.edu/human-resources/benefits>. Meetings will be recorded and off-campus faculty and staff may also participate via Zoom.

Chair Hrdlicka also asked senators whether they had received feedback on the draft student code disciplinary process. One senator indicated that his colleagues are likely to have significant comments and that he is in the process of gathering them.

**Provost's Report:** The Provost stated that he has been reviewing comments on how to implement program prioritization reallocations within Academic Affairs that were submitted via sli.do. He also is in discussions with deans regarding how to implement the reallocation. These comments and conversations indicate that reallocations should focus on enrollment because it is central to the strategic plan and that they should be related to the size of current budgets. He sees the process of arriving at final reallocation targets as iterative. He plans to communicate the college reallocation targets within the next week or so, and will ask deans to develop plans for their reallocation responsibilities. He will review these plans and may make changes in the targets in response to this process.

A senator commented that the sli.do polling process seemed to have a small number of participants and, consequently, might not be representative of faculty views on how to implement reallocation. In particular, the senator commented that the importance of research may be understated. The provost pointed out the feedback process and sli.do poll were communicated to all faculty and staff in academic affairs. Chair Hrdlicka emphasized that the solicitation of faculty and staff input was broadly communicated, but also expressed his opinion that research should play an important role in the reallocation process. The provost responded that emphasizing enrollment at this time is appropriate because such an emphasis is consistent with waypoint one of the university's strategic plan. He pointed out that the university cannot move toward R-1 status without making significant new investments in faculty. These investments will only be possible if enrollment is increased. The strategic plan emphasizes enrollment for this reason.

**Consent Agenda** – Faculty Secretary Liz Brandt explained that Senate Leadership will be including a consent agenda in future meetings as necessary. She explained that items on the consent agenda would be automatically approved by senate unless any senator requests an item to be removed from the consent agenda. The consent agenda will be used for ministerial items that are believed by Senate Leadership to be non-controversial such as approving changes to committee memberships, and the list of graduates each semester. She urged senators to review the consent agenda, if there is one. Chair Hrdlicka reminded Senators that any member of senate may request that an item be removed from the consent agenda and brought to the floor for discussion.

**Final Exam Schedule.** Registrar Heather Chermak and Associate Registrar Dwaine Hubbard presented proposals for re-organizing the university final exam schedule. Chair Hrdlicka introduced the topic by explaining that last year Faculty Senate took up the question of whether exams should begin at 7:30 am. See minutes of 2016-17 [Meeting #11, November 8, 2016](#) and [Meeting #18, February 21, 2017](#). Senators raised three concerns with the early morning start time:

- 1) neither students nor some faculty function at their best at that early hour,
- 2) the 7:30 start time could lead to safety issues for those travelling to campus in the early morning in winter conditions, and
- 3) the 7:30 start time might pose difficulties for both faculty and students with morning family and child care responsibilities.

Registrar Chermak agreed to consider alternatives to the current schedule. The purpose of today's presentation is to follow-up on the discussion begun last year and receive preliminary reactions to possible revisions in the schedule.

Chermak indicated that the Registrar's Office had looked at the university's needs, considered a range of input and examined the approaches of other institutions. Two alternatives to the current exam schedule were presented:

- 1) Alternative 1: Exams begin at 8:00 am and end at 9:00 pm. The bulk of exams would be between 8:00 am and 5:00 pm, but evening classes and common finals would be during the evening. To make up for the later start, breaks between finals are to be reduced from 30 minutes to 15 minutes. The faculty secretary questioned whether a 15-minute break was sufficient for students with back-to-back exams. A senator pointed out that many exams do not last for the entire 2-hour exam period. Others stated that some exams take the entire allotted time and some students would like more time. Practices differ from discipline to discipline. Chermak indicated that her office had not looked into the question of whether the entire two-hour exam time was needed or used. Another senator suggested that for faculty and students with childcare responsibilities, delaying the close of the afternoon exam time to 5:30 may simply shift the problem from morning to evening.
- 2) Alternative 2: Exams begin at 7:30 am and last until 8:45 pm. Common finals would be between 9:00 pm and 11:00 pm, but no exams are scheduled on Friday. A senator suggested ending exams at 11:00 pm in the winter would increase the risks of accidents during late night winter travel from campus and other safety issues. Another senator expressed concern that ending exams so late would not provide an adequate opportunity for sleep to students who have a late night exam, followed by early morning exam.

A senator asked whether retaining the current system for exams was being considered. Chermak answered that retaining the current system was definitely being considered. Other senators questioned the rationale for Alternative 2 eliminating Friday exams. Hubbard explained that it would provide more options to students who leave town at the close of final exams.

A senator suggested that we consider retaining the current schedule, but push all start times back 30 minutes later. This way exams would start at 8:00 am and end at 9:30 pm. This small change would enable exams to start later, but would only extend evening exams by 30 minutes. Chermak agreed that this might be a possible approach. She explained that her office wanted to take the opportunity to present a more radical change in the exam schedule to the university community to spur discussion and fresh thinking on the topic. Another senator asked whether the current 5:00 to 7:00 pm exam slot could be used differently. She commented that she does not use scheduled make-up times for exams, but instead schedules a mutually convenient time with students. Chermak responded that the time slot was nonetheless needed for exams in evening classes.

Another senator noted that most faculty in her department do not give final exams. She wondered if there is a way to track this so that rooms during the exam period could be used more efficiently. Chermak commented

that under the current approach to exam scheduling, the registrar would need to identify the courses with no final exams a year in advance. This timing might pose a challenge for faculty and departments since courses can be changed or dropped, faculty change and some faculty do not decide whether they will give final until much later. However, the registrar will look into whether this possibility could create additional scheduling flexibility. While it would not address the overall scheduling issues, identifying open classrooms would provide flexibility for emergencies. The university must develop an emergency plan for finals. Finally, another senator asked whether Saturday exams have been considered. The registrar indicated that some peer institutions utilize Saturday exams.

Chair Hrdlicka summarized the discussion. There seemed to be positive support for Alternative 1 with the primary criticism that the 15-minute break between exams was inadequate. There was little enthusiasm within the senate for Alternative 2. Many senators find the possibility of moving the current schedule back 30 minutes to be attractive.

Registrar Chermak appreciated the conversation and ideas. Her office will consider the input and will develop a more detailed proposal to present to the University Curriculum Committee.

**Concealed Weapons Concerns.** Matt Dorschel, Executive Director of Public Safety and Security began his presentation by pointing senators to the resources and support systems available to employees who have concerns about safety on campus as outlined in the informational brochure included with the senate packet. He encouraged senators to forward this information to their colleagues and invited them to contact him for follow-up.

Regarding firearm safety and concerns specifically, Director Dorschel indicated that the university has resources available. He provided senators with a detailed list of the offices and contacts on campus who can help with firearm safety issues. The Office of Public Safety and Security take reports of safety concerns from employees as well as any person on campus. Situations do not have to rise to a level of actual threats before a report is made, but instead can include any concerning behavior that a person believes may warrant attention. Complaints and reports can be made anonymously online through the Clery Incident Report System (<http://www.uidaho.edu/infrastructure/pss/forms/clery-incident-report>), by phone or by email ([campus-security@uidaho.edu](mailto:campus-security@uidaho.edu)). When a report is received, the university threat assessment and management team is convened. The team includes members of academic affairs, associate deans, representatives of student affairs, the counseling testing center, general counsel, and human resources. Others who might have detailed information about the subject of the report may also be included. The team has been trained and participates in national emergency preparedness exercises. They can put in place mitigation steps to address the concerns raised in a report both to assist a potential victim and to intervene to prevent a violent act from happening.

A senator asked if there have been reports or violent instances over the last year involving firearms on campus. If so, has the Public Safety and Security Office been able to address the concern? What have they learned? Director Dorschel indicated that the threat assessment and management team met between 15 and 20 times during the past year. They discuss every report – there is no minimum threshold. They did take several actions this past year including issuing no trespass orders to several individuals who did not have a reason to be on campus, alerting the Moscow Police Department (MPD), and some involving the student discipline system. Regarding the latter action, at least one student has been expelled as the result of a report. With respect to firearms in particular, the 2014 concealed carry law has not had much of an impact on incidents on campus. There have been a few reports of accidental display of a firearm. They have communicated with the individuals involved and reminded them of their responsibility to avoid public display of their weapons. They believe they have been able to address concerns on campus.

Another senator asked what kind of training and outreach efforts have been made to alert faculty to issues regarding weapons on campus, particularly new faculty. Director Dorschel indicated that he is available to speak to senior leadership or any size group that wants to take advantage of his offer. The Office of Public

Safety and Security offers active shooter response training with the MPD. They also make recommendations for unique responses in particular buildings and situations. Dorschel reflected that his office has to continually remind people that they can consult the Public Safety and Security website which contains FAQs. Secretary Brandt stated that the active shooter evaluation is very helpful and gave examples of how the College of Law had implemented recommendations.

**Twin Larch Development Proposal. Professor Mike McCullough.** Twin Larch Sanctuary is a 42-acre scenic preserve, with a four bedroom, three bath home of approximately 2,200 square feet, located on the south slope of Moscow Mountain within 5 miles of Moscow, Idaho. At an elevation of 3,300 feet, the home has sweeping views of the Palouse. Dr. James Austin and his wife Judith Austin donated the home to provide a retreat atmosphere for live-in or one-day small group sessions. It was further intended as a congenial setting for interuniversity collaboration involving UI, WSU, LCSC and NIC. Lastly, it was intended to provide for experiential learning opportunities involving university students. The University of Idaho is planning to sell the property. Consistent with the terms of the original gift, all proceeds (after reimbursement of minimal university capital spending) are to go to a private, nonprofit non-university entity. McCullough is asking the university to delay selling the property until next spring to allow time to form an exploratory committee to determine if a non-university nonprofit could successfully manage the property consistent with Dr. Austin's original vision. The exploratory committee would be composed of faculty, staff, and alumni and would determine the legal structure of any nonprofit, demand, the revenue model, and the bylaws of the group.

A Senator asked whether the plan is for the property to remain available to employees for retreats. McCullough indicated that this is part of the very rough business plan—a small fee would be charged for such events. Also, the plan is to develop a revenue model to generate income by renting the facility out on evenings, weekends and breaks to faculty, staff, and alumni. There is still a lot of research to do. But, McCullough's sense is that now, maybe more than ever, a facility like this might be useful. Several senators commented that they had never heard of the property. A senator asked whether the property had been offered to WSU as provided in the original gift. McCullough indicated that he thought the answer was yes and that WSU had not expressed interest in the property. The chair indicated a brief description of the property would be circulated and he encouraged senators to circulate the information to colleagues and to contact Senate Leadership or McCullough if they are interested in assisting.

**Borah Symposium.** Bill Smith and Steve Daley-Laursen informed Senate of the upcoming Borah Symposium. The symposium will be focused on honoring the role of past leaders in furthering the cause of Peace and Outlawing the Act of War. Information about the symposium is available here: <http://www.uidaho.edu/class/borah/fall>. This year is the 70<sup>th</sup> Anniversary of the Borah Symposium. It has been moved to the fall semester from its past timing in April in order to provide a longer lead-time for planning. The Borah Foundation partners with the Borah symposium committee to sponsor the annual symposium. The Martin Institute, whose mission overlaps with the Borah Foundation and committee, provides the support for the committee.

Since Eleanor Roosevelt spoke at the first symposium in 1948, it has had an interdisciplinary focus. This year the symposium will focus on Outlawing War. The keynote address on Monday, October 16, will be given by Nobel Prize winner Shirin Ebadi who will speak on "The Role of Women on World Peace." On Tuesday, October 17, Professor LeRoy Ashby will speak on "The Life and Times of William Edgar Borah at the Renfrew Symposium. On Tuesday evening Professor Scott Shapiro will speak on his forthcoming book, "The Internationalists: How a Radical Plan to Outlaw War Remade the World", co-authored with Oona Hathaway.

A motion to adjourn (Johnson/Panttaja) was made and the meeting was adjourned at 4:32 pm.

Respectfully Submitted,  
Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

## 2017-18 Committee Appointment Changes/Vacancies

Changes to Senate Committees since those approved by Senate Spring 2017

Committee	Vacancy/appointment
<b>Academic Petitions</b> – Shauna Corry (Interim Dean) Denise Bennett has class during meeting time	Erick Larson (dean)(2019) Erin Stoddart, Library (2020)
<b>Administrative Hearing Board</b>	Shaakirah Sanders, Law (2020)
<b>Committee on Committees</b> Bahman Shafii retired	Charles Morrison, Counseling (2018)
<b>Faculty Affairs</b> – Liz Brandt stepped down	Alexandra Teague, English (2020)
<b>Faculty and Staff Policy Group</b> -new	Monique Lillard, Faculty (2020) Raja Krishnan, Faculty (FAC) (2019) Kenton Bird (2018)
<b>Faculty Appeals Hearing Board</b> – Torrey Lawrence, associate dean stepped down	Scott Metlen, (dept. admin)(2019)
<b>General Education Assessment Committee</b> –	<b>Vacant</b> (faculty/staff) (2019)
<b>Safety &amp; Loss</b> – Science	Onesmo Balemba (2020)
<b>Scientific Misconduct</b> Dale Goble retired	Tim Link, CNR (2018)
<b>Student Appeals Committee</b> – John Foltz leaving	Denise Bennett, JAMM (2020)
<b>Student Disciplinary Review Board</b> -	Steve Meier (2020) Diane Armpriest, Arch. (2020)
<b>Student Financial Aid</b> – Marc Chopin unable to serve	Roger McVey, Music (2020)
<b>UBFC</b> – new structure only new members are listed, prior senate reps were moved to represent their college. Law Engineering CLASS At-Large A&A Education	Deb McIntosh (2018) Alves-Foss (2020) Rachel Halversen (2020) Kristin Henrich (2018) Bruce Haglund (2019) Phillip Scruggs (2020)
<b>UCC</b> – Matthew Foss left	Torrey Lawrence (2020)

Staff

Univ. Budget & Finance Comm.	Lisa	Miller
Univ. Budget & Finance Comm.	Kristen	Frietag
Parking	Michael	Hammes
Classified Position Appeal Board	Carry	Salonen
Student Appeals Committee	Mark	Borth
Faculty/Staff Policy Group	Sam	Green
Faculty/Staff Policy Group	Mindi	Wood

ASUI

Arts	Grace	Zimmerman
Facilities Scheduling	Sean	Collins
GEAC	Jordan	Johnson
General Education Assessment Com.	Jordan	Johnson
Honors Program Committee	David	Vail
Officer Education	Hagen	Hunsaker
Safety & Loss	Cynthia	Ballesteros
Safety & Loss Control	Cynthia	Ballesteros
Student Disciplinary Review Board	Jesse	Watson
Ubuntu	Ayo	Popoola
Univ. Budget & Finance Comm.	Alexander	Bergdorf

DISCUSSION DRAFT

**University Disciplinary Process for Alleged Violations of Student Code of Conduct**

**A. Introduction**

1. The purpose of the Student Code of Conduct (Code) is to help protect the safety of the University community and educate students about appropriate and responsible behavior, and to do so in a manner designed to educate students about their civic and social responsibilities as members of the University community, while complying with applicable state and federal laws and institutional policy. The primary focus of the disciplinary process is on educational and corrective outcomes; however, sanctions including suspension or expulsion from the University may be necessary to uphold community standards and to protect the campus community. University discipline is not in the nature of punishment for a crime, and the University's discipline process is not equivalent to state or federal criminal prosecutions. University disciplinary proceedings for any and all matters encompassed within the Code [FSH 2300] and the Statement of Student Rights [FSH 2200] are addressed under the following rules and regulations.

**B. Definitions**

1. Advisor: a person of the student's choosing who has agreed to advise the student during the University disciplinary process and attend scheduled meetings with the student. The Advisor's role is simply to advise the student, and the Advisor is not permitted to speak during hearings, conferences, or interviews unless allowed by the University official conducting the interview.
2. Chief Student Affairs Officer (CSA Officer): the Dean of Students, unless the President appoints a different official to serve as the CSA Officer.
3. Code: the Student Code of Conduct, which is currently found in FSH 2300 and FSH 2400.
4. Complainant: the person(s) reportedly harmed by the Respondent's alleged violation of the Code.
5. Days: days that the University is open for business, not including Saturdays, Sundays, Fall Recess, Winter Recess, Spring Recess, or University holidays.
6. Investigator: the person assigned by the University to conduct an investigation into a report of a violation of the Code. In all Title IX cases, the Title IX Coordinator shall assign the investigator. In all other cases, the investigator may be any qualified person assigned by DOS.
- ~~6-7~~ Student Conduct Administrator (Administrator): the official at the University of Idaho who has been designated by the CSA Officer to serve in this role. It shall also include the Administrator's designee.
- ~~7-8~~ DOS: the Office of the Dean of Students at the University of Idaho.
- ~~8-9~~ Hearing Officer: a person appointed by the Administrator to serve as the person presiding over a hearing in accordance with Section G.
- ~~9-10~~ Parties: the Respondent and, in Title IX cases only, the Complainant.
- ~~10-11~~ Respondent: the student who is alleged to have violated the Code.
- ~~11-12~~ Student: includes, but is not limited to, 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;

DISCUSSION DRAFT

- b. Persons who are eligible to enroll for classes without submitting an application for re-admission;
- c. Individuals participating in the American Language and Culture Program, Independent Study of Idaho sponsored by the University of Idaho, the University of Idaho International Student Success Program (UI-ISSP), or any other similar educational program of the University.

~~12~~13. Student Conduct Board (SCB): the body which reviews student disciplinary matters, as set forth in sections ~~D-2, and E and F~~ and FSH 1640.83.

~~13~~14. Title IX case: any disciplinary case, investigation, charge, or allegation involving alleged dating violence, domestic violence, sexual assault, sexual harassment, or stalking. The Title IX Coordinator may also designate any other case as a Title IX case.

~~14~~15. University: the University of Idaho, in all of its campus locations, education, outreach and research programs, including extension programs and distance education programs, and at all locations where any of these programs are offered or administered.

**C. Investigation**

1. Any member of the University community having knowledge of a potential violation of the Code may report the violation to either DOS or, in Title IX cases, to the Title IX Coordinator. A report should be in writing, but may be reported orally to the appropriate University official. A report should be submitted as soon as possible after the event takes place.
2. The University may conduct an investigation into any report of a violation of the Code. The purpose of the investigation is to determine whether a violation may have occurred and to gather relevant information concerning each allegation of a Code violation.
3. The investigator may conduct a preliminary review to determine whether there is sufficient information to engage in a formal investigation. The preliminary review may include interviewing the Complainant, Respondent, and other witnesses. If, after the conclusion of the preliminary review, the investigator decides to engage in a formal investigation, the investigator must notify the Respondent of the allegation.
  - a. The notice must be in writing and may be delivered either in person to the Respondent, or by email to the student's official University email account. If the notice cannot be delivered either in person or to the student's official University email account, the notice shall be delivered by any means reasonably likely to reach the student.
  - b. The notice shall inform the Respondent of the specific provision(s) of the Code the Respondent is alleged to have violated and include a short description of the basis of the alleged violation.
4. The investigator must give the Respondent an opportunity to meet with the investigator in person within a reasonable time after the notice of allegation is delivered to the Respondent in order to give the Respondent an opportunity to respond to the notice, present information in his or her defense, present any information the Respondent would like the investigator to consider, and provide the names of any witnesses the Respondent would like the investigator to contact.
5. At any time during the investigation, either the Complainant or the Respondent may, but is not required to, provide information to the investigator for the investigator to consider. Such information may include documentary information, the names of witnesses, witness

DISCUSSION DRAFT

statements, suggested questions to ask the other Party or other witnesses, etc. Only information that is presented to the investigator may be used in a hearing under section D.

6. Preliminary Report of Investigation
  - a. At the conclusion of the investigation, the investigator shall draft a Preliminary Report of Investigation (Preliminary Report) setting forth the steps taken during the investigation; a list of witnesses contacted; a detailed summary of any witness interviews; a detailed summary of any interviews of the Respondent and/or Complainant; a detailed summary of any other information considered as part of the investigation; and complete copies of any relevant documentary evidence gathered during the investigation, including copies of documentary information provided by the Respondent and/or the Complainant.
  - b. The Preliminary Report shall not include any conclusions, findings, or credibility analysis.
  - c. The parties shall be provided an opportunity to review the Preliminary Report and may provide a written response to the Preliminary Report within five days of the review of the report. A party shall be deemed to have waived the right to review the report if the party does not make arrangements with the investigator to review the report within five days of being notified that the report is available to be reviewed. The written response may include requests for additional investigation, additional witnesses to interview, or additional questions to ask any witness.
  - d. After the time for submitting a written response to the Preliminary Report has passed, the investigator shall review any responses received and determine whether additional investigation is needed. If additional investigation is deemed appropriate, the investigator shall draft a revised Preliminary Report and shall give the parties an opportunity to review the report, as set forth in section C.6.c, above
  - e. After reviewing any written responses received within the time period allowed for submitting written responses, the investigator shall either continue the investigation or draft a Final Report of Investigation. The investigator has sole discretion of determining whether sufficient information has been obtained in order to end the investigation process.
7. Final Report of Investigation
  - a. The Final Report of Investigation (Final Report) shall contain everything included in the Preliminary Report plus complete copies of any written responses received within the time period allowed for submitting written responses, a credibility analysis, recommended findings, and recommended conclusion as to whether the Respondent violated the Code.
    - (1) Credibility Analysis. The Final Report should include an analysis of the statements provided by each party and interviewee, as necessary, to determine whether the statements provided by that person are credible. The analysis may include a description of the person's demeanor during the interview(s), a comparison of statements made to known facts or statements from other witnesses, the person's ability to observe the event described, the person's bias, whether the person was under the influence of a controlled substance or alcohol, and any other information that a reasonable person would use in his or her everyday affairs to determine a person's credibility. Not every case will require a detailed credibility analysis of each interviewee, and the credibility analysis may

## DISCUSSION DRAFT

be part of the particular finding. However, in cases where the credibility of the interviewee is material to the conclusion, there should generally be a separate credibility analysis.

- (2) Recommended Findings. The investigator's recommended findings regarding factual issues shall include a description of the basis for each finding. Each finding shall be based on a more likely than not standard and should include information from the interviews, documentary information obtained during the investigation, and, if relevant to that finding, information regarding the credibility of the Respondent, Complainant and/or witnesses.
  - (3) Recommended Conclusion. In making a recommended conclusion, the investigator must apply the Code to the findings to reach a determination of whether the findings as found by a more likely than not standard constitute a violation of the Code.
- b. Sanctions. If the Final Report includes a recommended finding that the Respondent violated the Code, the Final Report shall not include recommended sanctions.
  - c. The Final Report shall be provided to the Administrator. The Administrator shall provide the Final Report simultaneously to the parties.

### **D. Hearing Process**

1. Student Conduct Administrator's Review:
  - a. After the Final Report is submitted to the Administrator, the parties may each submit a written response to the Final Report. This response must be provided to the Administrator no later than five days after the Final Report is provided to the parties. The Administrator may meet with the parties, separately, to discuss the Final Report.
  - b. A party may request that the matter be referred to the SCB for a hearing. The request must be in writing and must be submitted to the Administrator no later than five days after the Final Report is provided to the parties. If a party timely submits a request for the matter to be referred to the SCB:
    - (1) In non-Title IX cases, the Administrator shall refer matters to the SCB for a hearing if:
      - (i) The Administrator determines that there is sufficient information in the Final Report such that a finding could be made that the Respondent violated the Code; and
      - (ii) The Administrator determines that the appropriate sanction could include suspension, expulsion, or the withholding or revoking of a degree.
    - (2) In Title IX cases, the Administrator shall refer matters to the SCB for a hearing in matters in which the Administrator determines that there is sufficient information in the Final Report such that a finding could be made that the Respondent violated the Code.
    - (3) In all other cases, the Administrator shall decide whether the Respondent violated the Code.
  - c. If a matter is not referred to the SCB for a hearing::
    - (1) The Administrator shall decide whether the Respondent violated the Code. The Administrator shall make the decision based on the information contained in the Final Report, the written responses to the report, if any, submitted to the Administrator by the parties, and, if the Administrator chooses to meet with the

DISCUSSION DRAFT

- parties, the information provided at the meeting to the Administrator by the parties.
- (2) The Administrator should adopt the findings and credibility analysis contained in the Final Report, unless the Administrator finds that the findings or credibility analysis are not more likely than not to be true. Any additional or different findings issued by the Administrator must be based on a more likely than not standard.
  - (3) The Administrator is not required to defer to the recommendation contained in the Final Report as to whether the Respondent violated the Code, but is entitled to freely apply the Code to the findings in order to determine whether the Respondent violated the Code.
  - (4) If the Administrator determines that the Respondent violated the Code, the Administrator shall determine the appropriate sanction.
  - (5) The Administrator's decision shall be in writing and include the basis for the decision. The written decision shall be simultaneously provided to the parties.
  - (6) The Administrator's decision may be appealed in accordance with section E.
- d. At any time before the matter is submitted to the SCB, DOS may refer a charge of a violation of the Code to mediation or other forms of appropriate conflict resolution. All parties must agree to participate with DOS in the conflict resolution process. Complaints of physical sexual misconduct or violence shall not be referred for alternative resolution under this paragraph, except in unique circumstances approved by the Title IX Coordinator after consultation with the Office of General Counsel and the CSA Officer.
2. Student Conduct Board Hearing
- a. In matters referred to the SCB, the Administrator (or designee) must send written notice to the SCB and the parties.
    - (1) The notice shall be in writing and may be delivered either in person to the parties, or by email to the student's official University email account. If the notice cannot be delivered either in person or to the student's official University account, the notice may be delivered by any means reasonably likely to reach the student.
    - (2) The notice must inform the Respondent of the specific provision(s) of the Code the Respondent is accused of violating, and include a short description of the basis of the alleged violation, the date and time for the hearing, and the deadline for submitting written materials to the Administrator.
    - (3) The written notice shall also include the Final Report and any responses to the Final Report which were timely submitted to the Administrator.
  - b. Except in cases referred to a Hearing Officer under Section G, the chair of the SCB shall appoint three to five members of the SCB to serve as a Hearing Panel to review each matter.
    - (1) The chair of the SCB shall appoint one of the Hearing Panel members to serve as chair of the panel. A student may not serve as chair of a Hearing Panel.
    - (2) The Administrator (or designee) shall serve as a non-voting, ex-officio member of every Hearing Panel and may be present and available as a resource during all deliberations. The Administrator is responsible for informing the panel of any previous conduct violations or other relevant disciplinary actions involving the Respondent.

DISCUSSION DRAFT

- c. In every case submitted to a Hearing Panel, the parties may submit written materials for the panel to review as part of its decision. To be considered by the Hearing Panel, all written materials must be submitted to the Administrator prior to the deadline set forth in the notice. The Administrator shall ensure that any materials timely submitted are distributed to the parties and the Hearing Panel prior to the hearing. The written materials may only consist of the following:
- (1) Suggested questions for the panel to ask the Respondent or the Complainant;
  - (2) Written discussion or argument addressing the information contained in the Final Report;
  - (3) Information (as opposed to a discussion of the information contained in the report) that was not considered by the investigators in the Final Report only if the information was not available prior to the completion of the Final Report or if the information was provided to the investigator prior to the completion of the investigation but the information was not included in the Final Report.
- d. Hearing procedures:
- (1) The hearing shall be held at the time and place listed in the notice. The hearing shall be held no less than five days after the notice is provided to the parties.
  - (2) All hearings are closed to the public. The only people allowed to be present during the hearing are the parties, each individual party's Advisor, the investigator(s), the Administrator, the Title IX Coordinator (or designee) in Title IX cases, one or more attorneys from the Office of General Counsel, and the members of the Hearing Panel. The panel chair may give permission for others to attend the hearing in the panel chair's discretion, after consultation with the Administrator.
  - (3) The only witnesses at the hearing shall be the investigator(s), the Complainant, and the Respondent. In non-Title IX cases, the Complainant may only be present during the portion of the hearing where the Hearing Panel questions the Complainant, unless the chair determines in appropriate cases that the Complainant may remain for the entire hearing. In extraordinary circumstances, if the investigator is unable to be present at the hearing, the DOS may designate a representative to be there in the place of the investigator. Neither the Complainant nor the Respondent ~~are~~ is required to say anything at the hearing.
    - (i) The panel chair, in consultation with the Administrator, may call additional witnesses if the panel chair determines that the additional witnesses are necessary for the Hearing Panel to properly resolve the case. This discretion should be used sparingly. The intention of the Code is that the Final Report, in the vast majority of cases, should provide a sufficient basis for the Hearing Panel's decision, recognizing that the parties may speak in person to the Hearing Panel and to respond to the Final Report.
  - (4) It is each party's responsibility to inform the panel chair and the Administrator of scheduling conflicts no less than three days prior to the scheduled hearing. The Administrator shall have the sole discretion as to whether to reschedule the hearing. Except in cases of grave or unforeseen circumstances, if either party fails to appear, the hearing will proceed as scheduled.
  - (5) If a report of a violation of the Code involves more than one Respondent, the Hearing Panel shall conduct a joint hearing with all Respondents. However, the

DISCUSSION DRAFT

panel chair may permit the hearing pertinent to each Respondent to be conducted separately. In joint hearings, separate determinations of responsibility shall be made for each Respondent.

- (6) Only the chair of the Hearing Panel may ask questions during the hearing, and doing so is at the sole discretion of the chair. However, the chair may seek input from panel members on areas for questioning. The parties may submit suggested questions in writing as long as the questions are received prior to the deadline for submitting written materials contained in the notice. Questions based on information that arises during the hearing may be submitted in writing during the hearing at the discretion of the panel chair.
  - (7) For complaints involving sexual misconduct, discrimination, or other complaints of a sensitive nature, the panel chair, in consultation with the Title IX Coordinator and the Administrator, may allow the Complainant to attend the hearing, answer questions, and make a statement from behind a partition or from another room or location through audio/video technology.
  - (8) The panel chair has discretion as to how to conduct the hearing. Generally, however, the hearing should be conducted as follows:
    - (i) Opening statement by the Respondent addressing the Final Report and the allegations that the Respondent violated the Code;
    - (ii) In Title IX cases, opening statement by the Complainant addressing the Final Report and the allegations that the Respondent violated the Code;
    - (iii) Questions, if any, by the panel chair of the investigator(s), Respondent, and/or Complainant;
    - (iv) Final statements by the Respondent and, in Title IX cases, the Complainant.
  - (9) In making its decision, the Hearing Panel shall consider all relevant information from the following sources:
    - (i) the Final Report, including the findings and conclusions contained in the report;
    - (ii) any written information provided by the parties as provided above; and
    - (iii) the information received at the hearing.
  - (10) In Title IX cases involving allegations of sexual misconduct, the past sexual history or sexual character of either party shall not be considered by the Hearing Panel except in extremely unusual cases where the panel chair determines that the information is critical to a proper understanding of the specific facts of the case at hand. Demonstration of pattern, repeated, and/or predatory behavior, in the form of previous findings in any legal or campus proceeding, or in the form of good faith allegations, may be considered in making the findings and, if a violation of the Code is found, the sanction.
  - (11) There shall be a single record, such as an audio recording, for all hearings. Deliberations shall not be recorded. Failure to record the hearing for any reason is not to be considered a procedural error that substantially impacts the decision and will not be grounds for appeal or reversal of the Hearing Panel's decision.
- e. Hearing Panel Decision
- (1) The Hearing Panel shall issue a written decision, which should be issued within ten days after completing deliberations. The [panel](#) chair shall provide the written

## DISCUSSION DRAFT

decision to the Administrator, who shall then simultaneously provide the decision to the parties.

- (2) The Hearing Panel should adopt the findings and credibility analysis contained in the Final Report, unless the Hearing Panel finds that the information presented at the hearing warrants a different finding or the Hearing Panel finds that the findings or credibility analysis are not more likely than not to be true. Any findings issued by the Hearing Panel must be based on a more likely than not standard.
  - (3) The Hearing Panel is not required to defer to the recommendation contained in the Final Report as to whether the Respondent violated the Code, but is entitled to freely apply the Code to the findings in order to determine whether the Respondent violated the Code.
  - (4) Unless the panel chair is a Hearing Officer appointed to serve as chair without a vote, the panel chair shall participate in all votes, and all Hearing Panel decisions shall be made by a majority vote.
  - (5) If the Hearing Panel determines that the Respondent violated the Code, the Hearing Panel shall determine the appropriate sanction(s). The Administrator shall serve as a resource to the Hearing Panel to help ensure that sanctions are reasonably consistent among similar cases.
  - (6) The Hearing Panel may return the matter for additional investigation if the Hearing Panel determines that:
    - (i) The investigator failed to properly investigate the allegation and the failure was both substantial and to the student's detriment; or
    - (ii) There is new information that could substantially affect the outcome and the new information could not have been discovered before the issuance of the Final Report.
3. Either party may appeal a Hearing Panel's decision.
  4. Sanctions imposed by the Hearing Panel shall generally not go into effect until either the time period for an appeal has expired and no appeal has been filed or until the decision is upheld on appeal. However, the CSA Officer may impose any sanction imposed by the Hearing Panel as an interim action pending the appeal.

### **E. Appeals**

1. Any party may appeal the Administrator's or Hearing Panel's final decision. Appeals must be submitted in writing to the Administrator and must set forth the grounds for the appeal. The appeal must be filed no later than five days after the decision is delivered to the parties. The Administrator shall ensure that the parties receive a copy of the appeal.
2. Appeals are limited to the following grounds:
  - a. A procedural error occurred in the investigation process that significantly impacted the outcome of the hearing;
  - b. New information, unavailable during the investigation or hearing, that could substantially impact the original finding or sanction has been presented in the appeal documents;
  - c. The sanctions imposed are substantially disproportionate to the severity of the violation (the imposition of an administrative fee is not a sanction, and therefore cannot be appealed); or

DISCUSSION DRAFT

- d. The decision is not based on substantial information. A decision is based on substantial information if there are facts in the case that, if believed by the fact finder, are sufficient to establish that a violation of the Code occurred.
3. An appeal shall be limited to a review of the decision, the Final Report, any written material considered in the decision, the recording of the hearing held before the Hearing Panel, and any written materials submitted with the appeal. Where an appeal is based on the discovery of new information, the new information may be considered only to determine whether the information was unavailable at the time of the decision and whether the new information could substantially impact the original finding or sanction.
4. Appeal Panel Procedures:
  - a. The chair of the SCB shall appoint three to five members of the ~~SCB Student Conduct Board~~ to serve on the Appeal Panel, and shall designate one member to serve as chair of the Appeal Panel. Any member who served on a Hearing Panel shall not serve on the Appeal Panel on the same case. A student may not serve as chair of an Appeal Panel.
  - b. In Title IX cases, the non-appealing party may file a response to the appeal within five days of the filing of the appeal.
  - c. The Appeal Panel shall issue a written decision. The decision should be issued within fifteen days of receiving the appeal. The chair of the Appeal Panel shall provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.
5. The Appeal Panel may:
  - a. Uphold the Administrator's or Hearing Panel's decision;
  - b. Uphold the finding that the Respondent violated the Code, but revise the sanctions;
  - c. Return the matter for reconsideration; or
  - d. Return the matter for additional investigation.
6. Unless the case is returned for reconsideration or to the investigator for additional investigation, the decision of the Appeal Panel is the final institutional decision. If the decision upholds the finding that the Respondent violated the Code, the sanctions imposed shall go into effect immediately.

**F. Student Conduct Board**

1. The description and make-up of the SCB can be found in [FSS 1640.83](#).
2. A member of the SCB shall not serve on any Hearing Panel or Appeal Panel in any case where the member has a conflict of interest or bias for or against either party.
3. If procedures call for the appointment of three or more members to serve on a Hearing Panel or Appeal Panel, the chair of the SCB should endeavor to appoint at least one student to the Hearing Panel or Appeal Panel. A student may not serve as chair of the Hearing Panel or Appeal Panel. In disciplinary cases involving allegations of academic misconduct, a majority of the Hearing Panel or Appeal Panel should ordinarily be faculty members.
4. All members of the SCB must receive annual training as determined by DOS, the Title IX Coordinator, and/or the Office of General Counsel. A member cannot serve on either a Hearing Panel or Appeal Panel until the member has completed this training.
- 4.5. Proceedings before the SCB, whether before a Hearing Panel or Appeal Panel, are confidential and protected by the Family Educational Rights and Privacy Act (FERPA). In specific disciplinary cases, members of the SCB must protect the confidentiality of the

DISCUSSION DRAFT

information they receive in fulfilling their duties as members of the SCB. Panel members must not discuss specific cases or share any information regarding specific disciplinary cases or their deliberations with anyone other than the SCB Chair, the Office of General Counsel, the Administrator, or fellow panel members appointed to the same panel in that specific case, and in all such instances, the discussion or sharing of information must be reasonably necessary for the panel's consideration of the specific case.

**G. Use of a Hearing Officer**

1. In any case requiring a hearing before a panel of the SCB, the University may use a Hearing Officer to conduct that hearing.
2. The decision as to whether to appoint a Hearing Officer shall be made by the Administrator. The decision as to whether to appoint a Hearing Officer may not be appealed and may not be challenged on appeal as a procedural error.
3. The Hearing Officer may be appointed to serve as follows:
  - a. As a non-voting chair of the Hearing Panel whose duties are to run the hearing and ensure all proper procedures are followed;
  - b. As a voting chair of the Hearing Panel whose duties are to run the hearing, ensure that all proper procedures are followed, and to have a vote on the decision; or
  - c. As the chair and only member of the Hearing Panel whose duties are to run the hearing, ensure that all proper procedures are followed, and to issue the decision. When the Hearing Officer serves as the sole decision-maker, the Hearing Officer's decision shall be treated for all purposes the same as the decision of a Hearing Panel under the Code.
  - d. In cases involving allegations of academic dishonesty, a Hearing Officer may only be appointed as a non-voting chair of the Hearing Panel, but may not be appointed as a voting member of the Hearing Panel or as the chair and only member of the Hearing Panel.
4. The Administrator shall appoint the Hearing Officer from a list of Hearing Officers approved by the Office of General Counsel. The Hearing Officer must not have a conflict of interest or bias for or against either party.
5. The Office of General Counsel shall determine the appropriate qualifications for a person to serve as a Hearing Officer and shall make a list of approved Hearing Officers available to the Administrator.

**H. Interim Action**

1. At any time before a final institutional decision, the CSA Officer, or designee, may impose restrictions on a student and/or separate the student from the University community pending the final institutional decision. If circumstances allow, the CSA Officer (or designee) should meet with the student prior to imposing the interim action.
2. Other than issuance of no contact orders, an interim action issued prior to a hearing before the Hearing Panel may only be imposed when the CSA Officer determines that the student represents a threat of serious harm to any person; the student is facing allegations of serious criminal activity; the action is necessary to preserve the integrity of the investigation; the action is necessary to preserve University property; and/or the action is necessary to prevent disruption of, or interference with, the normal operations of the University. After the Hearing Panel's decision, pending an appeal of the decision, the CSA Officer may impose a sanction issued by a Hearing Panel as an interim action at the discretion of the CSA Officer.

DISCUSSION DRAFT

3. In any Title IX case, the investigator, in consultation with DOS, may issue a no contact order prohibiting the Respondent and/or the Complainant from contacting the other. A no contact order should be routinely issued in Title IX cases and there need not be a specific determination made as provided above.
4. Interim actions may include, but are not limited to, the following:
  - a. Suspension from the University pending a final institutional decision;
  - b. Issuance of a no contact order;
  - c. Exclusion from University property;
  - d. Removal from the residence halls;
  - e. Removal from extracurricular activities, including participation on athletics teams;
  - f. Withholding the award of a degree pending the conclusion of the investigation and hearing process; or
  - g. Any other action deemed necessary and appropriate by the CSA Officer to maintain orderly and appropriate University operations.
5. Where a student is suspended from the University, or directed to not attend certain classes, alternative coursework options may be pursued, with the approval of the CSA Officer and the appropriate college dean, to ensure as minimal an impact as possible on the responding student.
6. An interim action must be made in writing and is effective when the CSA Officer delivers the Notice of Interim Action to the responding student either in person or by email sent to the student's official University of Idaho email account.
7. The Respondent may appeal the imposition of any interim action by filing an appeal with the CSA Officer. There are no formal procedures for this appeal, and the interim sanctions remain in effect unless overturned by the CSA Officer.
8. A violation of the provisions of an interim action shall be considered a violation of the Code.

**I. Sanctions**

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

DISCUSSION DRAFT

- j. 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.
- k. Withholding Degree: the University may withhold awarding a degree otherwise earned until the completion of all sanctions imposed.
- 2. More than one of the sanctions listed above may be imposed for any single violation.
- 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.
- 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.
- ~~5. The student shall be responsible for administrative and educational costs of any and all sanctions imposed for alcohol related violations.~~

**J. Miscellaneous**

- 1. At any point during the disciplinary process prior to a final institutional decision, the Administrator and the parties may agree to an appropriate resolution without further investigation, hearing, or appeal. The agreed upon resolution may include the use of appropriate alternative dispute resolution methods.
- 2. Role of an Advisor: In accordance with the educational purpose of the Code, all students, including Respondents and Complainants, are expected to speak for themselves at all stages of proceedings under the Code, including, but not limited to, during the investigation, hearing, and any appeal. Any student may have an Advisor present at any time during any interview, meeting, or proceeding under the Code, but the Advisor's role is to advise the student, not to speak for the student or make any presentation on behalf of the student. The student may, at any time and for a reasonable period of time, confer with the Advisor. If the University official conducting the proceeding determines at any time that the Advisor is acting outside of these parameters, the Advisor may be required to leave the proceeding at the official's discretion. In appropriate circumstances, at the sole discretion of the University official conducting the proceeding, the University official may allow the Advisor to speak on behalf of the student and/or make a presentation on behalf of the student.
- 3. Any time a student is found to have violated the Code, DOS may charge the student an administrative fee of \$150. This is not considered a sanction and may not be appealed.
- 4. 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. This is not considered a sanction, and the decision as to whether to notify the parents or not rests entirely within the discretion of DOS.
- 5. Training: All members of the SCB, the Administrator, the Title IX Coordinator, and the investigators shall receive annual training in accordance with the requirements of the policies of the Board of Regents of the University of Idaho and the Idaho State Board of Education (said policy is currently found at Section I, Subsection T), the Clery Act and implementing regulations (see, e.g., 34 C.F.R. § 668.46(k)(2)(ii)), and Title IX.
- 6. With the exception of the deadlines for filing an appeal (see section E) or for requesting a hearing before the SCB (see section D.I.b), all other timeframes contained in the Code

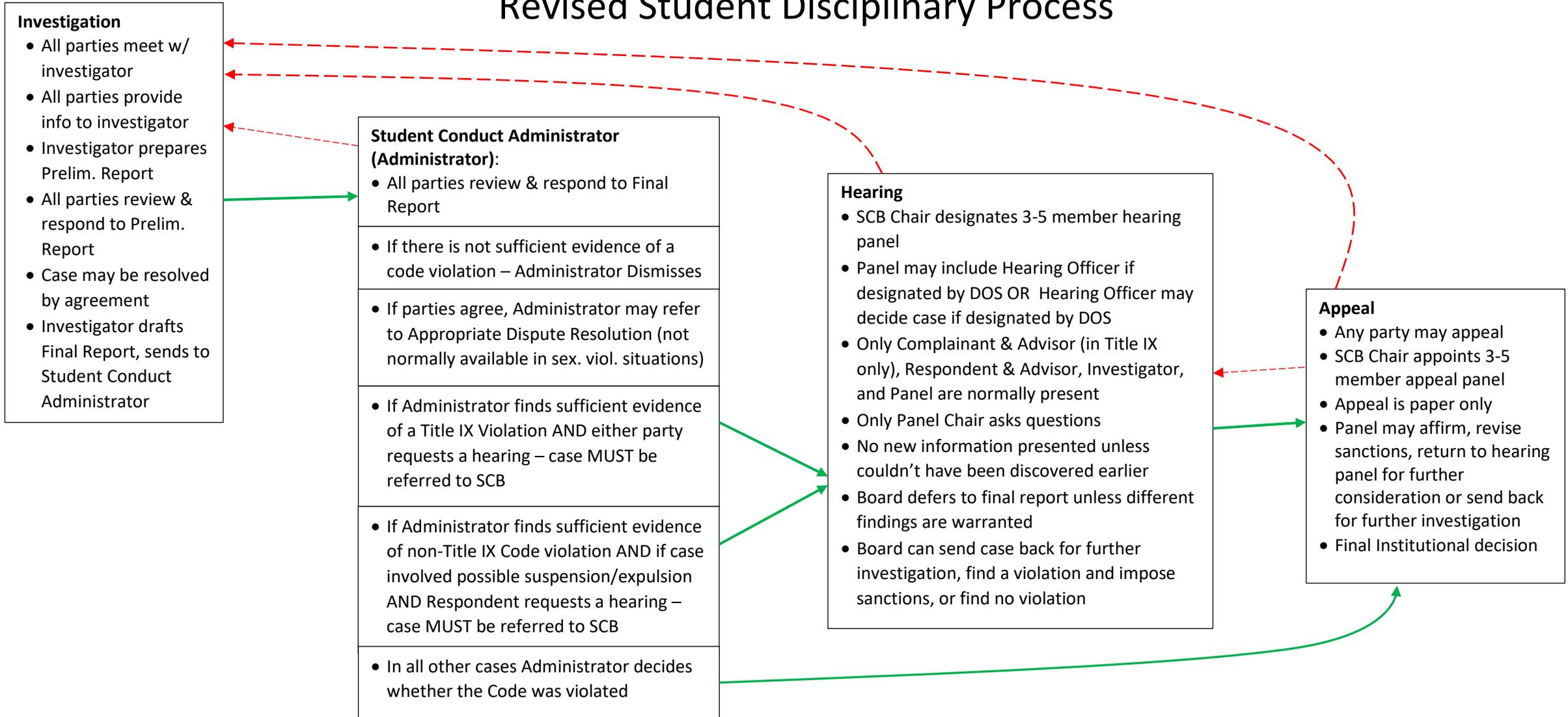
**Commented [AT1]:** Jim Craig: I think we can take this part out. It looks like this is a remnant from when we included the minimum sanctions for alcohol violations. However, since we took out the minimum sanctions for alcohol violations, we can probably take this out.

DISCUSSION DRAFT

are suggested timeframes. While the timeframes should be followed absent exceptional circumstances, the failure to conduct any action within a designated time frame is not grounds for appeal or reversal of any decision.

7. Any question of interpretation regarding the Code or these procedures will be referred to the CSA Officer or his/her designee for final determination.
8. The University will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense 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.
9. Any decision or action taken under the Code may be reviewed by the President at the President's discretion.
10. Appeals of a final institutional decision to the Board of Regents must be made in accordance with Idaho State Board of Education Governing Policies and Procedures Section III.P.18.

# Revised Student Disciplinary Process



**UI FACULTY-STAFF HANDBOOK**  
**CHAPTER TWO:**  
**STUDENT AFFAIRS POLICIES**

October 2017

2400  
 UNIVERSITY DISCIPLINARY PROCESS FOR ALLEGED VIOLATIONS OF STUDENT CODE OF  
 CONDUCT

*PREAMBLE: This section outlines UI's student disciplinary system to inform students of the University process for resolving alleged violations of the Student Code of Conduct. In July 1993 membership and quorum was changed on the University Judicial Council and July 2008 the committee composition was moved into FSH 1640 Committee Directory. This section dates from the 1979 Handbook with relatively minor revisions as noted until 2014. 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. In July 2016, the taskforce was reconvened to review the new process and address some cumbersome processes that arose which were affecting the ability to resolve cases quickly. It was also noted that a complete review was necessary and the task force reconvened. In 2017, the task force provided this complete rewrite that found middle ground between the early 1970's court trial format and the strong investigative model which had unintentionally created many delays to this less confrontational investigative model. The objective is to provide a process that allows for fact-finding and decision-making that balances the rights of the individual with the legitimate interests of the University. For further information, contact the [Dean of Students](mailto:Dean of Students) (208-885-6757). [rev. 7-08, 7-14, [rev. 10-17](#)]*

*Note: While the disciplinary process contained in FSH 2400 is uniquely crafted to meet the University of Idaho's individual needs, portions of the process and Code are adapted from the NCHERM Group Model Developmental Code of Student Conduct and is used here with permission. Other portions are adapted from Edward N. Stoner II and John Wesley Lowery, Navigating Past the "Spirit of Insubordination": A Twenty-First Century Model Student Conduct Code With a Model Hearing Script, 31 Journal of College and University Law 1 (2004).*

- A. Introduction**
- B. Definitions, Judicial and Disciplinary Bodies**
- C. Investigation Procedures**
- D. Hearing Process**
- E. Appeals**
- F. Student Conduct Board**
- G. Use of Hearing Officer**
- H. Interim Action Suspension**
- I. Sanctions**
- J. Miscellaneous**

**A. INTRODUCTION.** The purpose of the Student Code of Conduct (Code) is to help protect the safety of the University community and educate students about appropriate and responsible behavior, and to do so in a manner designed to educate students about their civic and social responsibilities as members of the University community, while complying with applicable state and federal laws and institutional policy. The primary focus of the disciplinary process is on educational and corrective outcomes; however, sanctions including such as suspension or expulsion from the University may be necessary to uphold community standards and to protect the campus community. University discipline is not in the nature of punishment for a crime, and the University's discipline process is not equivalent to state or federal criminal prosecutions. University disciplinary proceedings for any and all matters consistent encompassed within the Student Code of Conduct ("Code") [FSH 2300] and the Statement of Student Rights [FSH 2200] are addressed handled by the system under the following rules and regulations.

**B. DEFINITIONS:**

**B-1. Advisor:** the person of the student's choosing who has agreed to advise thea 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. The Advisor's role is simply to advise the student, and the Advisor is not permitted to speak during hearings, conferences, or interviews unless allowed by the University official conducting the interview.

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

---

**B-2. Chief Student Affairs Officer (CSA Officer):** the Dean of Students, unless the President appoints a different official to serve as the CSA Officer.

**B-3. Code:** the Student Code of Conduct, which is currently found in FSH 2300 and FSH 2400.

**B-4. Complainant:** the person(s) reportedly harmed by the Respondent's alleged violation of the Code.

**B-5. Days:** days when that the university is open for business, not including Saturdays, Sundays, Fall Recess, Winter Recess, Spring Recess, 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.

**B-6. Investigator:** the person assigned by the University to conduct an investigation into a report of a violation of the Code. In all Title IX cases, the Title IX Coordinator shall assign the investigator. In all other cases, the investigator may be any qualified person assigned by DOS.

**B-7. Student Conduct Administrator (Administrator):** the official at the University of Idaho who has been designated by the CSA Officer to serve in this role. It shall also include the Administrator's designee.

**B-8e. DOS:** the Office of the Dean of Students at the University of Idaho, which is responsible for the administration of the Student Code of Conduct, and includes the Dean of Students and his/her designees.

**B-9. Hearing Officer:** a person appointed by the Administrator to serve as the person presiding over a hearing in accordance with Section G.

**B-10. Parties:** the Respondent and, in Title IX cases only, the Complainant.

**B-11. Respondent:** the student who is alleged to have violated the Code.

**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.

**B-12j. Student:** includes, but is not limited to, 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

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

---

following persons are also considered "students":

- a. Persons who withdraw after allegedly violating the ~~Student Code of Conduct~~;
- b. Persons who are eligible to enroll for classes without submitting an application for re-admission;
- c. ~~not officially enrolled for a particular term but who have a continuing relationship with the University;~~ Individuals participating in the American Language and Culture Program;<sup>3</sup>
- d. ~~Individuals participating in~~ Independent Study of Idaho sponsored by the University of Idaho, the University of Idaho International Student Success Program (UI-ISSP), or any other similar educational program of the University.

**B-13k. Student Code of Conduct Board (SCB):** the body which reviews student disciplinary matters, as set forth in sections D, E, and F, and FSH 1640.83~~herein referred to as "Code" (see FSH 2300).~~

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

**mB-14. Title IX case:** any disciplinary case, investigation, charge, or allegation involving alleged dating violence, domestic violence, sexual assault, sexual harassment, or stalking. The Title IX Coordinator may also designate any other case as a Title IX case. **UI's Office of General Counsel:** herein referred to as "General Counsel" and includes any staff members.

**B-15. University:** the University of Idaho, which includes in all of its campus locations, education, outreach and research programs, including extension programs, and distance education programs, and at all locations where any of these programs are offered or administered.

**B. REVIEWING BODIES.** ~~The disciplinary system consists of the following: SDRB, Student Appeals Committee, President, and Regents. [rev. 7-16]~~

**B-1. SDRB.** (see FSH 1640.93)

**a. Scope of Responsibility.**

- (1) ~~A review panel of the SDRB adjudicates the following: [rev. 7-16]~~
  - (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) ~~A review panel of the SDRB adjudicates requests for review of decisions of living group disciplinary bodies and requests for review of decisions of any ASUI disciplinary bodies. [rev. 7-16]~~

**b. Range of Sanctions.** ~~The SDRB panel has the full range of sanctions set forth in D below. [ed. 7-16]~~

**B-2. Student Appeal Committee.** (see FSH 1640.83) ~~Three members of the Student Appeals Committee reviews SDRB decisions that include a sanction of suspension, expulsion, or withholding or revoking a degree. [rev. 7-16]~~

**B-3. President.** ~~The President's office adjudicates requests for review of Student Appeals Committee decisions. [rev. 7-16]~~

**B-4. Board of Regents.** ~~The Board of Regents adjudicates final decisions made at the institutional level in accordance with Board of Regents policy~~

**C. PROCEDURES INVESTIGATION:**

~~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.~~

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

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

Any person member of the University community who has knowledge of a potential alleged violation of the Code may report the violation to either should inform DOS or, in Title IX cases, to the Title IX Coordinator. A report should be in writing, but may be reported orally to the appropriate University official. A report should be submitted of such alleged violation as soon as possible after the event takes place.

**C-2b. Initial Investigation.** The University may conduct DOS shall receive all reports of alleged violations and investigations into any report of a violation of the Code. The purpose of the investigation is to determine whether a violation may have occurred and to gather relevant information concerning each allegation of a Code violation 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-3e. Notice of Alleged Violation.** The investigator may conduct a preliminary review to determine whether there is sufficient information to engage in a formal investigation. The preliminary review may include interviewing the Complainant, Respondent, and other witnesses. If, after the conclusion of the preliminary review, the investigator decides to engage in a formal investigation, the investigator must notify the Respondent of the allegation. 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:

- a. the notice must be in writing and may be delivered either in person to the Respondent, or by email to the student's official University email account. If the notice cannot be delivered either in person or to the student's official University email account, the notice shall be delivered by any means reasonably likely to reach the student.

**alleged misconduct,**

- b. the notice shall inform the Respondent of the specific provision(s) section of the Code the Respondent is alleged to have been violated and include a short description of the basis of the alleged violation.

- (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.

**C-4d. Meeting with DOS Investigator.** The investigator must give the Respondent student is given an opportunity to meet with the investigator in person within a reasonable time after the notice of allegation is delivered to the Respondent in order to give the Respondent an opportunity to respond to the notice, present information in his or her defense, present any information the Respondent would like the investigator to consider, and provide the names of any witnesses the Respondent would like the investigator to contact. 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.

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

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.

**C-5e. Investigation & Determination.** At any time during the investigation, either the Complainant or the Respondent may, but is not required to, provide information to the investigator for the investigator to consider. Such information may include documentary information, the names of witnesses, witness statements, suggested questions to ask the other Party or other witnesses, etc. Only information that is presented to the investigator may be used in a hearing under section D. 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).

**C-6. Preliminary Report of Investigation.**

**a.** At the conclusion of the investigation, the investigator shall draft a Preliminary Report of Investigation (Preliminary Report) setting forth the steps taken during the investigation; a list of witnesses contacted; a detailed summary of any witness interviews; a detailed summary of any interviews of the Respondent and/or Complainant; a detailed summary of any other information considered as part of the investigation; and complete copies of any relevant documentary evidence gathered during the investigation, including copies of documentary information provided by the Respondent and/or the Complainant.

**b.** The Preliminary Report shall not include any conclusions, findings, or credibility analysis.

**c.** The parties shall be provided an opportunity to review the Preliminary Report and may provide a written response to the Preliminary Report within five days of the review of the report. A party shall be deemed to have waived the right to review the report if the party does not make arrangements with the investigator to review the report within five days of being notified that the report is available to be reviewed. The written response may include requests for additional investigation, additional witnesses to interview, or additional questions to ask any witness.

**d.** After the time for submitting a written response to the Preliminary Report has passed, the investigator shall review any responses received and determine whether additional investigation is needed. If additional investigation is deemed appropriate, the investigator shall draft a revised Preliminary Report and shall give the parties an opportunity to review the report, as set forth in section C-6, c., above.

**e.** After reviewing any written responses received within the time period allowed for submitting written responses, the investigator shall either continue the investigation or draft a Final Report of Investigation. The investigator has sole discretion of determining whether sufficient information has been obtained in order to end the investigation process.

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 does not include suspension, expulsion, or withholding or revoking a degree, then the process continues in accordance with C 2.

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

- ~~(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-7. Final Report of Investigation.** The Final Report of Investigation (Final Report) shall contain everything included in the Preliminary Report plus complete copies of any written responses received within the time period allowed for submitting written responses, a credibility analysis, recommended findings, and recommended conclusion (see below) as to whether the Respondent violated the Code. If the Final Report includes a recommended finding that the Respondent violated the Code, the Final Report shall not include recommended sanctions. The Final Report shall be provided to the Administrator. The Administrator shall provide the Final Report simultaneously to the parties.

**a. Credibility Analysis.** The Final Report should include an analysis of the statements provided by each party and interviewee, as necessary, to determine whether the statements provided by that person are credible. The analysis may include a description of the person's demeanor during the interview(s), a comparison of statements made to known facts or statements from other witnesses, the person's ability to observe the event described, the person's bias, whether the person was under the influence of a controlled substance or alcohol, and any other information that a reasonable person would use in his or her everyday affairs to determine a person's credibility. Not every case will require a detailed credibility analysis of each interviewee, and the credibility analysis may be part of the particular finding. However, in cases where the credibility of the interviewee is material to the conclusion, there should generally be a separate credibility analysis.

**b. Recommended Findings.** The investigator's recommended findings regarding factual issues shall include a description of the basis for each finding. Each finding shall be based on a more likely than not standard and should include information from the interviews, documentary information obtained during the investigation, and, if relevant to that finding, information regarding the credibility of the Respondent, Complainant and/or witnesses.

**c. Recommended Conclusion.** In making a recommended conclusion, the investigator must apply the Code to the findings to reach a determination of whether the findings as found by a more likely than not standard constitute a violation of the Code.

**D-2. HEARING PROCESS.** ~~Requests for a SDRB review for sanctions other than suspension, expulsion, or withholding or revoking a degree.~~

**D-1. Student Conduct Administrator's Review:**

**a.** After the Final Report is submitted to the Administrator, the parties may each submit a written response to the Final Report. This response must be provided to the Administrator no later than five days after the Final Report is provided to the parties. The Administrator may meet with the parties, separately, to discuss the Final Report.

**b.** A party may request that the matter be referred to the SCB for a hearing. ~~The request student must be in submit a writtwriting and must be submitted en-request for a SDRB review to the Administrator DOS no later than 5five days after the Final Report is provided to the parties. student receives notice of the determination and sanctions via email. If a party timely submits a Any student who fails to submit the written request for the matter to be referred to the a SCDRB; review by the deadline will be informed by DOS of the following in a Failure to Seek Review Letter:~~

- (i) In non-Title IX cases, the Administrator shall refer matters to the SCB for a hearing if:  
(1) The Administrator determines that there is sufficient information in the Final Report such that a finding could be made that the Respondent violated the Code; and

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

---

- (2) The Administrator determines that the appropriate sanction could include suspension, expulsion, or the withholding or revoking of a degree.
  - (ii) In Title IX cases, the Administrator shall refer matters to the SCB for a hearing in matters in which the Administrator determines that there is sufficient information in the Final Report such that a finding could be made that the Respondent violated the Code.
  - (iii) In all other cases, the Administrator shall decide whether the Respondent violated the Code.
- c. If a matter is not referred to the SCB for a hearing:
- (i) The Administrator shall decide whether the Respondent violated the Code. The Administrator shall make the decision based on the information contained in the Final Report, the written responses to the report, if any, submitted to the Administrator by the parties, and, if the Administrator chooses to meet with the parties, the information provided at the meeting to the Administrator by the parties.
  - (ii) The Administrator should adopt the findings and credibility analysis contained in the Final Report, unless the Administrator finds that the findings or credibility analysis are not more likely than not to be true. Any additional or different findings issued by the Administrator must be based on a more likely than not standard.
  - (iii) The Administrator is not required to defer to the recommendation contained in the Final Report as to whether the Respondent violated the Code, but is entitled to freely apply the Code to the findings in order to determine whether the Respondent violated the Code.
  - (iv) If the Administrator determines that the Respondent violated the Code, the Administrator shall determine the appropriate sanction.
  - (v) The Administrator's decision shall be in writing and include the basis for the decision. The written decision shall be simultaneously provided to the parties.
  - (vi) The Administrator's decision may be appealed in accordance with section E.
- d. At any time before the matter is submitted to the SCB, DOS may refer a charge of a violation of the Code to mediation or other forms of appropriate conflict resolution. All parties must agree to participate with DOS in the conflict resolution process. Complaints of physical sexual misconduct or violence shall not be referred for alternative resolution under this paragraph, except in unique circumstances approved by the Title IX Coordinator after consultation with the Office of General Counsel and the CSA Officer.
- (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) ~~DOS' finding of a violation of the Code is not supported by a preponderance of the evidence; {rev. 7-16}~~
    - (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.~~
- e. ~~DOS shall provide the Chair of SDRB with all received requests for a SDRB review and the Chair of the SDRB appoints a three member panel and selects its chair. {rev. 7-16}~~
- d. ~~Upon receiving a request for review a SDRB panel may: {rev. 7-16}~~
- (1) ~~deny the request within 5 days of receipt because the request fails to meet the requirements above 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.~~

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

- (2) ~~decide to adjudicate the request based on written submissions only, the SDRB panel shall inform both the student and DOS of its determination. SDRB may request additional information or documentation from the student or DOS. 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).~~
- (3) ~~decide to hold a hearing. The SDRB panel chair will schedule the hearing to occur no later than 10 days after the panel's decision to adjudicate the request through a hearing, at a time that does not conflict with the student's class schedule. The SDRB panel chair 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 panel chair and the other party by noon pacific time of the day before the hearing. Only materials submitted to both the SDRB panel chair 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. Upon receiving notice from DOS, the Chair of SDRB will appoint an SDRB panel of three members and a panel chair. The Chair of SDRB shall promptly notify DOS and the other parties of the members of the panel and the chair. *[rev. 7-16]*~~
- ~~c. DOS shall be responsible for maintaining a record of all the panels, their assignment, and shall monitor whether the required notifications under the disciplinary process have taken place. *[add. 7-16]*~~
- ~~d. The panel chair 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. The 10 days can be extended under compelling circumstances. Both DOS and the student may have an advisor present at the hearing. However, the SDRB panel chair shall not consider the availability of any advisor in setting the hearing date and time. *[ren. & rev. 7-16]*~~
- ~~e. Both the student and DOS must submit any materials intended to be introduced and considered at the hearing to both the SDRB panel chair and the other party by noon pacific time of the day before the hearing. Only materials submitted to both the SDRB panel chair 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. *[ren. & rev. 7-16]*~~

**D-2. C-4. SDRB Disciplinary Student Conduct Board Hearing Process:**

- a. In matters referred to the SCB, the Administrator (or designee) must send written notice to the SCB and the parties.**
- (i) The notice shall be in writing and may be delivered either in person to the parties, or by email to the student's official University email account. If the notice cannot be delivered either in person or to the student's official University account, the notice may be delivered by any means reasonably likely to reach the student.**
- (ii) The notice must inform the Respondent of the specific provision(s) of the Code the Respondent is accused of violating, and include a short description of the basis of the alleged violation, the date and time for the hearing, and the deadline for submitting written materials to the Administrator.**
- (iii) The written notice shall also include the Final Report and any responses to the Final Report which were timely submitted to the Administrator.**
- b. Except in cases referred to a Hearing Officer under Section G, the chair of the SCB shall appoint three to five members of the SCB to serve as a Hearing Panel to review each matter.**
- (i) The chair of the SCB shall appoint one of the Hearing Panel members to serve as chair of the panel. A student may not serve as chair of a Hearing Panel.**
- (ii) The Administrator (or designee) shall serve as a non-voting, ex-officio member of every Hearing Panel and may be present and available as a resource during all deliberations. The Administrator is**

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

responsible for informing the panel of any previous conduct violations or other relevant disciplinary actions involving the Respondent.

c. In every case submitted to a Hearing Panel, the parties may submit written materials for the panel to review as part of its decision. To be considered by the Hearing Panel, all written materials must be submitted to the Administrator prior to the deadline set forth in the notice. The Administrator shall ensure that any materials timely submitted are distributed to the parties and the Hearing Panel prior to the hearing. The written materials may only consist of the following:

- (i) Suggested questions for the panel to ask the Respondent or the Complainant;
- (ii) Written discussion or argument addressing the information contained in the Final Report;
- (iii) Information (as opposed to a discussion of the information contained in the report) that was not considered by the investigators in the Final Report only if the information was not available prior to the completion of the Final Report or if the information was provided to the investigator prior to the completion of the investigation but the information was not included in the Final Report.

**D-3. Hearing Procedures.** The purpose of a SDRB hearing is to determine whether, by a preponderance of the evidence (the "standard"), the student violated the Code. [rev. 7-16]

a. In hearings involving more than one student, the Chair of the SDRB has the discretion to permit the hearings concerning each student to be conducted before two separate SDRB panels. [rev. 7-16]

b. The SDRB panel chair 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 [rev. 7-16]

- (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 SDRB panel chair that the student will not appear or speak for this reason; [rev. 7-16]
- (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 SDRB panel chair pursuant to (1) above, the chair shall promptly notify both parties. [rev. 7-16]

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. DOS 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. [rev. 7-16]

e. Relevancy is the only criteria by which information submitted is evaluated. Relevancy is determined by the SDRB panel chair. All oral or written information statements, records, etc., as well as copies of the same, shall be considered by members of the SDRB panel as long as the SDRB panel chair determines that such items are relevant. [rev. 7-16]

- (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 SDRB panel chair to determine whether any oral or written information, statement, record, etc. or question or answer is relevant. [rev. 7-16]
- (4) All questions regarding SDRB hearing procedures and determinations of relevancy are subject to the final decision of the SDRB panel chair. [rev. 7-16]

f. The Chair of SDRB or any SDRB panel chair may request assistance by General Counsel regarding any questions of SDRB hearing procedures and determinations of relevancy. [rev. 7-16]

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

---

**a.** The hearing shall be held at the time and place listed in the notice. The hearing shall be held no less than five days after the notice is provided to the parties.

**b.** All hearings are closed to the public. The only people allowed to be present during the hearing are the parties, each individual party's Advisor, the investigator(s), the Administrator, the Title IX Coordinator (or designee) in Title IX cases, one or more attorneys from the Office of General Counsel, and the members of the Hearing Panel. The panel chair may give permission for others to attend the hearing in the panel chair's discretion, after consultation with the Administrator.

**c.** The only witnesses at the hearing shall be the investigator(s), the Complainant, and the Respondent. In non-Title IX cases, the Complainant may only be present during the portion of the hearing where the Hearing Panel questions the Complainant, unless the chair determines in appropriate cases that the Complainant may remain for the entire hearing. In extraordinary circumstances, if the investigator is unable to be present at the hearing, the DOS may designate a representative to be there in the place of the investigator. Neither the Complainant nor the Respondent is/are required to say anything at the hearing.

The panel chair, in consultation with the Administrator, may call additional witnesses if the panel chair determines that the additional witnesses are necessary for the Hearing Panel to properly resolve the case. This discretion should be used sparingly. The intention of the Code is that the Final Report, in the vast majority of cases, should provide a sufficient basis for the Hearing Panel's decision, recognizing that the parties may speak in person to the Hearing Panel and to respond to the Final Report.

**d.** It is each party's responsibility to inform the panel chair and the Administrator of scheduling conflicts no less than three days prior to the scheduled hearing. The Administrator shall have the sole discretion as to whether to reschedule the hearing. Except in cases of grave or unforeseen circumstances, if either party fails to appear, the hearing will proceed as scheduled.

**e.** If a report of a violation of the Code involves more than one Respondent, the Hearing Panel shall conduct a joint hearing with all Respondents. However, the panel chair may permit the hearing pertinent to each Respondent to be conducted separately. In joint hearings, separate determinations of responsibility shall be made for each Respondent.

**f.** Only the chair of the Hearing Panel may ask questions during the hearing, and doing so is at the sole discretion of the chair. However, the chair may seek input from panel members on areas for questioning. The parties may submit suggested questions in writing as long as the questions are received prior to the deadline for submitting written materials contained in the notice. Questions based on information that arises during the hearing may be submitted in writing during the hearing at the discretion of the panel chair.

**g.** For complaints involving sexual misconduct, discrimination, or other complaints of a sensitive nature, the panel chair, in consultation with the Title IX Coordinator and the Administrator, may allow the Complainant to attend the hearing, answer questions, and make a statement from behind a partition or from another room or location through audio/video technology.

**h.** The panel chair has discretion as to how to conduct the hearing. Generally, however, the hearing should be conducted as follows:

- (i) Opening statement by the Respondent addressing the Final Report and the allegations that the Respondent violated the Code;
- (ii) In Title IX cases, opening statement by the Complainant addressing the Final Report and the allegations that the Respondent violated the Code;
- (iii) Questions, if any, by the panel chair of the investigator(s), Respondent, and/or Complainant;
- (iv) Final statements by the Respondent and, in Title IX cases, the Complainant.

**i.** In making its decision, the Hearing Panel shall consider all relevant information from the following sources:

- (i) the Final Report, including the findings and conclusions contained in the report;
- (ii) any written information provided by the parties as provided above; and

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

---

(iii) the information received at the hearing.

**j.** In Title IX cases involving allegations of sexual misconduct, the past sexual history or sexual character of either party shall not be considered by the Hearing Panel except in extremely unusual cases where the panel chair determines that the information is critical to a proper understanding of the specific facts of the case at hand. Demonstration of pattern, repeated, and/or predatory behavior, in the form of previous findings in any legal or campus proceeding, or in the form of good faith allegations, may be considered in making the findings and, if a violation of the Code is found, the sanction.

**k.** There shall be a single record, such as an audio recording, for all hearings. Deliberations shall not be recorded. Failure to record the hearing for any reason is not to be considered a procedural error that substantially impacts the decision and will not be grounds for appeal or reversal of the Hearing Panel's decision.

s 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 panel, *[rev. 7-16]*
- (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 panel shall make its determination. *[rev. 7-16]*

**i.** The SDRB panel chair shall ensure the smooth operations of the SDRB hearing, and may remove any individual who disrupts the SDRB hearing. *[rev. 7-16]*

**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 SDRB panel chair will ask each individual present at the SDRB hearing to identify him/herself by providing his/her name and role at the SDRB hearing *[rev. 7-16]*
- (2) The SDRB panel chair will remind the student of: *[rev. 7-16]*
  - (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 panel members will have the opportunity to ask questions, except as described in (ii) below. *[rev. 7-16]*
  - (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 SDRB panel chair who will ask any questions determined to be relevant. *[rev. 7-16]*
- (6) The student will have the opportunity to present any information, materials, and witnesses. DOS and SDRB panel members will have the opportunity to ask questions. *[rev. 7-16]*
- (7) DOS will have the opportunity to make any closing remarks.

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

- (8) ~~The student will have the opportunity to make any closing remarks.~~
- (9) ~~DOS will have the opportunity to respond to the student's closing remarks.~~
- (10) ~~The SDRB panel shall meet in a closed session to discuss and make its decision. *[rev. 7-16]*~~

**D-4. Results of SDRB Hearing Panel Decision.** ~~*[rev. 7-16]*~~

- a. ~~The Hearing Panel shall issue a decision within 3 days of completing its adjudication, whether through written submission or through a hearing, the SDRB panel will issue a written decision to the Administrator, who shall then simultaneously provide the decision to the parties. *[rev. 7-16]*~~
- b. ~~The Hearing Panel should adopt the findings and credibility analysis contained in the Final Report, unless the Hearing Panel finds that the information presented at the hearing warrants a different finding or the Hearing Panel finds that the findings or credibility analysis are not more likely than not to be true. Any findings issued by the Hearing Panel must be based on a more likely than not standard.~~
- c. ~~The Hearing Panel is not required to defer to the recommendation contained in the Final Report as to whether the Respondent violated the Code, but is entitled to freely apply the Code to the findings in order to determine whether the Respondent violated the Code.~~
- d. ~~Unless the panel chair is a Hearing Officer appointed to serve as chair without a vote, the panel chair shall participate in all votes, and all Hearing Panel decisions shall be made by a majority vote.~~
- e. ~~If the Hearing Panel determines that the Respondent violated the Code, the Hearing Panel shall determine the appropriate sanction(s). The Administrator shall serve as a resource to the Hearing Panel to help ensure that sanctions are reasonably consistent among similar cases.~~
- f. ~~The Hearing Panel may return the matter for additional investigation if the Hearing Panel determines that:~~
  - (i) ~~The investigator failed to properly investigate the allegation and the failure was both substantial and to the student's detriment; or~~
  - (ii) ~~There is new information that could substantially affect the outcome and the new information could not have been discovered before the issuance of the Final Report.~~

**D-5.** ~~Either party may appeal a Hearing Panel's decision.~~

**D-6.** ~~Sanctions imposed by the Hearing Panel shall generally not go into effect until either the time period for an appeal has expired and no appeal has been filed or until the decision is upheld on appeal. However, the CSA Officer may impose any sanction imposed by the Hearing Panel as an interim action pending the appeal.~~

- (1) ~~The SDRB panel's decision must be based on a majority vote. *[rev. 7-16]*~~
- (2) ~~For SDRB review of matters involving sanctions other than suspension, expulsion, withholding or revoking a degree, the SDRB panel's decision must *[rev. 7-16]*~~
  - ~~(i) identify the stated basis for SDRB review;~~
  - ~~(ii) state the SDRB's panel's conclusion as to that basis, and *[rev. 7-16]*~~
  - ~~(iii) identify the facts, conduct, or circumstances it found to support its conclusion.~~
- (3) ~~For SDRB panel review of matters involving sanctions of suspension, expulsion, or withholding or revoking a degree, the SDRB panel decision must *[rev. 7-16]*~~
  - ~~(i) state whether the DOS conclusion that by a preponderance of the evidence (the "standard") the student violated the Code is supported by the information, materials, and witnesses presented at the SDRB hearing, and *[rev. 7-16]*~~
  - ~~(ii) identify the facts, conduct, or circumstances it has found to support its conclusion.~~
- (4) ~~SDRB panel can: *[rev. 7-16]*~~
  - ~~(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~~

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

~~—(iv) dismiss the decision and the sanction(s). [rev. 7-16]~~

~~b. As to students whose sanctions do not include suspension, expulsion, or withholding or revoking a degree, the SDRB panel decision is the final institutional decision and any sanctions go into effect immediately. Such SDRB panel decision may be appealed to the Board of Regents pursuant to C-9. [rev. 7-16]~~

~~e. 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 Student Appeals Committee (see FSH 1640.83) pursuant to C-6. [rev. 7-16]~~

**E. C-6. Requests for Student APPEALS Committee Review** (see FSH 1640.83).

~~**E-1.** WAny party may ritten requests for an appeal the Administrator's or Hearing Panel's final decision. Appeals must be submitted in writing to the Administrator and must set forth the grounds for the appeal. The appeal must be filed delivered to DOS no later than ~~five~~3 days after the decision is delivered to the parties. The Administrator shall ensure that the parties receive a copy of the appeal. student is provided notice of the SDRB panel determination via email. Any student who fails to submit the written request for a review by the deadline will be informed by DOS of the following in a Failure to Seek Review Letter: [rev. 7-16]~~

~~(1) that the determination and sanction imposed by SDRB panel is the final institutional decision, [rev. 7-16]~~

~~(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.~~

~~**E-2.** The written request for an appeal must cite at least one of the below reasons and must provide supporting arguments and documentation as to why an aAppeals are limited to should be granted on these following grounds: [rev. 7-16]~~

~~a. A procedural error occurred in the investigation process that significantly impacted the outcome of the hearing:~~

~~There was a substantial and detrimental failure to properly investigate by DOS and, as a result, the SDRB panel could not reasonably determine that a violation of the Code occurred; [rev. 7-16]~~

~~b. There was clear factual error and, as a result, the SDRB panel could not reasonably determine a violation of the Code occurred; [rev. 7-16]~~

~~(3) Sanctions imposed by the SDRB panel are excessive for the violation given the circumstances. Simple dissatisfaction with a sanction is not grounds for appealing a sanction under this provision; [rev. 7-16]~~

~~(4) New information, unavailable during —that could substantially affect the outcome of DOS's investigation or hearing, that could substantially impact the original finding or sanction has been presented in the appeal documents; and determination has been discovered since the SDRB panel'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. [rev. 7-16]~~

~~(5) There was substantial procedural error that materially impacted the SDRB panel decision to the student's detriment. [rev. 7-16]~~

~~c. The sanctions imposed are substantially disproportionate to the severity of the violation (the imposition of an administrative fee is not a sanction, and therefore cannot be appealed); or~~

~~d. The decision is not based on substantial information. A decision is based on substantial information if there are facts in the case that, if believed by the fact finder, are sufficient to establish that a violation of the Code occurred.~~

~~**E-3.** An appeal shall be limited to a review of the decision, the Final Report, any written material considered in the decision, the recording of the hearing held before the Hearing Panel, and any written materials submitted with the appeal. Where an appeal is based on the discovery of new information, the new information may be considered only to determine whether the information was unavailable at the time of the decision and whether the new information could substantially impact the original finding or sanction.~~

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

**E-4. Appeal Panel Procedures:**

a. The chair of the SCB Student Appeals Committee shall, within 5 days from receipt of the request, appoint a three to five members of the SCB to serve on the subcommittee of the Student Appeals Panel, and shall designate one member to serve as chair of the Appeal Panel. Any member who served on a Hearing Panel shall not serve on the Appeal Panel on the same case. Committee to consider an appeal (see FSH 1640.83 -B 1). The Chair of the Student Appeals Committee shall designate the subcommittee chair from the three members and inform DOS and the parties of the chair and members of the subcommittee. A student may not serve as chair of an Appeal 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. *{rev. 7-16}*

b. In Title IX cases, the non-appealing party may file a response to the appeal within five days of the filing of the appeal.

c. The Appeal Panel shall issue a written decision. The decision should be issued within fifteen days of receiving the appeal. The chair of the Appeal Panel shall provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.

e. DOS will provide the subcommittee with the audio recording of the SDRB hearing, all submitted material, and the DOS response to the student's submission within a reasonable amount of time (generally no more than 5 days). *{rev. 7-16}*

**E-5. C-7. Results of the Appeal Panel. Student Appeals Committee Review.** The Appeal Panel may:

is a review of the materials submitted only. A subcommittee will determine whether the request meets the requirements above in C-6 b. Except in extraordinary circumstances, the subcommittee will review all materials submitted, and provide a written decision to both parties within 10 days of receiving all the materials from DOS. *{rev. 7-16}*

a. For requests that fail to meet the requirements above, the subcommittee will deny the request and inform the student, the SDRB chair, the SDRB panel chair, and DOS of its decision. The determination made by the SDRB panel will become final and the sanctions imposed will become effective immediately as of the original date of the SDRB panel 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. *{add. 7-16}*

b. For requests that meet the requirements above in C-6 b.: *{rev. 7-16}*

— (1) The subcommittee's decision must

(i) be based on a majority vote;

(ii) identify the stated basis for the appeal, *{rev. 7-16}*

(iii) state the conclusion as to that basis, and *{rev. 7-16}*

(iv) identify the facts, conduct, or circumstances it found to support its conclusion.

— (2) The subcommittee can: *{rev. 7-16}*

a. uphold the Administrator's or Hearing Panel's SDRB panel decision; *{rev. 7-16}*

b. uphold the finding that the Respondent violated the code, SDRB panel decision but revise the sanction(s); *{rev. 7-16}*

c. return the matter to DOS for reinvestigation and reconsideration; or to SDRB for reconsideration; or

d. return the matter for additional investigation, dismiss the decision and the sanctions. *{rev. 7-16}*

E-6e. Unless the case is returned for reconsideration or to the investigator for additional investigation, If the decision of the Appeal Panel is the final institutional subcommittee is to uphold the SDRB panel decision. If the decision upholds the findings that the Respondent violated the Code, the sanctions imposed shall go into are effective immediately, as of the original date of the SDRB panel determination. *{rev. 7-16}*

**F. Student Conduct Board.**

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

---

**F-1.** The description and make-up of the SCB can be found in FSH 1640.83.

**F-2.** A member of the SCB shall not serve on any Hearing Panel or Appeal Panel in any case where the member has a conflict of interest or bias for or against either party.

**F-3.** If procedures call for the appointment of three or more members to serve on a Hearing Panel or Appeal Panel, the chair of the SCB should endeavor to appoint at least one student to the Hearing Panel or Appeal Panel. A student may not serve as chair of the Hearing Panel or Appeal Panel. In disciplinary cases involving allegations of academic misconduct, a majority of the Hearing Panel or Appeal Panel should ordinarily be faculty members.

**F-4.** All members of the SCB must receive annual training as determined by DOS, the Title IX Coordinator, and/or the Office of General Counsel. A member cannot serve on either a Hearing Panel or Appeal Panel until the member has completed this training.

**F-5.** Proceedings before the SCB, whether before a Hearing Panel or Appeal Panel, are confidential and protected by the Family Educational Rights and Privacy Act (FERPA). In specific disciplinary cases, members of the SCB must protect the confidentiality of the information they receive in fulfilling their duties as members of the SCB. Panel members must not discuss specific cases or share any information regarding specific disciplinary cases or their deliberations with anyone other than the SCB Chair, the Office of General Counsel, the Administrator, or fellow panel members appointed to the same panel in that specific case, and in all such instances, the discussion or sharing of information must be reasonably necessary for the panel's consideration of the specific case.

**G. USE OF A HEARING OFFICER.**

**G-1.** In any case requiring a hearing before a panel of the SCB, the University may use a Hearing Officer to conduct that hearing.

**G-2.** The decision as to whether to appoint a Hearing Officer shall be made by the Administrator. The decision as to whether to appoint a Hearing Officer may not be appealed and may not be challenged on appeal as a procedural error.

**G-3.** The Hearing Officer may be appointed to serve as follows:

- a.** As a non-voting chair of the Hearing Panel whose duties are to run the hearing and ensure all proper procedures are followed;
- b.** As a voting chair of the Hearing Panel whose duties are to run the hearing, ensure that all proper procedures are followed, and to have a vote on the decision; or
- c.** As the chair and only member of the Hearing Panel whose duties are to run the hearing, ensure that all proper procedures are followed, and to issue the decision. When the Hearing Officer serves as the sole decision-maker, the Hearing Officer's decision shall be treated for all purposes the same as the decision of a Hearing Panel under the Code.
- d.** In cases involving allegations of academic dishonesty, a Hearing Officer may only be appointed as a non-voting chair of the Hearing Panel, but may not be appointed as a voting member of the Hearing Panel or as the chair and only member of the Hearing Panel.

**G-4.** The Administrator shall appoint the Hearing Officer from a list of Hearing Officers approved by the Office of General Counsel. The Hearing Officer must not have a conflict of interest or bias for or against either party.

**G-5.** The Office of General Counsel shall determine the appropriate qualifications for a person to serve as a Hearing Officer and shall make a list of approved Hearing Officers available to the Administrator.

**H. INTERIM ACTION.**

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

---

**H-1.** At any time before a final institutional decision, the CSA Officer, or designee, may impose restrictions on a student and/or separate the student from the University community pending the final institutional decision. If circumstances allow, the CSA Officer (or designee) should meet with the student prior to imposing the interim action.

**H-2.** Other than issuance of no contact orders, an interim action issued prior to a hearing before the Hearing Panel may only be imposed when the CSA Officer determines that the student represents a threat of serious harm to any person; the student is facing allegations of serious criminal activity; the action is necessary to preserve the integrity of the investigation; the action is necessary to preserve University property; and/or the action is necessary to prevent disruption of, or interference with, the normal operations of the University. After the Hearing Panel's decision, pending an appeal of the decision, the CSA Officer may impose a sanction issued by a Hearing Panel as an interim action at the discretion of the CSA Officer.

**H-3.** In any Title IX case, the investigator, in consultation with DOS, may issue a no contact order prohibiting the Respondent and/or the Complainant from contacting the other. A no contact order should be routinely issued in Title IX cases and there need not be a specific determination made as provided above.

**H-4.** Interim actions may include, but are not limited to, the following:

- a. Suspension from the University pending a final institutional decision;
- b. Issuance of a no contact order;
- c. Exclusion from University property;
- d. Removal from the residence halls;
- f. Removal from extracurricular activities, including participation on athletics teams;
- g. Withholding the award of a degree pending the conclusion of the investigation and hearing process; or
- h. Any other action deemed necessary and appropriate by the CSA Officer to maintain orderly and appropriate University operations.

**H-5.** Where a student is suspended from the University, or directed to not attend certain classes, alternative coursework options may be pursued, with the approval of the CSA Officer and the appropriate college dean, to ensure as minimal an impact as possible on the responding student.

**H-6.** An interim action must be made in writing and is effective when the CSA Officer delivers the Notice of Interim Action to the responding student either in person or by email sent to the student's official University of Idaho email account.

**H-7.** The Respondent may appeal the imposition of any interim action by filing an appeal with the CSA Officer. There are no formal procedures for this appeal, and the interim sanctions remain in effect unless overturned by the CSA Officer.

**H-8.** A violation of the provisions of an interim action shall be considered a violation of the Code.

**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 subcommittee's decision by the president. [rev. 7-16]
- 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 subcommittee's determination via email. [rev. 7-16]

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

~~e. The president has complete discretion whether to engage in any review of the subcommittee's decision, including what materials to consider and from whom. [rev. 7-16]~~

~~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.~~

**Commented [at1]:** C-8, C-9 & C-10 moved to J. Miscellaneous and edited.

~~**C-10. Requests for Review by DOS.** DOS may request a review of any decision of a SDRB panel, Student Appeals Committee subcommittee(s), 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: [rev. 7-16]~~

~~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.~~

**II. SANCTIONS.**

**II-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

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

---

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.~~

Commented [AT2]: Moved to "J. Miscellaneous." below.

**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.

**g. Housing Expulsion:** permanent separation of the student from University Housing.

**h. 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.

**i. University Expulsion:** permanent separation of the student from the University.

**j. 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.

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

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

**DI-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.

**DI-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.

~~**DI-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 shall 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:**~~

~~First infraction: Open container or minor in possession violations.~~

~~Sanction: Completion of educational program.~~

~~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.~~

**UI FACULTY-STAFF HANDBOOK**

**Chapter II: STUDENT AFFAIRS POLICIES**

**Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct**

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.

Commented [at3]: Moved above sanctions and revised.

— **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.

**J. MISCELLANEOUS.**

**J-1. Agreement:** At any point during the disciplinary process prior to a final institutional decision, the Administrator and the parties may agree to an appropriate resolution without further investigation, hearing, or appeal. The agreed upon resolution may include the use of appropriate alternative dispute resolution methods.

**J-2. Role of an Advisor:** In accordance with the educational purpose of the Code, all students, including Respondents and Complainants, are expected to speak for themselves at all stages of proceedings under the Code, including, but not limited to, during the investigation, hearing, and any appeal. Any student may have an Advisor present at any time during any interview, meeting, or proceeding under the Code, but the Advisor's role is to advise the student, not to speak for the student or make any presentation on behalf of the student. The student may, at any time and for a reasonable period of time, confer with the Advisor. If the University official conducting the proceeding determines at any time that the Advisor is acting outside of these parameters, the Advisor may be required to leave the proceeding at the official's discretion. In appropriate circumstances, at the sole discretion of the University official conducting the proceeding, the University official may allow the Advisor to speak on behalf of the student and/or make a presentation on behalf of the student.

**J-3. Fee:** Any time a student is found to have violated the Code, DOS may charge the student an administrative fee of \$150. This is not considered a sanction and may not be appealed.

**UI FACULTY-STAFF HANDBOOK**

Chapter II: STUDENT AFFAIRS POLICIES

Section 2400: University Disciplinary Process for Alleged Violations of the Student Code of Conduct

---

**J-4. Parent Notification:** 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. This is not considered a sanction, and the decision as to whether to notify the parents or not rests entirely within the discretion of DOS.

**J-5. Training:** All members of the SCB, the Administrator, the Title IX Coordinator, and the investigators shall receive annual training in accordance with the requirements of the policies of the Board of Regents of the University of Idaho and the Idaho State Board of Education (said policy is currently found at Section I, Subsection T), the Clery Act and implementing regulations (see, e.g., 34 C.F.R. § 668.46(k)(2)(ii)), and Title IX.

**J-6. Timeframe:** With the exception of the deadlines for filing an appeal (see section E) or for requesting a hearing before the SCB (see section D-1.b.), all other timeframes contained in the Code are suggested timeframes. While the timeframes should be followed absent exceptional circumstances, the failure to conduct any action within a designated time frame is not grounds for appeal or reversal of any decision.

**J-7. Interpretation:** Any question of interpretation regarding the Code or these procedures will be referred to the CSA Officer or his/her designee for final determination.

**J-8. Disclosure:** The University will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense 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.

**J-9. Review by President:** Any decision or action taken under the Code may be reviewed by the President at the President's discretion.

**J-10. Review by Board of Regent's:** Appeals of a final institutional decision to the Board of Regents must be made in accordance with Idaho State Board of Education Governing Policies and Procedures Section III.P.18.

**UI FACULTY-STAFF HANDBOOK**

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

---

**FSH 1640.83**

**STUDENT CONDUCT BOARD (SCB)**

[This section was removed from FSH 2400 and placed here in July 2008. In 2014 University Judicial Council was renamed Student Disciplinary Review Board following a complete review of the Student Code of Conduct. In 2017 this board was created by collapsing the Student Appeals Committee with the Student Disciplinary Review Board to reflect a major rewrite of the code disciplinary process in FSH 2400]

**A. FUNCTION.** UI's process for reviewing alleged violations of the Student Code of Conduct (FSH 2300) is set forth in FSH 2400. The SCB is the reviewing body involved in the conduct process set out in FSH 2400 D., E. and F. [*rev. 7-14, 7-16*]

**B. STRUCTURE AND MEMBERSHIP.** The SCB is broadly representative of the UI community and is composed of 21 voting members: seven faculty, seven staff, and seven students. The student members should include at least one graduate student and at least one law student. Hearing panels will be drawn from these committee members. Given the nature of responsibility of the Chair of SCB, Committee on Committees shall first consider a tenured faculty member. Pursuant to FSH 2400 the chair will appoint the three person panels. [*rev. 7-14, 7-16*]

**C. SPECIAL CONSIDERATION.** Each committee member shall be required to participate in Title IX training and other training as needed. Members of the SCB should be aware that federal regulations governing the handling of disciplinary matters recommend a specific hearing time schedule. Therefore, SCB members may need to be available on short notice and during the summer months. Outgoing committee members should be aware that their appointment will continue until their replacement is confirmed and has received the required Title IX training (typically by early fall). [*add. 1-14, rev. 7-14, rev. & ren. 7-16, rev. 1-17*]

## UI FACULTY-STAFF HANDBOOK

## CHAPTER ONE:

## HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

## FSH 1640.83

**STUDENT APPEALS COMMITTEE***[created July 2016]*

**A. Function.** To conduct a review at the request of a student who wishes to appeal a decision of any Student Disciplinary Review Board panel in matters that include a sanction of suspension, expulsion, or withholding or revoking a degree. A subcommittee (see B-1 below) of the Student Appeals Committee, will make a determination as to whether the student's appeal meets the qualifications as stated in FSH 2400 C-6.

**B. Structure and Membership.** The committee shall be composed of eleven members to include six faculty (at least two will be from the current year's Faculty Senate), two staff, and three students (at least one undergraduate and one graduate student) who will be eligible to serve on a subcommittee as noted in B-1 below. The term of membership is three years, with initial terms staggered to form a rotation pattern.

**B-1. Subcommittee:** For each appeal, the Chair of the Student Appeals Committee shall appoint a three member subcommittee and designate a chair. In selecting a chair, a tenured faculty member will receive priority. Each subcommittee will consist of at least one faculty member and, if possible, at least one student. A student may not chair any subcommittee. Persons appointed must have no interest in or involvement with the parties to or the subject matter of the situation under review. *[rev. 7-17]*

**C. SPECIAL CONSIDERATION.** Each committee member will be required to participate in Title IX training and other training as needed. Members serving on the Student Appeals Committee should be aware that federal regulations governing the handling of disciplinary matters recommend a specific hearing time schedule. Therefore, Student Appeals Committee members may need to be available for approximately two to four hours within as little as five days of a student being notified of a decision of an SDRB panel review.

Outgoing committee members should be aware that their appointment will continue until their replacement is confirmed and has received the required Title IX training (typically by early fall). *[add. 1-17]*

## 1640.93

**STUDENT DISCIPLINARY REVIEW/CONDUCT BOARD (SDRBSCB)**

[This section was removed from FSH 2400 and placed here in July 2008. In 2014 University Judicial Council was renamed Student Disciplinary Review Board following a complete review of the Student Code of Conduct. [In 2017 this board was created by collapsing the Student Appeals Committee with the Student Disciplinary Review Board to reflect a major rewrite of the code disciplinary process in FSH 2400](#)]

**A. FUNCTION.** UI's disciplinary review process for reviewing alleged violations of the Student Code of Conduct ([FSH 2300](#)) is established and maintained for the handling of disciplinary matters concerning UI students ("student" is defined in [FSH 2300 I.A-6](#) and [2400 A-1](#).) set forth in [FSH 2300 and 2400](#). The [SCB SDRB](#) is one of the reviewing bodies body involved in the review conduct process set out in [FSH 2400 D., E. and F.](#) which covers any and all matters that are related to and consistent with the Student Code of Conduct [[FSH 2300](#)] and the Statement of Student Rights [[FSH 2200](#)]. *[rev. 7-14, 7-16]*

**B. STRUCTURE AND MEMBERSHIP.** The [SDRB-SCB](#) is broadly representative of the academic UI community and is composed of ~~The SDRB-SCB consists of 21~~ [thirteen twenty-one voting](#) members: ~~Seven members faculty, seven staff, and seven shall be students. The student members should include at least one graduate student and at least one law student. Seven members shall be staff. The remaining members shall be faculty.~~ [five faculty members, two staff, five undergraduate students and one graduate student. The chair is responsible for forming a panel \(see B-1 below\) and designating the chair. Hearing panels will be drawn from these committee members.](#) Given the nature of responsibility of the Chair of [SDRBSCB](#), Committee on Committees ~~will shall~~ first consider a tenured faculty member. [Pursuant to FSH 2400 the chair will appoint the three person panels.](#) *[rev. 7-14, 7-16]*

**B-1. Panel:** The chair of the SDRB shall appoint a three person panel from the committee to hear matters presented to the SDRB pursuant to FSH 2400. Each panel will consist of at least one faculty member and, if possible, at least one student. A student may not chair any panel. In selecting a chair, a tenured faculty member will receive priority. Persons appointed must have no interest in or involvement with the parties to or the subject matter of the situation under review. *[add. 7-16, rev. 7-17]*

**C. SPECIAL CONSIDERATION.** Each committee member ~~will~~shall be required to participate in Title IX training and other training as needed. Members ~~servi~~ng onof the ~~SDRB-SCB~~ should be aware that federal regulations governing the handling of disciplinary matters recommend a specific hearing time schedule. Therefore, ~~SDRB-SCB~~ members may need to be available ~~for approximately two to four hours within as little as five days of a student being notified of the alleged violation of the Student Code of Conduct on short notice and during the summer months.~~ ~~[add. 1-14, rev. 7-14, rev. & ren. 7-16]~~

Outgoing committee members should be aware that their appointment will continue until their replacement is confirmed and has received the required Title IX training (typically by early fall). ~~[add. 1-14, rev. 7-14, rev. & ren. 7-16, frev~~add. 1-17]

Market Based Compensation (Staff)

Faculty Senate Meeting (10/9/2017)

Overall, a system based on individual market rates for each individual position

Big picture implications

Individual implications

Goal: Salaries equal 100% of market (Big picture)

Current salaries:	\$73.8M	
Total market:	\$84.5M	
Difference:	\$10.7M	(GenEd: \$5.8M)

Staff CTF – Equity Distribution Model (Compensation Factors)

Market rate/average

Minimum compa-ratio

Education beyond minimum

Prior experience directly related to the job

Time-in-Service

Time-in-Position/Responsibility

Merit

Creation of a target compa-ratio and target salary

Results: 78% (1199) of staff employees are behind their respective target salary; 22% are ahead

Transparency

Friday, October 6, we rolled out the VandalWeb page for each employee to see their target salary and the calculations supporting it

Supervisors are also able to see the information for their employees as well

Mid-Year Adjustment

\$1M additional GenEd for staff salaries (\$.81M recommended from other sources)

Two primary goals:

Bring those behind toward target salary

Address those egregiously behind their target salary

Annual CEC will be similar except that even those ahead of salary will see some increase.

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #7**

**3:30 p.m. - Tuesday, October 3, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

- I. Call to Order.**
- II. Minutes.**
  - Minutes of the 2017-18 Faculty Senate Meeting #6, September 26, 2017 (vote)
- III. Chair's Report.**
- IV. Provost's Report.**
- V. Other Announcements and Communications.**
  - Consent Agenda (Brandt)
  - 7:30 a.m. Exams (Chermak)
  - Concealed Weapon Concerns (Dorschel)
- VI. Committee Reports.**
  - **Borah** (Daley-Laursen/Smith)
- VII. Special Orders.**
- VIII. Unfinished Business and General Orders.**
- IX. New Business.**
- X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #6  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #6, Tuesday, September 26, 2017**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Baird, Brandt (w/o vote), Brown, Bugingo, Cannon, Caplan, De Angelis, Ellison, Foster, Zhao (Idaho Falls), Grieb, Hrdlicka, Jeffery, Johnson, Kern (Coeur d'Alene), Leonor, Morgan, Morrison, Nicotra, Panttaja, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote). **Absent:** Barbour, Mahoney. **Guests:** 7

**Call to Order and Minutes:** The chair called the meeting to order at 3:30 and welcomed a new Senator, Joshua Leonor, who represents the Student Bar Association. A Senator suggested a clarification to the minutes as follows: On page 2, third full paragraph, numbered list. Change #3 to read "Because the CIP Codes appear to be tied to majors and/or programs and not directly to faculty responsibilities – how is research reflected in the CIP Code Process." This change was accepted by the secretary as a friendly amendment. A motion (Baird/Morrison) to approve the minutes as clarified was approved unanimously with two abstentions.

**Chair's Report:**

- On October 6<sup>th</sup> Campus-wide meeting regarding staff market-based compensation will be held. Information about the meeting is available here: <http://www.uidaho.edu/news/news-articles/faculty-staff-news/2017-september/091117-marketbasedcompensation>
- Sabbatical Applications due on October 27, 2017. Information is available here: <http://www.uidaho.edu/provost/faculty/leave>.
- Honorary degree nominations for the May 2018 commencement ceremony are due by November 15, 2017 <http://www.webpages.uidaho.edu/fsh/4930.html>
- Faculty and staff are encouraged to join the faculty and staff Facebook group for regular information on university news and events (<https://www.facebook.com/groups/uidahoemployees>). In Facebook search for UI Faculty and Staff News and Events.

The chair noted that the packet for the meeting came out comparatively late. The packet typically is not sent out until all the supporting documents for the meeting are available. He encouraged senators to go to the Faculty Senate webpage which is updated regularly as material and information on the upcoming senate meeting becomes available. He recognized the extraordinary efforts of Anna Thompson in maintaining the website and in getting timely information to senators.

**Provost's Report:** The Provost reported that the university is exploring the possibility of using Academic Analytics (<https://www.academicanalytics.com/>) as part of the efforts to assess progress on our strategic plan and provide accurate data for accreditation and future program prioritization processes. The company recently demonstrated its product to a small group of administrators, faculty and staff. The product may be able to provide important data in our efforts to move toward an R1 research institution and will benchmark our information against data from other institutions.

The Provost noted that he recently attended an interesting session of a Symposium on open and reproducible science sponsored by The Center for Modeling Complex Interactions, and thanked CMCI and Professor Berna Devezer (CBE) for organizing and hosting the symposium.

The Faculty Compensation Taskforce met with the Provost to iron out details necessary to launch the new market compensation system. Estimates of base market compensation for clinical, research and library faculty are in process. The university has a long way to go to meet our market compensation goals. We need to get started with the upcoming mid-year compensation and with next year's CEC (change in

employee compensation). We may not get everyone's market rate documented perfectly, but we anticipate that we will have a very good first pass at these assignments.

A memo from the University Budget and Finance Committee (UBFC) recommended priorities from last spring has been published. The committee is in the process of launching and revising its process for this year.

Finally, the Provost reported that within academic affairs, his direct reports are discussing the program prioritization reallocation and how it should be apportioned among the various units. Anyone in academic affairs is invited to provide input on how the allocation should be apportioned. Input should be provided by September 29, 2017 through Sli.do <https://app.sli.do/event/7rOwijzh/ask>.

A senator noted that the university recently worked with Elsevier to develop some data regarding our research activities and asked whether the university would follow up on that effort. The Provost indicated that the Elsevier product is very expensive compared to Academic Analytics, but we are far from purchasing anything. As we get a better understanding of needs and software capabilities, we can assess which tools we might want to purchase. The Provost also noted that the decision of whether to invest in a tool such as Academic Analytics should be driven by faculty and academic leaders (especially department chairs and deans). He encouraged faculty senate to work with faculty and deans on whether the university should invest in such a tool.

**Jeanne Stevenson, Vice Provost for Faculty** provided an overview of her responsibilities in her newly created position. She will be focused on hiring and retaining faculty to assist the UI to achieve its goals in research, teaching, outreach and service. Examples of her work during the summer include:

- Developing programs for new faculty and department administrators. As part of new faculty orientation, she has worked to expand partnerships with departments and colleges to expand new faculty orientation within each college.
- Developing a workshop series for new department chairs emphasizing the activities they need to get involved in during their first three months (students learning outcomes, new program assessment, faculty responsibilities and budgeting).
- Facilitating the university's leadership academy for faculty and staff who are interested in pursuing university leadership positions.
- Providing assistance to department administrators and faculty through informal conversations to discuss processes.
- Facilitating a workshop series for department chairs throughout the academic year. So far focus of the chair series has been on program assessment strategies, dialogue between the three vice provosts and chairs, and a presentation by Vice Provost Cher Hendricks about program development and design. She is identifying topics for spring semester.
- Developing support for long-term associate professors who have an interest in promotion to full professor.
- Partnering with committees and Faculty Senate to clarify policies affecting faculty. One example is working with the Sabbatical Leave Application Committee to revise the sabbatical leave policy to make it more straightforward and clear for faculty.

**Brandi Terwilliger, Director of Human Resources**, updated Senate on forthcoming changes to the health insurance. Open enrollment will be from October 16 through November 7, 2017. The changes are minor and will be detailed in the new benefits booklet, which will be distributed to employees in the near future. Human Resources is also launching an enhanced portal to enroll in benefits. There will be a single sign-on for enrollment, which will take four steps. The enrollment website will include a side-by-side comparison

that employees may view while they are enrolling (rather than having to open another webpage to see the comparison). Human Resources is hoping to have the enrollment interface customized so employees will be able to see what plan is best for them based on their actual expenditures. On October 2, 2017 there will be an all-day forum in which employees can meet with individual vendors to ask questions about coverage and benefits. After the forum, there will be open meetings, which will be recorded and zoomed to off-site employees. The recordings will be available on the benefits website.

A senator asked what the feedback has been on Willamette Dental, a relatively new option for dental insurance. Director Terwilliger indicated that the feedback has been positive. Human Resources thought Willamette was going to have increased rates for this year, but the rates were negotiated down. The plan has approximately 30 participants.

Another senator asked whether flu shots will be available at the benefits vendor forum. Director Terwilliger affirmed that flu shots will be available for employees and adult dependents. They will be administered in a separate location. Employees do not need to have their medical card with them. Flu shots will also be available to any other location that has asked for them.

**Student Code Taskforce.** Liz Brandt, Faculty Secretary, Jim Craig, Associate General Counsel, Blaine Eckles, Dean of Students, and Erin Agidius, Director of the Office of Civil Rights and Investigations presented proposed revisions to FSH 2400 regarding student disciplinary procedures and FSH 1640.83 regarding the university committee governing student discipline. The proposal was a collaborative effort involving the Dean of Students Office, the Office of General Counsel, Faculty Secretary, faculty and students. The proposal provides for a greatly enhanced investigation process, including a non-confrontational and extensive exchange of information prior to a decision or a hearing. The proposal combines the current Student Disciplinary Review Board and the Student Appeals Committee into one committee. The members of this committee, called the Student Conduct Board, will form a pool of faculty, staff and students from which hearing and appellate panels will be formed. In light of the expanded investigative process, the proposal limits who may speak at hearings. It also provides that a trained, professional hearing officer may be available to conduct the hearing for a panel, serve as a member of a panel, or serve as the sole person hearing a case. The proposal provides for a single appeal.

A senator expressed concern that some students may not be in a position to do an effective job articulating their arguments in the investigation process. Craig responded that there will be several opportunities to clarify. The student receives the report and can respond to same, and at the hearing, members of the panel will be able to ask questions through the chair. He also stressed that students would be entitled to have an advisor assist them through the process and be present at the hearing, although only the student may speak at the hearing. In rare situations, the chair of the panel may ask additional persons to speak before the board. Another senator asked whether the proposal is consistent with recent Title IX guidance. Director Agidius stated that the proposal is in compliance with current Title IX guidance.

Another senator pointed out that the proposal does not define who the investigator is. Craig answered that the investigator could differ from case-to-case. In Title IX cases, a trained Title IX investigator from the Office of Civil Rights and Investigations would handle the cases. In cases involving violations of housing rules, a housing investigator would handle the cases. The Dean of Students Office also has investigators. The suggestion was made to include a general definition of “investigator” in the proposal. Dean Eckles responded that if a student is concerned about the objectivity of a particular investigator, the student may challenge an investigator for bias. A senator questioned whether there is a potential conflict in the code because both the investigator and the Student Conduct Administrator are employees within the Dean of Students Office. Faculty Secretary Brandt explained that under our current system the same situation exists.

A senator asked who would determine whether a hearing officer is involved in a given case and whether the hearing officer would decide the case or play a role on the panel. Mr. Craig responded that the decision would be made by the Dean of Students.

A senator pointed out that the flow chart gives the impression that every case goes to appeal. Mr. Craig pointed out that the State Board of Education has adopted new rules that require the university to provide for an appeal in every case. However, at each step in the process, the case could be resolved by mutual agreement. Furthermore, the Student Conduct Administrator can decide that there is not enough information to proceed with the disciplinary action.

Regarding the revisions to the committee name and structure, Brandt pointed out that the proposal had been approved by the Committee on Committees (ConC). ConC requested that a provision be included requiring that the Student Conduct Board members treat hearings and appeals as confidential and refrain from sharing information among committee members who might be serving in other capacities in the same case.

A motion to adjourn (Panttaja/Vella) was made and the meeting was adjourned at 4:57 pm.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

## **Consent Agenda**

David O. Renz, Ph.D.

### **What is a Consent Agenda?**

A consent agenda is a practice by which the mundane and non-controversial board action items are organized apart from the rest of the agenda and approved as a group. This includes all of the business items that require formal board approval and yet, because they are not controversial, there is no need for board discussion before taking a vote. Items may be on a consent agenda only if all board members agree; if even one member considers a specific item to need discussion, it must be removed and placed on the regular agenda for the board meeting.

### **Why are Consent Agendas Used?**

Consent agendas are used to save board meeting time and to help ensure that board meetings focus on substantive topics that are worth discussion. Through the “bundling” process, the entire set of items of business that are not worth board meeting time can be voted on in one action versus taking the time to vote on each individual item.

### **When Should Consent Agendas Be Used?**

Consent agendas should be used when there are a number of non-controversial business items on which the board needs to vote. Complete information must be provided in advance of the meeting to all board members, so that each knows what is being proposed and has the opportunity to consider whether the item truly is non-controversial. The key here is “non-controversial,” and the definition of non-controversial may vary from organization to organization. Consent agenda items often are matters that a bylaw or some other rule or regulation requires to be formally approved by the board, yet there is no value added by engaging the board in discussion about the item (e.g., a routine lease renewal for a facility already included in the approved agency budget). Consent agendas are *not* to be used to hide actions that will be controversial -- to do so breaches the trust of the board and undermines the value of this practice.

### **Where Should Consent Agendas be Placed within the Overall Meeting Agenda?**

The consent agenda typically appears very near the beginning of the regular meeting. This allows any item removed from the consent agenda to be placed onto the overall agenda for discussion and action later in the meeting. As with all formal board action, a quorum must be present to in order for action on the consent agenda items to be legitimate and binding.

## Who Should Use Consent Agendas?

Consent agendas are used by both non-profit and for-profit organizations whose boards are trying to use members' time efficiently and that have much routine business to approve. It is especially common to see the boards of governmental entities such as libraries and educational institutions use consent agendas because of the volume of routine business that they are required by law and regulation to approve.

## How Can Consent Agendas be Used Effectively?

The key to success is to provide all consent agenda information to board members well in advance of the meeting. It is *essential* that board members have ample time prior to a meeting to become familiar with each item on the consent agenda. That way, if a member or members have a concern about any item(s) that they believe need further discussion, then they will ask for the item(s) to be removed from the consent agenda and addressed separately.

At the time in the regular agenda when there is to be action on the consent agenda, the chair will first inquire whether there are any items that need to be removed from the consent agenda. If *any* member wishes an item to be removed, it must be removed and placed on the regular agenda. Immediately following the opportunity to remove any items for separate discussion, the consent agenda is moved and approved as a set. (For example: "I move the consent agenda." Another member: "I second the motion.")

It may be useful to those who plan the overall meeting agenda and the consent agenda (usually the board chair and/or executive director) to have guidelines, developed in consultation with the board, to clarify which types of items might be appropriate for the consent agenda.

## When Should a Consent Agenda Not Be Used?

The consent agenda practice should not be used unless all members of the board understand and agree to its use. This approach places more responsibility upon members to prepare prior to the meeting. Obviously, if members do not read the information on the consent agenda prior to the meeting, they cannot responsibly agree to the inclusion of any particular item on the consent agenda. The worst outcome would be to take action on a matter of significant programmatic or legal importance without truly having the board's **informed** consent.

	<b>Current</b>	<b>Alternative 1</b>	<b>Alternative 2</b>
Final Exam Days	Monday - Friday	Monday - Friday	Monday - Thursday
Exam Time One	7:30 - 9:30	8:00 - 10:00	7:30 - 9:30
Exam Time Two	10:00 - 12:00	10:15 - 12:15	9:45 - 11:45
Exam Time Three	12:30 - 2:30	12:45 - 2:45	12:00 - 2:00
Exam Time Four	3:00 - 5:00	3:00 - 5:00	2:15 - 4:15
Exam Time Five			4:30 - 6:30
Exam Time Six			6:45 - 8:45
Common Finals	7:00 - 9:00 (M-TR)	7:00 - 9:00 (M-TR)	9:00 - 11:00
Conflicts	5:00 - 7:00 (TR, F)	5:00 - 7:00 (TR, F)	No Specific Time. The student and instructor would have to identify an alternative time.

# INFRASTRUCTURE DIVISION

Office of Public Safety & Security



Matt Dorschel

Executive Director, Public Safety &  
Security

[www.uidaho.edu/infrastructure/pss](http://www.uidaho.edu/infrastructure/pss)

[mdorschel@uidaho.edu](mailto:mdorschel@uidaho.edu)

[pss-safety@uidaho.edu](mailto:pss-safety@uidaho.edu)

5-2254 or 5-7209

## Organizational Chart for Public Safety & Security



### Threat Assessment & Management Team

- Includes representatives from Academic Affairs, Student Affairs, MPD, and HRS
- Develops fact-based assessments of individuals that may present a threat to the university community
- Collaborates with university community to develop preventative measures, including plans and protocols for responding to credible threats.

### Safety & Security Collaboration

- Risk Planning
- Unit Emergency Response Planning
- Active Shooter Response Training
- NetLearning
  - >3,000 courses/year
- Tailored, live training to UI community
  - >300 courses/year

### Clery Act Compliance

- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
- Key Requirements
  - Annual Security Report
  - Public Crime Log
  - Issue Timely Warnings & Emergency Notifications

### Recent Initiatives

- Emergency Response Framework
- Security Camera Enterprise
- Culture of Safety
  - ORED / Infrastructure Collaborative effort
- Vandal Alert Intercept
  - Mobile device enrollment

# BORAH

7<sup>TH</sup>

## SYMPOSIUM

70<sup>TH</sup> ANNUAL | UNIVERSITY OF IDAHO

OCTOBER 16-17, 2017



### OCTOBER 16

7:00 pm

KEYNOTE ADDRESS

Nobel Laureate Shirin Ebadi

*"The Role of Women in World Peace"*

Pitman International Ballroom

### OCTOBER 17

12:30 pm

Professor LeRoy Ashby

*"The Life and Times of William Edgar Borah"*  
(co-facilitated with the Renfrew Colloquium)

Pitman International Ballroom

7:00 pm

Professor Scott Shapiro

*"The Internationalists: How a Radical Plan to  
Outlaw War Remade the World."*

Pitman International Ballroom

[www.uidaho.edu/borah](http://www.uidaho.edu/borah)

The symposium honors the legacy of former US Senator from Idaho William Edgar Borah (1864-1940) by considering the causes of war and the conditions necessary for peace in an international context.

In 1907 Borah was elected to the U.S. Senate where he served until his death in 1940. Known for his public speaking skills and his independent and often controversial positions on political issues, he was a strong advocate for peace, disarmament and the major proponent for the outlawry of war.

 The BORAH Foundation

University of Idaho

# Faculty Senate Briefing

## 3 October 2017

**Purpose:** To honor the legacy of Senator William Edgar Borah and to promote understanding of the causes of war, the conditions necessary for peace, and the international arena.

**Founded:** 1929, via agreement between lawyer Salmon O. Levinson and the Idaho State Board of Education.

**First program:** 1938, when First Lady Eleanor Roosevelt visited campus.

Annual programming since 1948.

**Planning:** Six faculty, four students, and two staff members with ex-officio support from the Martin Institute.

### NOTABLE SPEAKERS:

#### Former Heads of State

Oscar Arias (2011 visit)  
Gro Harlem Brundtland (2009)  
FW de Klerk (2008)  
Jody Williams (2005)  
Lech Walesa (2004)  
Betty Williams (1993)

#### Nobel Peace Prize Recipients

Shirin Ebadi (2017)  
Oscar Arias (2011)  
FW de Klerk (2008)  
Mary Robinson (2007)  
Lech Walesa (2004)  
Jose Antonio Duarte (1983)

#### Others

Vandana Shiva (2012)  
Jared Diamond (2006)  
Romeo Dallaire (2005)  
Hanan Ashrawi (2002)  
Stephen Jay Gould (1992)  
Benjamin Spock (1976)

---

## Borah 70<sup>th</sup> Annual Symposium, 16-17 October 2017

**Shirin Ebadi** is the keynote speaker, lecturing on “The Role of Women in World Peace,” on Monday, Oct. 16, 7 p.m., in the International Ballroom in the Bruce M. Pitman Center. A former chief magistrate of 26th Divisional Court in Tehran, after the Islamic Revolution Ebadi became a defense lawyer for many controversial political and human rights cases in Iran, winning the 2003 Nobel Peace Prize for her work. Her invitation was conceived in part as an homage to the first Borah program featuring Eleanor Roosevelt, one of the most well-known campaigners for peace and human rights of the Twentieth Century.

**LeRoy Ashby** will also speak. Regents professor emeritus at Washington State University and biographer of William E. Borah, Ashby will present the “The Life and Times of William Edgar Borah” at 12:30 p.m. Tuesday in the International Ballroom. This talk is via a partnership with the Renfrew Colloquium.

**Scott Shapiro** concludes the symposium on Tuesday night at 7 p.m. in the International Ballroom, He recently published “The Internationalists: How a Radical Plan to Outlaw War Remade the World” with colleague Oona Hathaway (September 2017), which offers a history of international law as it has evolved from the 17th century through the present; it details the work of both Borah and Levinson in the service of world peace.

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #6**

**3:30 p.m. - Tuesday, September 26, 2017**

**Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

- I. Call to Order.**
- II. Minutes.**
  - Minutes of the 2017-18 Faculty Senate Meeting #5, September 19, 2017 (vote)
- III. Chair's Report.**
- IV. Provost's Report.**
- V. Other Announcements and Communications.**
  - Vice Provost for Faculty (Stevenson)
  - Benefits (Terwilliger)
- VI. Committee Reports.**
  - Student Code Task Force** (Craig/Eckles/Brandt)
    - **FS-18-003: FSH 2400** – Disciplinary Process for Violations of Student Code of Conduct (initial presentation – overview)
    - **FS-18-004: FSH 1640.83** – Student Conduct Board
- VII. Special Orders.**
- VIII. Unfinished Business and General Orders.**
- IX. New Business.**
- X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #5  
Handouts  
FS-18-003 & FS-18-004

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #5, Tuesday, September 19, 2017**

**Present:** Anderson (Miranda), Anderson (Mike), Arowojolu, Baird, Barbour, Brandt (w/o vote), Brown, Bugingo, Cannon, De Angelis, Ellison, Foster, Ostrom (Idaho Falls), Grieb, Hrdlicka, Jeffery, Johnson, Kern (Coeur d'Alene), Mahoney, Morgan, Morrison, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote).  
**Absent:** Caplan, Leonor, Nicotra, Panttaja. **Guests:** 7

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. A motion to approve the minutes was approved with one no vote and three abstentions.

**Chair's Report:**

- The University Faculty Meeting will be held on September 20<sup>th</sup> at 3:00. Provost Wiencek will be presiding for President Staben. He will introduce new faculty members, acknowledge faculty promotions and make remarks to the faculty.
- Early warning grades are due on Tuesday, September 19<sup>th</sup>. These grades help with retention of at-risk students.
- Faculty members should be sure to complete the survey on Classification of Instructional Program Codes (CIP Codes). Each faculty member received the survey in an email from Provost Wiencek on September 14<sup>th</sup>. CIP Codes will be used as part of the determination of market compensation. The survey provides the opportunity for individual faculty members to provide feedback on which CIP code best describes them. The survey must be completed by September 25<sup>th</sup>.
- Vice President of Finance Brian Foisy and Executive Director of Human Resources Wes Matthews will be hosting a meeting on the staff market compensation process on October 6<sup>th</sup>.
- The Faculty Compensation Taskforce is reconvening on Friday, September 22<sup>nd</sup>. Provost Wiencek will present his feedback on the faculty market compensation approach. The taskforce will discuss how to fine-tune the approach and how to implement the model for faculty.

A senator asked whether faculty can and/or should attend the staff compensation meeting on October 6<sup>th</sup>. The chair and the provost indicated that the web interface for staff will be presented and explained at the meeting. Some of the conversation may focus on the process for assigning Standard Occupational Codes (SOC Codes) to individual staff positions and whether staff voices were heard in that process. In addition, the provost indicated that there are also some alignment issues that may be discussed. For example, how will the university handle market compensation for positions that are similar from college to college, but currently make different amounts in each college? Faculty attendance at the meeting is a way of showing support to our staff colleagues, although issues at the meeting will not directly affect faculty.

**Provost's Report:** The provost called senators' attention to the memo about the Great Colleges Survey that went out on Tuesday, September 19<sup>th</sup>. The results have been available for a while and have been shared to some extent previously. Because of the need to move forward on program prioritization and on market compensation, the share link had not been broadly communicated to the entire university community until Tuesday. The results are not much different than last year. One of the areas of concern is the teaching environment on campus. The university is working on how to support good teaching. The new Center for Excellence in Teaching and Learning is part of that effort.

The provost is also working on a memo about how to implement the current program prioritization reallocation among academic units. He encouraged emails from senators who would like to have input on this reallocation process.

A senator asked whether clinical faculty colleagues will be left out of the market compensation process. The provost responded that no faculty member will be “left out.” Every faculty member will be assigned a CIP code. The source of the confusion is that a sample compensation spreadsheet was circulated that did not include any clinical faculty. Chair Hrdlicka, who co-chairs the Faculty Compensation Taskforce, explained that the taskforce is aware of the confusion. During its deliberations, it had to limit the scope of the data it examined and, as a result, focused on non-clinical faculty. The national databases that will be used to determine each faculty members’ market include data for clinical faculty. The taskforce is expanding the scope of its analysis. The provost thanked the senator for raising this issue so that we can improve our communication to include all faculty.

Another senator asked several questions about CIP Codes:

- 1) How was the approved list of CIP Codes determined;
- 2) Can a faculty member use CIP Codes from college or departments other than their own, if those codes better describe the faculty member’s work; and
- 3) Because the CIP Codes appear to be tied to majors and not directly to programs – how is research reflected in the CIP Code choice process?

The provost responded that the university reports what our faculty actually do to both the State Board of Education (SBOE) and to the National Center for Education Statistics. If a department is hiring a faculty member it relies on the CIP Codes which are closely aligned with what an institution would pay faculty in a particular program. Thus, faculty members are limited to the CIP Codes associated with the majors in the faculty member’s department. The provost hopes that what most faculty do is highly correlated to the department in which they work. The senator followed up by commenting that faculty do more than deliver majors. An individual faculty member’s research may not be directly related to the majors within their home department. The Provost responded that deans and chairs will have flexibility to set salaries within a range. Our current process is focused on setting the median for each range. But, we have to accord chairs the latitude to recognize the work of each faculty member. The dean and chair recommendations will be reviewed by the provost. He plans to have conversations at different levels of the salary process. The provost also indicated that while faculty may select specific six digit CIP codes to describe themselves as part of the Qualtrics survey (discussed by Chair Hrdlicka earlier in the meeting), the university is likely to use four digit CIP Codes for our market compensation process. He explained further that the salary information for many of the six digit codes is not statistically significant.<sup>1</sup> The provost pointed out that all of our faculty are “off market.” The university needs to move forward with market compensation to begin addressing our low salaries and start making decisions. The discussion about how to implement market compensation is going to continue beyond this first mid-year salary adjustment, and we can evolve as we go along. The chair elaborated on Provost Wienczek’s comments. He pointed out that if a faculty member was to leave the university, consideration must be given to how the university would fill the open position. If a biology professor leaves, in all likelihood the department will need a biologist even though the new faculty member might teach or do research as part of WWAMI. The provost commented that from his experience the merit based raises more than compensated for where his discipline was categorized. He stressed that we must take a small step and make progress. If momentum is achieved, we can consider significant revisions to the process such as re-evaluating whether to use a peer group consisting of R1 institutions rather than the currently suggested peer group of R1, R2 & R3 institutions.

---

<sup>1</sup> Please note, readers of these minutes may obtain a fuller understanding of CIP Codes here:  
<https://nces.ed.gov/ipeds/cipcode/Default.aspx?y=55>

Another senator commented that our instructional programs have evolved over the years and some of the assigned CIP Codes could be outdated. She asked whether there is a way that we can update CIP Codes. The provost will follow up to see what is required to do such updates.

A senator followed up on the Great Colleges Survey by asking whether the university planned to release the report on the 2016 survey results prepared by the President's Council on Diversity and Inclusion (Council). The provost indicated that originally the university intended to release a memo combining the Council's report and the results of the 2017 survey establishing a specific cascaded strategic plan to address the report and new results. Outside interest in the results of the 2017 survey led the university to release those results without the accompanying report and cascaded strategic plan. The Provost will work with Yolanda Bisbee, Executive Director of the Office of Equity and Diversity to get the Council's report out and announce cascaded planning processes. He will be looking to a small group to develop the cascaded plan. Issues are likely to be salaries, teaching environment, and creating a respectful culture. He also pointed out that one of the president's upcoming leadership breakfasts will focus on how to address micro-aggression in the workplace.

**Green Dot/Office of Violence Against Women Campus Grant Program.** Lysa Salsbury and Beckah MillerMcPhee made a presentation to Senate regarding implementation of a large grant received by the Women's Center to address violence on campus. They are approaching the end of year one of the grant - the planning year; and, are moving into year two - the implementation year. Their goals are to:

- 1) engage the entire campus in violence prevention efforts,
- 2) reduce sexual assault, domestic violence, dating violence and stalking on campus, and
- 3) provide effective and timely intervention.

The grant will focus specifically on ensuring that their services are accessible to multi-cultural students, LGBTQ students and international students. As indicated, they have just finished the strategic plan for the grant implementation. As part of that process, they created a team of 45 representatives from across campus, including faculty representatives Liz Brandt and Erin Chapman.

One part of the grant implementation is to develop an effective bystander intervention program that is evidence based. In response, the Green Dot program has been implemented on campus. This year the Women's Center is developing an overview of Green Dot training specifically for faculty and staff. They are also focusing on implementing Green Dot at the university's educational centers outside Moscow. Regarding implementation at locations off the Moscow campus, they are working on both online training and travelling to the centers to provide face-to-face training and support.

They need faculty help. Faculty are encouraged to attend a Green Dot overview or ask for a Green Dot overview at their unit's faculty meeting. Green Dot trainers will work around schedules and tailor the overview to the needs of the unit. The overview includes information about the training students are receiving as part of the program, but also covers how faculty can respond to situations involving the possibility of violence.

In addition to the information sessions, there are other opportunities to support the program. Faculty are invited to participate in the full Green Dot training. Faculty can also help support a culture on campus that is focused on ending interpersonal violence by including a statement such as the following in their syllabi or on their course pages:

"I support Green Dot and violence prevention efforts across campus. My classroom and office are safe places. Please know you will be supported and heard if you have experienced any form of violence. Also, know you are not alone:

UI Counseling and Testing Center – (208) 885-5138  
UI Women’s Center – (208) 885-2777  
Alternatives to Violence of the Palouse – (208) 883-4357”

Any communication can go a long way to getting the message out and providing access to services.

A senator pointed out that participating in Green Dot training can trigger difficult reactions in people who have experienced sexual assault. Such individuals cannot opt out of the mandatory ASUI Green Dot training without revealing they have been victimized. He asked whether changes can be made in the training to address this issue. MillerMcPhee pointed out that the training is evidence-based and, therefore, cannot be changed. She stated that they recommend that Green Dot training be voluntary to avoid this issue. She also pointed out that the training is more effective if individuals participate voluntarily.

A senator also asked if the Green Dot trainers have reached out to Intra-fraternity Council (IFC) and Pan-Hellenic about training. MillerMcPhee responded that they have reached out and that Greek houses are responding and organizing training. The senator followed up by asking whether an incentive could be developed to increase participation. MillerMcPhee responded that she would follow up on this with the senator.

A senator asked if students had been considered for the grant committees. MillerMcPhee responded that they welcome student participation and have reached out through ASUI. In response to another question, MillerMcPhee indicated that the grant organizers were collaborating with the International Programs Office to offer Green Dot training to international students. The chair asked whether we are a particularly violent campus. MillerMcPhee responded that the level of violence at our campus is typical of peer institutions. Another senator commented that she was uncomfortable about including the recommended language in her syllabus because she is not an expert at responding to interpersonal violence issues. MillerMcPhee encouraged faculty to adapt the suggested language to fit individual approaches. Letting students know where they can access safe places is crucial. MillerMcPhee also advocated that faculty let students know that we must report information that comes to us regarding interpersonal violence. The chair emphasized the importance of faculty making statements on these issues, recently communicated at the President’s retreat indicates that faculty support and availability is crucial to student success.

**Center for Teaching and Learning:** Introduction of Brian Smentkowski – the inaugural director of the Center for Excellence in Teaching and Learning (CETL). Director Smentkowski presented his goals for CETL:

- Collaborate with faculty to design transformative educational experiences that improve the lives and learning of our students through innovative and often collaborative teaching and research.
- Offer expert consultation and programming on diverse teaching and learning strategies customizable to all instructional modalities, learning environments, fields of study, and UI campus locations. Smentkowski stressed that whether online, in the classroom, the field, or abroad, CETL have the expertise and resources to help faculty create significant learning experiences.
- Provide specialized training and leadership in course and curriculum design, learning assessment techniques, peer observation of instruction, mentoring, educational development research, and the scholarship of teaching, learning, and engagement.
- Support robust BBLearn usage, with a focus on how technology can be used to enhance learning in all classes. In addition to BBLearn, CETL will provide further support collaborative inquiry and innovation in teaching and learning through the use of new, emerging, and existing technologies.
- Strive for diversity, inclusion, responsiveness, and transparency in all aspects of our programming.

Smentkowski invited faculty to help the center identify and support what faculty need to succeed as teachers and scholars and to collaborate on shaping the mission of CETL.

A senator asked if CETL might consider offering a workshop on teaching diverse students. Director Smentkowski answered that this type of workshop is what CETL aspires to offer. He is working on becoming more familiar with the university's needs and culture as part of developing such programming.

A senator asked whether CETL will be working to support TAs to make them effective teachers. Smentkowski has met with Dean McMurtry about how CETL can provide support for TAs. He will also be working with Vice Provost Hendricks regarding how to best support TAs.

In response to a question regarding how CETL will foster the development of an "e-campus", Director Smentkowski indicated that he will be working with new staff in the enrollment management unit on these issues. He believes his role will be to support the learning process through such programs. Provost Wiencek agreed with the senator and Director Smentkowski that the university must do a better marketing e-campus strategy. His vision is that this strategy would include not only traditional marketing, but also identifying appropriate opportunities for expanding online programs to ensure students in such programs are well supported. Another avenue for expanding our footprint in offering high quality programs online is to partner with for-profit firms. The university currently has an RFP out seeking such partners. These for-profit programs tend to focus on certain types of fields and the university must work on both its internal strategies and external partnerships.

A senator commented that he appreciated the breadth of the vision for CETL and appreciated that CETL would work with faculty in individual departments to facilitate engagement in teaching.

A senator asked whether the CETL workshops will be available at a distance and how to sign up for them. Director Smentkowski indicated that the announcements and registration information for the CETL workshops are sent to all faculty. Many of the workshops are available through Zoom. He has begun working with the centers on how to deliver workshops on the distant campuses in person, including the possibility of designating specific days for workshops, and leveraging technology in creative ways.

A senator indicated that CETL should consider sending workshop info to staff who also teach and for whom the workshops would be valuable. Director Smentkowski noted that he uses the term faculty to include anyone who gets in front of a room of students. He would also include faculty members who are not directly instructional. A senator asked if Director Smentkowski anticipates getting involved in discussions about teaching and learning spaces and environments on campus. He is looking forward to such involvement as the space and environment for teaching impacts learning.

The presentation from Vice Provost Jeanne Stevenson will be rescheduled for a future meeting.

A motion to adjourn (Morrison/Kern) was made and the meeting was adjourned at 4:53 pm.

Respectfully Submitted,

Liz Brandt, Faculty Secretary & Secretary to the Faculty Senate

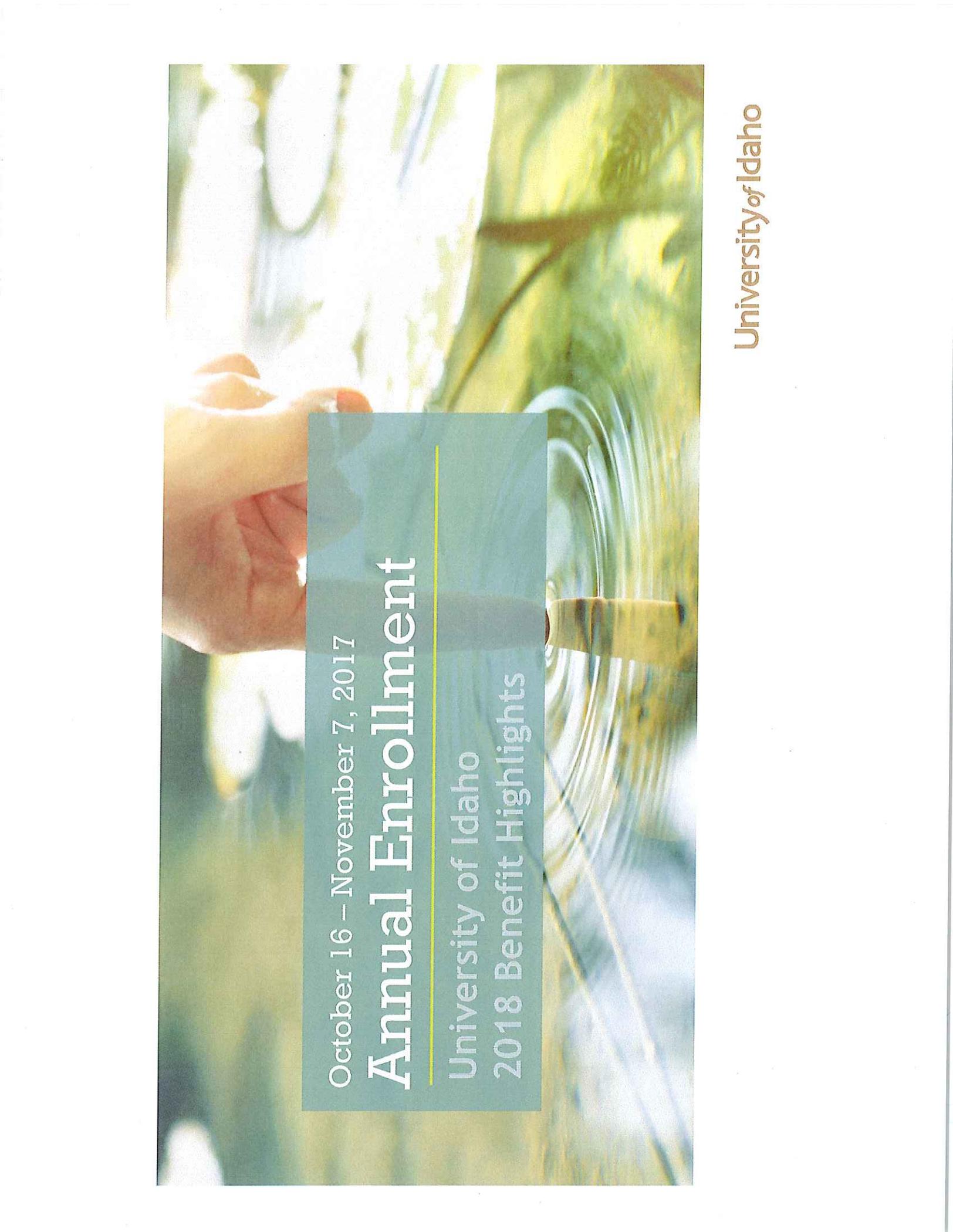
## Vice Provost for Faculty

(Includes excerpts from the position description)

**Purpose:** The Vice Provost for Faculty provides leadership for the recruitment, development, and retention of a high quality faculty engaged in teaching, research and scholarly activity, outreach and engagement, and leadership and service. Working in partnership with deans, department administrators, and faculty, the Vice Provost sustains and builds upon current faculty support programs to assure the University of Idaho's continued commitment to faculty excellence in support of the university mission and strategic plan.

Responsibilities include:

- Facilitate and support faculty hiring process and personnel matters.
- Facilitate and provide faculty development and support functions (e.g., New Faculty Orientation, mentoring through promotion and tenure, leadership development, department chair orientation/seminar series, and other targeted mentoring programs).
- Oversee faculty processes such as sabbatical leaves, distinguished professor rank, and periodic review of administrators.
- Establish metrics and review and continuously improve processes and procedures (e.g., hiring processes, performance review, conflict resolution, and so forth) to recruit and retain high performing faculty members.
- Provide leadership and oversight of the university Leadership Academy.
- Serve as the provost's liaison with Faculty Senate and represent the provost as needed.
- Serve on university committees as assigned and/or invited (e.g., Committee on Committees, Native American Advisory Board, President's Athletic Advisory Committee, and Sabbatical Leave Committee).
- Engage with principal partners in the design, implementation, and assessment and continuous improvement of processes, programs, and services in support of faculty.

A hand is shown holding a pen, poised to sign a document. The document features a large, faint circular graphic. The background is a blurred outdoor scene with greenery and a building.

October 16 – November 7, 2017

# Annual Enrollment

University of Idaho  
2018 Benefit Highlights

University of Idaho

University of Idaho

# Anticipate

Your 2018 Benefits



## ■ 2018 Key Benefit Plan Changes

- H.S.A. Employee Contribution Limit Increase
- PPO Plan Prescription Drug Cost-Share Maximum Limit Increase (\$200/\$400)
- Employee Medical Plan Contribution Increases Between \$0.38 - \$3.30 depending on Benefit Plan and Coverage Level Elected

# ■ Updated Benefit Enrollment Site

- Continued Single-Sign-On Via Vandalweb
- Four Easy Enrollment Steps
- Contains Side-By-Side Plan Comparison
- Ability to Personalize Your Enrollment Experience

# How to Enroll

It's easy to enroll with our new enrollment website. Here's what you need to do.

Joanna, here are some things you need to do next:

**ANNUAL ENROLLMENT**  
Complete By: 11/7/17

MY BENEFITS	\$16,811	\$14,483
ANNUAL VALUE OF MY BENEFITS	PER PAY EM- PROVIDER COST	YOUR PER PAY PRE- TAX DEDUCTIONS
Benefits	Coverage Options	Coverage Details
Medical/Rx	Standard PPO	Employee + Spouse
Medical After Tax	Waived	No DEA dependencies
Dental	Dental Plus	Employee + Spouse
Dental After Tax	<a href="#">View My Elections</a>	<a href="#">Enroll/Make Changes</a>
Vision	<a href="#">View Required Documents</a>	<a href="#">Compare plans</a>
<a href="#">View all...</a>	<a href="#">Quick actions</a>	

**Benefits Plan**

1. Log in to [VandalWeb](#); click/tap the *Employee Menu* tab.
2. Under the *Benefits* label, click/tap *myBenefits*.
3. On the landing page, you can see a summary of your current elections. Click/tap *View all* for details. Click/tap *Quick actions* for a list of short cuts. Click/tap *View My Elections* for your elections history. Or Click/tap the checkbox at the top for Annual Enrollment.

# Initiate

# Step-by-Step 2018 Annual Enrollment Instructions (continued)

**myElections**  
Below is a timeline of your elections. You can also [start a new event](#).

**View Elections History** [Menu Icon]

Transactions: [View All](#) Options: [Legend](#)

**New Hire**  
August 1, 2017

**Today's Coverage**

**Annual Enrollment**  
January 1, 2018

[Print](#)

**Personal Information** | **Your Coverage** | **Dependents** | **Beneficiaries**

**Cost Summary**

**Company contributions**

4. From *MyElections*, click/tap *Annual Enrollment*, then click *Start* in the pop-up box that appears.

**Personalize your benefits plan**  
Annual Enrollment - January 1, 2018

1 **Family** | 2 **Benefits** | 3 **Beneficiaries** | 4 **Finalize**

**Joanna Vandal**  
You  
Age: 24  
[View Profile](#)

**Joseph Vandal**  
Spouse  
Age: 41  
[Edit | Remove](#)

[Add a Dependent](#)

[Next >](#)

5. From *Personalize your benefits plan*, review your dependents under *Family*. You can add, remove, or edit your dependents from this page. If you do not want to make changes, click/tap *Next*.

- Under *Health Benefits*, review your current selections. You can also see who is covered, the University's contributions, and your costs. To keep your selections, click/tap *Next*. To see your other options, click/tap the arrow next to your current selection for a drop-down menu. To change your selections, click/tap the plans you want, then click *Next*.

## Personalize your benefits plan

Annual Enrollment - January 1, 2018

1 Family 2 Benefits 3 Beneficiaries 4 Finalize

### Health Benefits

Benefit	Selection	Coverage Level	Cost
Medical/Rx	Standard PPO	You Joseph, Chicago who is covered	\$127.39
Dental	Dental Plus	You Joseph, Chicago who is covered	\$6.31
Vision	VSP Network Plo	You Joseph, Chicago who is covered	

**Cost Summary**

<b>COMPANY CONTRIBUTIONS</b>	Per pay employer cost: \$436.94 PER PAY
<b>YOUR COSTS</b>	Your per pay pre-tax deduction: \$132.70 PER PAY Your per pay post-tax deduction: \$1.89 PER PAY

Next >

Previous <

- Tax Free Savings & Spending Accounts
- Life Insurance and AD&D
- Disability
- Other Benefits

## Personalize your benefits plan

Annual Enrollment - January 1, 2018

1 Family

2 Benefits

3 Beneficiaries

4 Finalize

Group Benefits

Primary Beneficiary Life and AD&D Insurance



Joseph Vandal  
Spouse  
Ages: 41

Edit Remove

Totals must equal 100%

100.00%

Contingent Allocation(s)

Previous

Add a Beneficiary

Designate Estate

Next

7. Continue with the same process for the remaining benefits, then click/tap Next.
8. Under *Beneficiaries*, you can add, remove, or edit your beneficiaries. If you do not want to make changes, click/tap Next.

## Personalize your benefits plan

Annual Enrollment - January 1, 2018

1 Family

2 Benefits

3 Beneficiaries

4 Finalize

This screen lists your personal information and your entries during this session. Review this information carefully. If you are not satisfied with your entries, go to the appropriate step. If you are satisfied with your entries, click NEXT to proceed.

**Event Details**

Type: Annual Enrollment effective January 1, 2018

Status: In progress

**Personal Information**

Full Name : Joanna Vandal

Employee Number: VS9591234

Annual Salary: \$50,000.00

9. Under *Finalize*, review your information carefully. If you want to make changes, go back to the appropriate step.

## Step-by-Step 2018 Annual Enrollment Instructions (continued)

**Do you agree to the following terms and conditions?**

I hereby declare that I have completed my enrollment or modified my coverage, my contribution rate, or other information because of Annual Enrollment. I understand that the modifications made during this session are effective 1/1/2018, subject to the approval of any required evidence of insurability.

If you are adding a common-law spouse, you must be able to prove that you have co-habited for a minimum of 12 consecutive months. If you and/or your spouse are applying for non-smoker life insurance or critical illness, rates you certify that tobacco products have not to be used during the 12 months immediately preceding the date of this event.

I declare that the information contained on this form, if any, is complete and true (any false or incomplete declaration may nullify coverage). I consent to the collection, use, and exchange of my personal information by:

- My Employer,
- The administrators of my retirement, savings, and other Employee benefits programs,
- The agents retained by my Employer or the Benefits Administrator,
- An insurance company or any other person who requires information for the purpose of retirement, savings, or other Employee benefits plan administration.

I authorize these parties to obtain, and exchange between them, any information about me, my spouse, or my dependent children that they require for the purpose of determining my benefit entitlements, and for record-keeping, file identification, reporting, procurement of health information, claims resolution, and other services provided to me and my Employer from time to time. I authorize the company to deduct from my salary amounts required to pay the cost of coverage and/or contributions, if any.

To apply for non-smoker rates, please review the following statement then sign and date the form.

<sup>1</sup> I certify as a true fact that I have not used tobacco products during the 12-month period immediately preceding the date written below beside my signature.\*\*

[Previous](#) [Next >](#)

10. If you are satisfied with your selections, at the bottom of the *Finalize* page, click/tap the box under "By selecting NEXT," then click/tap Next.

### Personalize your benefits plan

**Annual Enrollment - January 1, 2018**

**Print your confirmation statement**  
The selections you made have been submitted successfully.

Event name: Annual Enrollment  
Effective date: January 1, 2018  
Date completed: September 14, 2017

Your new selections will appear in your **Personal Profile** once processed.

[If you wish, you can print a summary of your new selections.](#)

[Done](#)

11. This screen indicates that your selections have been successfully submitted and gives you the option to print your confirmation statement. Click/tap *Done* when you are finished.

12. Review your confirmation statement. If any information is incorrect, call the University of Idaho Benefits Center immediately: 1-208-885-3697 or 1-800-646-6174. The confirmation statement is your verification of enrollment after the enrollment period.

13. Complete an evidence of insurability form, if applicable (see page 27).

		STANDARD PPO WITH FSA	
		IN-OUT-OF-NETWORK	OUT-OF-NETWORK
		IN-NETWORK	OUT-OF-NETWORK
<b>ANNUAL DEDUCTIBLE:</b> Amount you pay before the plan begins to pay. For the PPO Plan, office visit copays do not count toward the medical deductible, and there are separate medical and prescription drug deductibles.			
Single <sup>1</sup>	\$1,500	\$400	\$600 per individual
Family <sup>2</sup>	\$3,000	\$800	
<b>ANNUAL MEDICAL COST-SHARE MAXIMUM:</b> After you meet this amount, <u>plus</u> pay the deductible, the plan pays 100% of covered services for the rest of the plan year. (Works like percentage cost-share.) The cost-share maximum includes what you pay in both dollar and percentage copays and for covered services. Medical and/or prescription drug deductibles do not count toward the cost-share maximum. For the PPO Plan, there are separate medical and prescription drug cost-share maximums.			
Single <sup>1</sup>	\$3,100	\$3,600	\$5,200 per individual
Family <sup>2</sup>	\$6,200	\$7,200	
For the HDHP, if one family member's covered services meets the \$3,100 individual cost-share maximum, the plan pays 100 percent of covered services for that person for the rest of the plan year. When any combination of family members' covered services meets the \$6,200 family cost-share maximum, the plan pays 100 percent of covered services for all family members for the rest of the plan year.			
<b>ANNUAL PRESCRIPTION DRUG DEDUCTIBLE</b>			
Single <sup>1</sup>	N/A		\$125
Family <sup>2</sup>			\$250
<b>ANNUAL PRESCRIPTION DRUG COST-SHARE MAXIMUM:</b> After you meet this amount, <u>plus</u> pay your annual prescription drug deductible (if applicable), the plan pays 100% of covered prescriptions for the rest of the plan year.			
Single <sup>1</sup>			\$3,225
Family <sup>2</sup>			\$6,450
<b>COMBINED MEDICAL AND PRESCRIPTION DRUG OUT-OF-POCKET MAXIMUM:</b> The most you'll pay in a plan year (annual medical and prescription drug deductibles plus annual medical and prescription drug cost-share maximums).			
Single <sup>1</sup>	\$4,600	\$7,350	\$9,150
Family <sup>2</sup>	\$9,200 per family; \$6,100 per individual	\$14,700	\$5,800 per individual for medical; \$6,700 for family for prescription drugs
<b>MEDICAL BENEFITS</b>			
Preventive care	You pay \$0	You pay \$0	You pay full cost
Office visit	30% of maximum allowance after deductible	\$25 copay, not subject to or applied to deductible	35% of maximum allowance after deductible
Lab work, imaging (MRI, CT Scan, PET), etc.	30% of maximum allowance after deductible	20% of maximum allowance after deductible	35% of maximum allowance after deductible

<sup>1</sup> Single reflects Employee Only coverage level.

<sup>2</sup> Family includes the following coverage levels: Employee + Spouse or Other Eligible Adult, Employee + Child, Employee + Children, Employee + Family (spouse or other eligible adult + children).

HDHP WITH HSA		STANDARD PPO WITH FSA	
IN-/OUT-OF-NETWORK		IN-NETWORK	OUT-OF-NETWORK
<b>BEHAVIORAL HEALTH</b>			
Inpatient services	30% of maximum allowance after deductible	20% of maximum allowance after deductible and \$100 per-day copay up to \$300 maximum copay per year	35% of maximum allowance after deductible and \$100 per-day copay up to \$300 maximum copay per year
Outpatient psychotherapy	30% of maximum allowance after deductible	\$25 copay per visit, not subject to or applied to deductible	35% of maximum allowance after deductible
<b>HOSPITAL BENEFITS</b>			
Emergency services	30% of maximum allowance after deductible	20% of maximum allowance after deductible	20% of maximum allowance after deductible
Inpatient	30% of maximum allowance after deductible	20% of maximum allowance after deductible and \$100 per-day copay up to \$300 maximum copay per year	35% of maximum allowance after deductible and \$100 per-day copay up to \$300 maximum copay per year
Outpatient	30% of maximum allowance after deductible	20% of maximum allowance after deductible	35% of maximum allowance after deductible
<b>MATERNITY SERVICES</b>			
Physician	30% of maximum allowance after deductible	\$250 copay (not subject to deductible or cost-share) then plan pays 100%	35% of maximum allowance after deductible and \$100 per-day copay up to \$300 maximum copay per year
Hospital	30% of maximum allowance after deductible	20% of maximum allowance after deductible	35% of maximum allowance after deductible and \$100 per-day copay up to \$300 maximum copay per year
<b>PRESCRIPTION DRUG BENEFIT</b>			
HDHP WITH HSA		STANDARD PPO WITH FSA	
Generic	Retail Pharmacy	Mail Order	Mail Order
Preferred brand name <sup>3</sup>	100% of drug cost until you meet the deductible; then 30% of maximum allowance		
Non-preferred brand name <sup>3</sup>		25% (\$12 min., \$25 max.)	\$36
		25% (\$25 min., \$75 max.)	\$75
		25% (\$40 min., \$100 max.)	\$120

Note that under both plans, bariatric surgery requires pre-authorization and has a separate \$1,500 deductible that does not count toward the medical or prescription drug deductibles. Services must be provided by a Centers of Excellence provider and/or facility. Under the PPO, you pay 20% of the maximum allowance after the deductible. Under the HDHP, you pay 30% of the maximum allowance after the deductible. Under both plans, the cost-share amounts do not count toward the cost-share maximum.

<sup>3</sup> If you buy a brand name drug instead of an available generic drug, you pay the applicable brand copay plus 100 percent of the cost difference between the brand name and generic.

## ■ Active Employee Medical Rates - PPO

Coverage Level	2017	2018
Employee Only	\$60.67	\$61.84
Employee & Spouse	\$127.39	\$129.85
Employee & Child	\$84.94	\$86.58
Employee & Children	\$128.61	\$131.09
Employee & Family	\$171.08	\$174.38

# ■ Active Employee Medical Rates - HDHP

Coverage Level	2017	2018
Employee Only	\$25.34	\$25.72
Employee & Spouse	\$53.21	\$54.01
Employee & Child	\$35.48	\$36.01
Employee & Children	\$53.72	\$54.52
Employee & Family	\$71.46	\$72.53

# Dental Plans At-a-Glance

The chart below summarizes what you will pay for in-network dental care. If you elect Delta Dental Standard or Delta Dental Plus and receive services from non-network dentists, the plan pays your full requested reimbursement or Delta Dental's non-network dentist fee, whichever is less. Willamette Dental does not pay benefits if you see non-network providers.

	DELTA DENTAL STANDARD	DELTA DENTAL PLUS	WILLAMETTE DENTAL
<b>ANNUAL DEDUCTIBLE</b>			
Individual	\$25	\$50	\$0
Family	\$75	\$150	\$0
<b>CLASS I BENEFITS</b>			
<ul style="list-style-type: none"> <li>Preventive care</li> <li>Diagnostic care</li> <li>X-rays</li> </ul>			\$20 copay
<b>CLASS II BENEFITS</b>			
<ul style="list-style-type: none"> <li>Oral surgery</li> <li>Endodontic care</li> <li>Periodontic care, including perio cleaning</li> <li>Minor restorative services</li> </ul>	Plan pays 100%		
<b>CLASS III BENEFITS</b>			
<ul style="list-style-type: none"> <li>Major restorative services</li> <li>Prosthetics</li> </ul>	25% of maximum allowance after deductible	20% of maximum allowance after deductible	\$75 - \$150 copay
<b>CLASS IV BENEFITS</b>			
Adult, child orthodontia (Covered services only include those started when coverage under the plan begins)	N/A	50% up to lifetime maximum benefit of \$1,500 per person	Pre-orthodontia treatment: \$150 copay; Comprehensive treatment: \$1,500 copay
Annual maximum benefit per person, excluding orthodontia	\$1,000	\$1,500	No annual maximum

## 2018 Full-time Employees' Per Pay Contributions for Dental Coverage

COVERAGE LEVEL	DELTA DENTAL STANDARD	DELTA DENTAL PLUS	WILLAMETTE DENTAL
Employee only	\$0.00	\$3.72	\$1.31
Employee + spouse or other eligible adult	\$0.00	\$8.31	\$1.90
Employee + child	\$0.00	\$7.43	\$2.32
Employee + children	\$0.00	\$14.12	\$4.48
Employee + family (spouse or other eligible adult + children)	\$0.00	\$15.01	\$4.92

# Vision Plan At-a-Glance

SERVICE	VSP PROVIDER (IN-NETWORK)	NON-VSP PROVIDER (OUT-OF-NETWORK)
Eye Exam—annual	\$10 deductible: Plan pays 100%	\$10 deductible: Plan reimburses up to \$52
Eyeglass lenses (once every 12 months) <ul style="list-style-type: none"> <li>• Single vision</li> <li>• Bifocal</li> <li>• Trifocal</li> <li>• Lenticular</li> </ul>	\$25 deductible <sup>1</sup> : Plan pays 100%	\$25 deductible <sup>1</sup> : Plan reimburses up to: \$55 \$75 \$95 \$125
Progressive	\$60 - \$119 deductible: Plan pays 100%	Not covered
Eyeglass frames (once every 2 years)	\$25 deductible <sup>1</sup> : Plan pays up to \$120	\$25 deductible <sup>1</sup> : Plan reimburses up to \$45
Contact lenses (once every 12 months)	Plan pays up to \$120 for contacts and fitting exam	Plan reimburses up to \$105 for contacts and fitting exam

<sup>1</sup> Deductible applies to a complete pair of glasses or frames, whichever you choose.

## 2018 Employees' Per-Pay Contributions for Vision Coverage

COVERAGE LEVEL	VSP VISION SERVICES
Employee only	\$0.00
Employee + spouse or other eligible adult	\$0.00
Employee + child	\$0.00
Employee + children	\$0.00
Employee + family (spouse or other eligible adult + children)	\$0.00

2018

# Annual

# Enrollment

October 16th—November 7th



Zoom Info.  
Coming Soon for this  
event!

## MEETINGS & EVENTS:

### **BENEFITS VENDOR FORUM**

Monday, October 2, 2017

8:30am - 4:30pm

Pitman Center, International Ballroom (2nd Floor)

Designated vendors have been invited to participate as panel experts in the following forums:

- Taking Charge of and Understanding Your Medical and RX Plans
  - Planning for Your Future
- Understanding Vision and Dental Plans
- Advantages of Pre-Tax Health Savings

Thursday, October 12 (Moscow - Pacific Time)

Borah Theatre - Pitman Center 10:00 - 11:00 am

ZOOM: <https://uidaho.zoom.us/j/804318424>

Telephone - 408-638-0968

Meeting ID: 804 318 424

Thursday, November 2 (Moscow - Pacific Time)

Whitewater Room – Commons 9:00–10:00 am

ZOOM: <https://uidaho.zoom.us/j/373140710>

Telephone - 408-638-0968

Meeting ID: 373 140 710

Thursday, October 12 (Moscow - Pacific Time)

Borah Theatre - Pitman Center 2:00–3:00 pm

ZOOM: <https://uidaho.zoom.us/j/310316250>

Telephone - 408-638-0968

Meeting ID: 310 316 250

Thursday, November 2 (Moscow - Pacific Time)

Whitewater Room – Commons 1:30–2:30 pm

ZOOM: <https://uidaho.zoom.us/j/935263242>

Telephone - 408-638-0968

Meeting ID: 935 263 242

# University of Idaho

## Benefit Services

415 W. Sixth Street, Moscow ID 83844-4332

Phone: (208) 885-3697 [www.uidaho.edu/benefits](http://www.uidaho.edu/benefits)

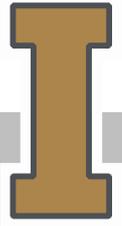
# STUDENT CODE OF CONDUCT

WHERE HAVE WE COME FROM?



# STUDENT CODE OF CONDUCT

Where have we come from?



# PRIOR TO SPRING 2014

Faculty Senate 2017-18 - Meeting #6 - September 26, 2017 - Page 10

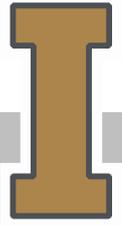
Student Code of Conduct and Statement of Student Rights adopted in the early 1970s.

Very confrontational – envisioned a hearing that resembled a court trial

Students had “rights” of confrontation, to remain silent, etc.

The hearing process was

- Stressful for students (hearings took a long time, cross-ex by lawyers was common, delays were frequent)
- Interfered with UI’s duty to provide a safe environment (hard to take action against students who refused to participate)



# SPRING 2014 REVISION PROCESS

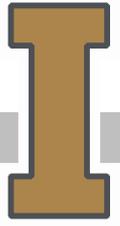
Faculty Senate 2017-18 - Meeting #6 - September 26, 2017 - Page 11

DOS proposed a revision based on the “investigative model”

- Meetings not hearings; no “right to remain silent,” no appeal outside DOS
- The proposal was VERY different than the '70s Code. Faculty and students pushed back against the proposal
- Faculty Senate authorized the UJC (earlier version of the SDRB) to work with DOS and make changes

The current code was passed by Senate in spring 2014

- Combination of the DOS investigative proposal and the old 1970's system

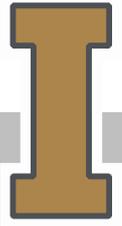


# 2014 CODE ISSUES

Faculty Senate 2017-18 - Meeting #6 - September 26, 2017 - Page 12

Too many layers of review mean that cases take a long time to resolve

- Original 2014 Code = DOS, then SDRB, then Senate Leadership screening, then Senate Subcommittee Appeal, then President.
- Revisions in 2016 eliminated Senate Leadership Screening, formed a Student Appeal Committee and allowed hearings before panels of 3 SDRB members. This helped.
- Still VERY difficult to get panels convened for hearings at busy times of year
- Appeal Boards don't always understand their role or how the hearing works



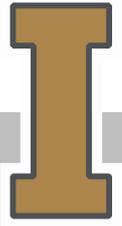
## Hearings take too long and can re-traumatize Title IX Complainants

- Often witnesses are not helpful
- Title IX Complainants have to keep re-telling their experience before different people (DOS, then SDRB, in front of respondent, etc.)

Puts the DOS in the position of acting as a pseudo prosecutor, instead of being able to help students (both respondents and complainants)

Difficult for non-lawyer faculty members to control hearings when lawyers try to treat the case like a court hearing

- Leads to increased involvement by General Counsel



# CONSIDERATIONS FOR A NEW PROCESS

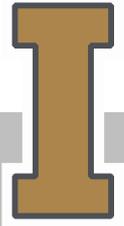
A Respondent's due process rights

A Complainant's ability to navigate and participate in the process with dignity and autonomy

Title IX Requirements

Clery Act Requirements

The ability to administratively handle the workload



# PENDING PROPOSAL HIGHLIGHTS

Faculty Senate 2017-18 - Meeting #6 - September 26, 2017 - Page 15

Collaborative development process that involved DOS, OGC, faculty, and students

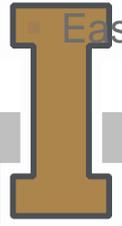
Enhances the investigation process by providing for extensive exchange of information prior to a decision or hearing

- Everyone is informed before a decision and hearing and has chance to respond in non-confrontational environment
- Hopefully cases will resolve without a hearing

Combines hearing board and appeal board into one group from which sub-panels may be formed

- Experience at both hearings and appeals
- Larger board will help schedule hearings

Easier to provide training



# PENDING PROPOSAL HIGHLIGHTS (cont'd.)

Faculty Senate 2017-18 - Meeting #6 - September 26, 2017 - Page 16

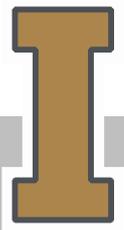
Limits who can talk at the hearing – generally only the complainant, respondent and investigator

- Hearing does not “re-do” the investigator’s report
- But still give complainant and respondent chance to “tell their story” and have their credibility evaluated in person
- Limited hearing = easier for non-lawyer committee chair to manage

Provides for trained, professional Hearing Officer in some cases

- Better able to handle complex situations

One Appeal

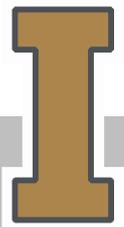


# QUESTIONS?

Jim Craig  
Deputy General Counsel  
[jimcraig@uidaho.edu](mailto:jimcraig@uidaho.edu)  
208-885-6125

Dr. Blaine Eckles  
Dean of Students  
[beckles@uidaho.edu](mailto:beckles@uidaho.edu)  
208-885-6757

Elizabeth Brandt  
Faculty Secretary  
[ebrandt@uidaho.edu](mailto:ebrandt@uidaho.edu)  
208-885-7808



## Investigation

- All parties are given opportunity to meet with investigator
- All parties are given opportunity to provide information to investigator
- All parties are given opportunity to review and respond to draft report
- May be resolved at this level if all parties agree
- Investigator drafts report and sends report to Student Conduct Administrator (SCA)



## Student Conduct Administrator

- Final Report goes to the SCA
- All parties can provide a written response to the Final Report to the SCA
- SCA may meet with parties
- SCA makes decision in minor cases, in cases where there is no violation of the Code, and in cases where no party requests a hearing before the Student Conduct Board (SCB)
- SCA refers matter to SCB in Title IX cases and major cases where either party requests an SCB hearing



## Student Conduct Board

- Hearing Panel of 3 – 5 members
- Parties may provide written responses to the Final Report
- Only the respondent, complainant (in Title IX Cases), and investigator appear at the hearing (only the chair may decide to call additional witnesses)
- Only information presented is information that was given to the investigator, unless information not previously available
- Only the chair may ask questions during the hearing
- Board should generally defer to findings contained in the report, but can issue different findings if warranted. Board is not required to defer to conclusion as to whether the respondent violated the Code.
- UI may use a hearing officer instead of a hearing panel



## Appeal

- Any party may appeal the SCA's or the Hearing Panel's decision
- All appeals heard by a 3 – 5 member panel of the SCB
- Appeal is a paper appeal only, no in-person hearings
- This is the Final Institutional Decision



## University Disciplinary Process for Alleged Violations of Student Code of Conduct

### A. Introduction

1. The purpose of the Student Code of Conduct (Code) is to help protect the safety of the University community and educate students about appropriate and responsible behavior, and to do so in a manner designed to educate students about their civic and social responsibilities as members of the University community, while complying with applicable state and federal laws and institutional policy. The primary focus of the disciplinary process is on educational and corrective outcomes; however, sanctions including suspension or expulsion from the University may be necessary to uphold community standards and to protect the campus community. University discipline is not in the nature of punishment for a crime, and the University's discipline process is not equivalent to state or federal criminal prosecutions. University disciplinary proceedings for any and all matters encompassed within the Code [FSH 2300] and the Statement of Student Rights [FSH 2200] are addressed under the following rules and regulations.

### B. Definitions

1. Advisor: a person of the student's choosing who has agreed to advise the student during the University disciplinary process and attend scheduled meetings with the student. The Advisor's role is simply to advise the student, and the Advisor is not permitted to speak during hearings, conferences, or interviews unless allowed by the University official conducting the interview.
2. Chief Student Affairs Officer (CSA Officer): the Dean of Students, unless the President appoints a different official to serve as the CSA Officer.
3. Code: the Student Code of Conduct, which is currently found in FSH 2300 and FSH 2400.
4. Complainant: the person(s) reportedly harmed by the Respondent's alleged violation of the Code.
5. Days: days that the University is open for business, not including Saturdays, Sundays, Fall Recess, Winter Recess, Spring Recess, or University holidays.
6. Student Conduct Administrator (Administrator): the official at the University of Idaho who has been designated by the CSA Officer to serve in this role. It shall also include the Administrator's designee.
7. DOS: the Office of the Dean of Students at the University of Idaho.
8. Hearing Officer: a person appointed by the Administrator to serve as the person presiding over a hearing in accordance with Section G.
9. Parties: the Respondent and, in Title IX cases only, the Complainant.
10. Respondent: the student who is alleged to have violated the Code.
11. Student: includes, but is not limited to, 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 eligible to enroll for classes without submitting an application for re-admission;
  - c. Individuals participating in the American Language and Culture Program, Independent Study of Idaho sponsored by the University of Idaho, the University of

Idaho International Student Success Program (UI-ISSP), or any other similar educational program of the University.

12. Student Conduct Board (SCB): the body which reviews student disciplinary matters, as set forth in sections D.2 and E and FSH 1640.83.
13. Title IX case: any disciplinary case, investigation, charge, or allegation involving alleged dating violence, domestic violence, sexual assault, sexual harassment, or stalking. The Title IX Coordinator may also designate any other case as a Title IX case.
14. University: the University of Idaho, in all of its campus locations, education, outreach and research programs, including extension programs and distance education programs, and at all locations where any of these programs are offered or administered.

### **C. Investigation**

1. Any member of the University community having knowledge of a potential violation of the Code may report the violation to either DOS or, in Title IX cases, to the Title IX Coordinator. A report should be in writing, but may be reported orally to the appropriate University official. A report should be submitted as soon as possible after the event takes place.
2. The University may conduct an investigation into any report of a violation of the Code. The purpose of the investigation is to determine whether a violation may have occurred and to gather relevant information concerning each allegation of a Code violation.
3. The investigator may conduct a preliminary review to determine whether there is sufficient information to engage in a formal investigation. The preliminary review may include interviewing the Complainant, Respondent, and other witnesses. If, after the conclusion of the preliminary review, the investigator decides to engage in a formal investigation, the investigator must notify the Respondent of the allegation.
  - a. The notice must be in writing and may be delivered either in person to the Respondent, or by email to the student's official University email account. If the notice cannot be delivered either in person or to the student's official University email account, the notice shall be delivered by any means reasonably likely to reach the student.
  - b. The notice shall inform the Respondent of the specific provision(s) of the Code the Respondent is alleged to have violated and include a short description of the basis of the alleged violation.
4. The investigator must give the Respondent an opportunity to meet with the investigator in person within a reasonable time after the notice of allegation is delivered to the Respondent in order to give the Respondent an opportunity to respond to the notice, present information in his or her defense, present any information the Respondent would like the investigator to consider, and provide the names of any witnesses the Respondent would like the investigator to contact.
5. At any time during the investigation, either the Complainant or the Respondent may, but is not required to, provide information to the investigator for the investigator to consider. Such information may include documentary information, the names of witnesses, witness statements, suggested questions to ask the other Party or other witnesses, etc. Only information that is presented to the investigator may be used in a hearing under section D.
6. Preliminary Report of Investigation
  - a. At the conclusion of the investigation, the investigator shall draft a Preliminary Report of Investigation (Preliminary Report) setting forth the steps taken during the

## DISCUSSION DRAFT

- investigation; a list of witnesses contacted; a detailed summary of any witness interviews; a detailed summary of any interviews of the Respondent and/or Complainant; a detailed summary of any other information considered as part of the investigation; and complete copies of any relevant documentary evidence gathered during the investigation, including copies of documentary information provided by the Respondent and/or the Complainant.
- b. The Preliminary Report shall not include any conclusions, findings, or credibility analysis.
  - c. The parties shall be provided an opportunity to review the Preliminary Report and may provide a written response to the Preliminary Report within five days of the review of the report. A party shall be deemed to have waived the right to review the report if the party does not make arrangements with the investigator to review the report within five days of being notified that the report is available to be reviewed. The written response may include requests for additional investigation, additional witnesses to interview, or additional questions to ask any witness.
  - d. After the time for submitting a written response to the Preliminary Report has passed, the investigator shall review any responses received and determine whether additional investigation is needed. If additional investigation is deemed appropriate, the investigator shall draft a revised Preliminary Report and shall give the parties an opportunity to review the report, as set forth in section C.6.c, above
  - e. After reviewing any written responses received within the time period allowed for submitting written responses, the investigator shall either continue the investigation or draft a Final Report of Investigation. The investigator has sole discretion of determining whether sufficient information has been obtained in order to end the investigation process.
7. Final Report of Investigation
- a. The Final Report of Investigation (Final Report) shall contain everything included in the Preliminary Report plus complete copies of any written responses received within the time period allowed for submitting written responses, a credibility analysis, recommended findings, and recommended conclusion as to whether the Respondent violated the Code.
    - (1) Credibility Analysis. The Final Report should include an analysis of the statements provided by each party and interviewee, as necessary, to determine whether the statements provided by that person are credible. The analysis may include a description of the person's demeanor during the interview(s), a comparison of statements made to known facts or statements from other witnesses, the person's ability to observe the event described, the person's bias, whether the person was under the influence of a controlled substance or alcohol, and any other information that a reasonable person would use in his or her everyday affairs to determine a person's credibility. Not every case will require a detailed credibility analysis of each interviewee, and the credibility analysis may be part of the particular finding. However, in cases where the credibility of the interviewee is material to the conclusion, there should generally be a separate credibility analysis.
    - (2) Recommended Findings. The investigator's recommended findings regarding factual issues shall include a description of the basis for each finding. Each

finding shall be based on a more likely than not standard and should include information from the interviews, documentary information obtained during the investigation, and, if relevant to that finding, information regarding the credibility of the Respondent, Complainant and/or witnesses.

- (3) Recommended Conclusion. In making a recommended conclusion, the investigator must apply the Code to the findings to reach a determination of whether the findings as found by a more likely than not standard constitute a violation of the Code.
- b. Sanctions. If the Final Report includes a recommended finding that the Respondent violated the Code, the Final Report shall not include recommended sanctions.
- c. The Final Report shall be provided to the Administrator. The Administrator shall provide the Final Report simultaneously to the parties.

#### **D. Hearing Process**

1. Student Conduct Administrator's Review:
  - a. After the Final Report is submitted to the Administrator, the parties may each submit a written response to the Final Report. This response must be provided to the Administrator no later than five days after the Final Report is provided to the parties. The Administrator may meet with the parties, separately, to discuss the Final Report.
  - b. A party may request that the matter be referred to the SCB for a hearing. The request must be in writing and must be submitted to the Administrator no later than five days after the Final Report is provided to the parties. If a party timely submits a request for the matter to be referred to the SCB:
    - (1) In non-Title IX cases, the Administrator shall refer matters to the SCB for a hearing if:
      - (i) The Administrator determines that there is sufficient information in the Final Report such that a finding could be made that the Respondent violated the Code; and
      - (ii) The Administrator determines that the appropriate sanction could include suspension, expulsion, or the withholding or revoking of a degree.
    - (2) In Title IX cases, the Administrator shall refer matters to the SCB for a hearing in matters in which the Administrator determines that there is sufficient information in the Final Report such that a finding could be made that the Respondent violated the Code.
    - (3) In all other cases, the Administrator shall decide whether the Respondent violated the Code.
  - c. If a matter is not referred to the SCB for a hearing::
    - (1) The Administrator shall decide whether the Respondent violated the Code. The Administrator shall make the decision based on the information contained in the Final Report, the written responses to the report, if any, submitted to the Administrator by the parties, and, if the Administrator chooses to meet with the parties, the information provided at the meeting to the Administrator by the parties.
    - (2) The Administrator should adopt the findings and credibility analysis contained in the Final Report, unless the Administrator finds that the findings or credibility analysis are not more likely than not to be true. Any additional or different

findings issued by the Administrator must be based on a more likely than not standard.

- (3) The Administrator is not required to defer to the recommendation contained in the Final Report as to whether the Respondent violated the Code, but is entitled to freely apply the Code to the findings in order to determine whether the Respondent violated the Code.
  - (4) If the Administrator determines that the Respondent violated the Code, the Administrator shall determine the appropriate sanction.
  - (5) The Administrator's decision shall be in writing and include the basis for the decision. The written decision shall be simultaneously provided to the parties.
  - (6) The Administrator's decision may be appealed in accordance with section E.
  - d. At any time before the matter is submitted to the SCB, DOS may refer a charge of a violation of the Code to mediation or other forms of appropriate conflict resolution. All parties must agree to participate with DOS in the conflict resolution process. Complaints of physical sexual misconduct or violence shall not be referred for alternative resolution under this paragraph, except in unique circumstances approved by the Title IX Coordinator after consultation with the Office of General Counsel and the CSA Officer.
2. Student Conduct Board Hearing
- a. In matters referred to the SCB, the Administrator (or designee) must send written notice to the SCB and the parties.
    - (1) The notice shall be in writing and may be delivered either in person to the parties, or by email to the student's official University email account. If the notice cannot be delivered either in person or to the student's official University account, the notice may be delivered by any means reasonably likely to reach the student.
    - (2) The notice must inform the Respondent of the specific provision(s) of the Code the Respondent is accused of violating, and include a short description of the basis of the alleged violation, the date and time for the hearing, and the deadline for submitting written materials to the Administrator.
    - (3) The written notice shall also include the Final Report and any responses to the Final Report which were timely submitted to the Administrator.
  - b. Except in cases referred to a Hearing Officer under Section G, the chair of the SCB shall appoint three to five members of the SCB to serve as a Hearing Panel to review each matter.
    - (1) The chair of the SCB shall appoint one of the Hearing Panel members to serve as chair of the panel. A student may not serve as chair of a Hearing Panel.
    - (2) The Administrator (or designee) shall serve as a non-voting, ex-officio member of every Hearing Panel and may be present and available as a resource during all deliberations. The Administrator is responsible for informing the panel of any previous conduct violations or other relevant disciplinary actions involving the Respondent.
  - c. In every case submitted to a Hearing Panel, the parties may submit written materials for the panel to review as part of its decision. To be considered by the Hearing Panel, all written materials must be submitted to the Administrator prior to the deadline set forth in the notice. The Administrator shall ensure that any materials timely

submitted are distributed to the parties and the Hearing Panel prior to the hearing. The written materials may only consist of the following:

- (1) Suggested questions for the panel to ask the Respondent or the Complainant;
  - (2) Written discussion or argument addressing the information contained in the Final Report;
  - (3) Information (as opposed to a discussion of the information contained in the report) that was not considered by the investigators in the Final Report only if the information was not available prior to the completion of the Final Report or if the information was provided to the investigator prior to the completion of the investigation but the information was not included in the Final Report.
- d. Hearing procedures:
- (1) The hearing shall be held at the time and place listed in the notice. The hearing shall be held no less than five days after the notice is provided to the parties.
  - (2) All hearings are closed to the public. The only people allowed to be present during the hearing are the parties, each individual party's Advisor, the investigator(s), the Administrator, the Title IX Coordinator (or designee) in Title IX cases, one or more attorneys from the Office of General Counsel, and the members of the Hearing Panel. The panel chair may give permission for others to attend the hearing in the panel chair's discretion, after consultation with the Administrator.
  - (3) The only witnesses at the hearing shall be the investigator(s), the Complainant, and the Respondent. In non-Title IX cases, the Complainant may only be present during the portion of the hearing where the Hearing Panel questions the Complainant, unless the chair determines in appropriate cases that the Complainant may remain for the entire hearing. In extraordinary circumstances, if the investigator is unable to be present at the hearing, the DOS may designate a representative to be there in the place of the investigator. Neither the Complainant nor the Respondent are required to say anything at the hearing.
    - (i) The panel chair, in consultation with the Administrator, may call additional witnesses if the panel chair determines that the additional witnesses are necessary for the Hearing Panel to properly resolve the case. This discretion should be used sparingly. The intention of the Code is that the Final Report, in the vast majority of cases, should provide a sufficient basis for the Hearing Panel's decision, recognizing that the parties may speak in person to the Hearing Panel and to respond to the Final Report.
  - (4) It is each party's responsibility to inform the panel chair and the Administrator of scheduling conflicts no less than three days prior to the scheduled hearing. The Administrator shall have the sole discretion as to whether to reschedule the hearing. Except in cases of grave or unforeseen circumstances, if either party fails to appear, the hearing will proceed as scheduled.
  - (5) If a report of a violation of the Code involves more than one Respondent, the Hearing Panel shall conduct a joint hearing with all Respondents. However, the panel chair may permit the hearing pertinent to each Respondent to be conducted separately. In joint hearings, separate determinations of responsibility shall be made for each Respondent.

- (6) Only the chair of the Hearing Panel may ask questions during the hearing, and doing so is at the sole discretion of the chair. However, the chair may seek input from panel members on areas for questioning. The parties may submit suggested questions in writing as long as the questions are received prior to the deadline for submitting written materials contained in the notice. Questions based on information that arises during the hearing may be submitted in writing during the hearing at the discretion of the panel chair.
  - (7) For complaints involving sexual misconduct, discrimination, or other complaints of a sensitive nature, the panel chair, in consultation with the Title IX Coordinator and the Administrator, may allow the Complainant to attend the hearing, answer questions, and make a statement from behind a partition or from another room or location through audio/video technology.
  - (8) The panel chair has discretion as to how to conduct the hearing. Generally, however, the hearing should be conducted as follows:
    - (i) Opening statement by the Respondent addressing the Final Report and the allegations that the Respondent violated the Code;
    - (ii) In Title IX cases, opening statement by the Complainant addressing the Final Report and the allegations that the Respondent violated the Code;
    - (iii) Questions, if any, by the panel chair of the investigator(s), Respondent, and/or Complainant;
    - (iv) Final statements by the Respondent and, in Title IX cases, the Complainant.
  - (9) In making its decision, the Hearing Panel shall consider all relevant information from the following sources:
    - (i) the Final Report, including the findings and conclusions contained in the report;
    - (ii) any written information provided by the parties as provided above; and
    - (iii) the information received at the hearing.
  - (10) In Title IX cases involving allegations of sexual misconduct, the past sexual history or sexual character of either party shall not be considered by the Hearing Panel except in extremely unusual cases where the panel chair determines that the information is critical to a proper understanding of the specific facts of the case at hand. Demonstration of pattern, repeated, and/or predatory behavior, in the form of previous findings in any legal or campus proceeding, or in the form of good faith allegations, may be considered in making the findings and, if a violation of the Code is found, the sanction.
  - (11) There shall be a single record, such as an audio recording, for all hearings. Deliberations shall not be recorded. Failure to record the hearing for any reason is not to be considered a procedural error that substantially impacts the decision and will not be grounds for appeal or reversal of the Hearing Panel's decision.
- e. Hearing Panel Decision
- (1) The Hearing Panel shall issue a written decision, which should be issued within ten days after completing deliberations. The chair shall provide the written decision to the Administrator, who shall then simultaneously provide the decision to the parties.

- (2) The Hearing Panel should adopt the findings and credibility analysis contained in the Final Report, unless the Hearing Panel finds that the information presented at the hearing warrants a different finding or the Hearing Panel finds that the findings or credibility analysis are not more likely than not to be true. Any findings issued by the Hearing Panel must be based on a more likely than not standard.
  - (3) The Hearing Panel is not required to defer to the recommendation contained in the Final Report as to whether the Respondent violated the Code, but is entitled to freely apply the Code to the findings in order to determine whether the Respondent violated the Code.
  - (4) Unless the panel chair is a Hearing Officer appointed to serve as chair without a vote, the panel chair shall participate in all votes, and all Hearing Panel decisions shall be made by a majority vote.
  - (5) If the Hearing Panel determines that the Respondent violated the Code, the Hearing Panel shall determine the appropriate sanction(s). The Administrator shall serve as a resource to the Hearing Panel to help ensure that sanctions are reasonably consistent among similar cases.
  - (6) The Hearing Panel may return the matter for additional investigation if the Hearing Panel determines that:
    - (i) The investigator failed to properly investigate the allegation and the failure was both substantial and to the student's detriment; or
    - (ii) There is new information that could substantially affect the outcome and the new information could not have been discovered before the issuance of the Final Report.
3. Either party may appeal a Hearing Panel's decision.
  4. Sanctions imposed by the Hearing Panel shall generally not go into effect until either the time period for an appeal has expired and no appeal has been filed or until the decision is upheld on appeal. However, the CSA Officer may impose any sanction imposed by the Hearing Panel as an interim action pending the appeal.

#### **E. Appeals**

1. Any party may appeal the Administrator's or Hearing Panel's final decision. Appeals must be submitted in writing to the Administrator and must set forth the grounds for the appeal. The appeal must be filed no later than five days after the decision is delivered to the parties. The Administrator shall ensure that the parties receive a copy of the appeal.
2. Appeals are limited to the following grounds:
  - a. A procedural error occurred in the investigation process that significantly impacted the outcome of the hearing;
  - b. New information, unavailable during the investigation or hearing, that could substantially impact the original finding or sanction has been presented in the appeal documents;
  - c. The sanctions imposed are substantially disproportionate to the severity of the violation (the imposition of an administrative fee is not a sanction, and therefore cannot be appealed); or
  - d. The decision is not based on substantial information. A decision is based on substantial information if there are facts in the case that, if believed by the fact finder, are sufficient to establish that a violation of the Code occurred.

3. An appeal shall be limited to a review of the decision, the Final Report, any written material considered in the decision, the recording of the hearing held before the Hearing Panel, and any written materials submitted with the appeal. Where an appeal is based on the discovery of new information, the new information may be considered only to determine whether the information was unavailable at the time of the decision and whether the new information could substantially impact the original finding or sanction.
4. Appeal Panel Procedures:
  - a. The chair of the SCB shall appoint three to five members of the Student Conduct Board to serve on the Appeal Panel, and shall designate one member to serve as chair of the Appeal Panel. Any member who served on a Hearing Panel shall not serve on the Appeal Panel on the same case. A student may not serve as chair of an Appeal Panel.
  - b. In Title IX cases, the non-appealing party may file a response to the appeal within five days of the filing of the appeal.
  - c. The Appeal Panel shall issue a written decision. The decision should be issued within fifteen days of receiving the appeal. The chair of the Appeal Panel shall provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.
5. The Appeal Panel may:
  - a. Uphold the Administrator's or Hearing Panel's decision;
  - b. Uphold the finding that the Respondent violated the Code, but revise the sanctions;
  - c. Return the matter for reconsideration; or
  - d. Return the matter for additional investigation.
6. Unless the case is returned for reconsideration or to the investigator for additional investigation, the decision of the Appeal Panel is the final institutional decision. If the decision upholds the finding that the Respondent violated the Code, the sanctions imposed shall go into effect immediately.

#### **F. Student Conduct Board**

1. The description and make-up of the SCB can be found in FHS 1640.83.
2. A member of the SCB shall not serve on any Hearing Panel or Appeal Panel in any case where the member has a conflict of interest or bias for or against either party.
3. If procedures call for the appointment of three or more members to serve on a Hearing Panel or Appeal Panel, the chair of the SCB should endeavor to appoint at least one student to the Hearing Panel or Appeal Panel. A student may not serve as chair of the Hearing Panel or Appeal Panel. In disciplinary cases involving allegations of academic misconduct, a majority of the Hearing Panel or Appeal Panel should ordinarily be faculty members.
4. All members of the SCB must receive annual training as determined by DOS, the Title IX Coordinator, and/or the Office of General Counsel. A member cannot serve on either a Hearing Panel or Appeal Panel until the member has completed this training.

#### **G. Use of a Hearing Officer**

1. In any case requiring a hearing before a panel of the SCB, the University may use a Hearing Officer to conduct that hearing.
2. The decision as to whether to appoint a Hearing Officer shall be made by the Administrator. The decision as to whether to appoint a Hearing Officer may not be appealed and may not be challenged on appeal as a procedural error.

3. The Hearing Officer may be appointed to serve as follows:
  - a. As a non-voting chair of the Hearing Panel whose duties are to run the hearing and ensure all proper procedures are followed;
  - b. As a voting chair of the Hearing Panel whose duties are to run the hearing, ensure that all proper procedures are followed, and to have a vote on the decision; or
  - c. As the chair and only member of the Hearing Panel whose duties are to run the hearing, ensure that all proper procedures are followed, and to issue the decision. When the Hearing Officer serves as the sole decision-maker, the Hearing Officer's decision shall be treated for all purposes the same as the decision of a Hearing Panel under the Code.
  - d. In cases involving allegations of academic dishonesty, a Hearing Officer may only be appointed as a non-voting chair of the Hearing Panel, but may not be appointed as a voting member of the Hearing Panel or as the chair and only member of the Hearing Panel.
4. The Administrator shall appoint the Hearing Officer from a list of Hearing Officers approved by the Office of General Counsel. The Hearing Officer must not have a conflict of interest or bias for or against either party.
5. The Office of General Counsel shall determine the appropriate qualifications for a person to serve as a Hearing Officer and shall make a list of approved Hearing Officers available to the Administrator.

#### **H. Interim Action**

1. At any time before a final institutional decision, the CSA Officer, or designee, may impose restrictions on a student and/or separate the student from the University community pending the final institutional decision. If circumstances allow, the CSA Officer (or designee) should meet with the student prior to imposing the interim action.
2. Other than issuance of no contact orders, an interim action issued prior to a hearing before the Hearing Panel may only be imposed when the CSA Officer determines that the student represents a threat of serious harm to any person; the student is facing allegations of serious criminal activity; the action is necessary to preserve the integrity of the investigation; the action is necessary to preserve University property; and/or the action is necessary to prevent disruption of, or interference with, the normal operations of the University. After the Hearing Panel's decision, pending an appeal of the decision, the CSA Officer may impose a sanction issued by a Hearing Panel as an interim action at the discretion of the CSA Officer.
3. In any Title IX case, the investigator, in consultation with DOS, may issue a no contact order prohibiting the Respondent and/or the Complainant from contacting the other. A no contact order should be routinely issued in Title IX cases and there need not be a specific determination made as provided above.
4. Interim actions may include, but are not limited to, the following:
  - a. Suspension from the University pending a final institutional decision;
  - b. Issuance of a no contact order;
  - c. Exclusion from University property;
  - d. Removal from the residence halls;
  - e. Removal from extracurricular activities, including participation on athletics teams;
  - f. Withholding the award of a degree pending the conclusion of the investigation and hearing process; or

## DISCUSSION DRAFT

- g. Any other action deemed necessary and appropriate by the CSA Officer to maintain orderly and appropriate University operations.
- 5. Where a student is suspended from the University, or directed to not attend certain classes, alternative coursework options may be pursued, with the approval of the CSA Officer and the appropriate college dean, to ensure as minimal an impact as possible on the responding student.
- 6. An interim action must be made in writing and is effective when the CSA Officer delivers the Notice of Interim Action to the responding student either in person or by email sent to the student's official University of Idaho email account.
- 7. The Respondent may appeal the imposition of any interim action by filing an appeal with the CSA Officer. There are no formal procedures for this appeal, and the interim sanctions remain in effect unless overturned by the CSA Officer.
- 8. A violation of the provisions of an interim action shall be considered a violation of the Code.

**I. Sanctions**

- 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. 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.
  - g. Housing Expulsion: permanent separation of the student from University Housing.
  - h. 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.
  - i. University Expulsion: permanent separation of the student from the University.
  - j. 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.
  - k. Withholding Degree: the University may withhold awarding a degree otherwise earned until the completion of all sanctions imposed.
- 2. More than one of the sanctions listed above may be imposed for any single violation.
- 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.
- 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.

5. The student shall be responsible for administrative and educational costs of any and all sanctions imposed for alcohol related violations.

#### **J. Miscellaneous**

1. At any point during the disciplinary process prior to a final institutional decision, the Administrator and the parties may agree to an appropriate resolution without further investigation, hearing, or appeal. The agreed upon resolution may include the use of appropriate alternative dispute resolution methods.
2. Role of an Advisor: In accordance with the educational purpose of the Code, all students, including Respondents and Complainants, are expected to speak for themselves at all stages of proceedings under the Code, including, but not limited to, during the investigation, hearing, and any appeal. Any student may have an Advisor present at any time during any interview, meeting, or proceeding under the Code, but the Advisor's role is to advise the student, not to speak for the student or make any presentation on behalf of the student. The student may, at any time and for a reasonable period of time, confer with the Advisor. If the University official conducting the proceeding determines at any time that the Advisor is acting outside of these parameters, the Advisor may be required to leave the proceeding at the official's discretion. In appropriate circumstances, at the sole discretion of the University official conducting the proceeding, the University official may allow the Advisor to speak on behalf of the student and/or make a presentation on behalf of the student.
3. Any time a student is found to have violated the Code, DOS may charge the student an administrative fee of \$150. This is not considered a sanction and may not be appealed.
4. 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. This is not considered a sanction, and the decision as to whether to notify the parents or not rests entirely within the discretion of DOS.
5. Training: All members of the SCB, the Administrator, the Title IX Coordinator, and the investigators shall receive annual training in accordance with the requirements of the policies of the Board of Regents of the University of Idaho and the Idaho State Board of Education (said policy is currently found at Section I, Subsection T), the Clery Act and implementing regulations (see, *e.g.*, 34 C.F.R. § 668.46(k)(2)(ii)), and Title IX.
6. With the exception of the deadlines for filing an appeal (see section E) or for requesting a hearing before the SCB (see section D.1.b), all other timeframes contained in the Code are suggested timeframes. While the timeframes should be followed absent exceptional circumstances, the failure to conduct any action within a designated time frame is not grounds for appeal or reversal of any decision.
7. Any question of interpretation regarding the Code or these procedures will be referred to the CSA Officer or his/her designee for final determination.
8. The University will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forceful sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense 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.

9. Any decision or action taken under the Code may be reviewed by the President at the President's discretion.
10. Appeals of a final institutional decision to the Board of Regents must be made in accordance with Idaho State Board of Education Governing Policies and Procedures Section III.P.18.

DRAFT

**UI FACULTY-STAFF HANDBOOK**

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

---

**FSH 1640.83**

**STUDENT CONDUCT BOARD (SCB)**

[This section was removed from FSH 2400 and placed here in July 2008. In 2014 University Judicial Council was renamed Student Disciplinary Review Board following a complete review of the Student Code of Conduct. In 2017 this board was created by collapsing the Student Appeals Committee with the Student Disciplinary Review Board to reflect a major rewrite of the code disciplinary process in FSH 2400]

**A. FUNCTION.** UI's process for reviewing alleged violations of the Student Code of Conduct (FSH 2300) is set forth in FSH 2400. The SCB is the reviewing body involved in the conduct process set out in FSH 2400. *[rev. 7-14, 7-16]*

**B. STRUCTURE AND MEMBERSHIP.** The SCB is broadly representative of the UI community and is composed of 21 voting members: seven faculty, seven staff, and seven students. The student members should include at least one graduate student and at least one law student. Hearing panels will be drawn from these committee members. Given the nature of responsibility of the Chair of SCB, Committee on Committees shall first consider a tenured faculty member. Pursuant to FSH 2400 the chair will appoint the three person panels. *[rev. 7-14, 7-16]*

**C. SPECIAL CONSIDERATION.** Each committee member shall be required to participate in Title IX training and other training as needed. Members of the SCB should be aware that federal regulations governing the handling of disciplinary matters recommend a specific hearing time schedule. Therefore, SCB members may need to be available on short notice and during the summer months. Outgoing committee members should be aware that their appointment will continue until their replacement is confirmed and has received the required Title IX training (typically by early fall). *[add. 1-14, rev. 7-14, rev. & ren. 7-16, rev. 1-17]*

## UI FACULTY-STAFF HANDBOOK

## CHAPTER ONE:

## HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

July 2017

## FSH 1640.83

**STUDENT APPEALS COMMITTEE***[created July 2016]*

**A. Function.** To conduct a review at the request of a student who wishes to appeal a decision of any Student Disciplinary Review Board panel in matters that include a sanction of suspension, expulsion, or withholding or revoking a degree. A subcommittee (see B-1 below) of the Student Appeals Committee, will make a determination as to whether the student's appeal meets the qualifications as stated in FSH 2400 C-6.

**B. Structure and Membership.** The committee shall be composed of eleven members to include six faculty (at least two will be from the current year's Faculty Senate), two staff, and three students (at least one undergraduate and one graduate student) who will be eligible to serve on a subcommittee as noted in B-1 below. The term of membership is three years, with initial terms staggered to form a rotation pattern.

**B-1. Subcommittee:** For each appeal, the Chair of the Student Appeals Committee shall appoint a three member subcommittee and designate a chair. In selecting a chair, a tenured faculty member will receive priority. Each subcommittee will consist of at least one faculty member and, if possible, at least one student. A student may not chair any subcommittee. Persons appointed must have no interest in or involvement with the parties to or the subject matter of the situation under review. *[rev. 7-17]*

**C. SPECIAL CONSIDERATION.** Each committee member will be required to participate in Title IX training and other training as needed. Members serving on the Student Appeals Committee should be aware that federal regulations governing the handling of disciplinary matters recommend a specific hearing time schedule. Therefore, Student Appeals Committee members may need to be available for approximately two to four hours within as little as five days of a student being notified of a decision of an SDRB panel review.

Outgoing committee members should be aware that their appointment will continue until their replacement is confirmed and has received the required Title IX training (typically by early fall). *[add. 1-17]*

## 1640.93

**STUDENT DISCIPLINARY REVIEW/CONDUCT BOARD (SDRB/SCB)**

[This section was removed from FSH 2400 and placed here in July 2008. In 2014 University Judicial Council was renamed Student Disciplinary Review Board following a complete review of the Student Code of Conduct. [In 2017 this board was created by collapsing the Student Appeals Committee with the Student Disciplinary Review Board to reflect a major rewrite of the code disciplinary process in FSH 2400](#)]

**A. FUNCTION.** UI's ~~disciplinary review~~ process for ~~reviewing~~ alleged violations of the Student Code of Conduct ([FSH 2300](#)) is established and maintained for the handling of disciplinary matters concerning UI students ("student" is defined in [FSH 2300 I.A-6](#) and [2400 A-1](#).) ~~set forth in FSH 2300 and 2400.~~ The ~~SCB SDRB~~ is ~~one of the reviewing bodies~~ body involved in the ~~review conduct~~ process set out in FSH 2400 ~~which covers any and all matters that are related to and consistent with the Student Code of Conduct [FSH 2300] and the Statement of Student Rights [FSH 2200].~~ *[rev. 7-14, 7-16]*

**B. STRUCTURE AND MEMBERSHIP.** The ~~SDRB/SCB~~ is broadly representative of the ~~academic UI~~ community ~~and is composed of.~~ ~~The SDRB/SCB consists of 21~~ ~~thirteen~~ ~~twenty one~~ voting members: ~~seven members faculty, seven staff, and seven shall be students. The student members should include at least one graduate student and at least one law student. Seven members shall be staff. The remaining members shall be faculty.:~~ five faculty members, two staff, five undergraduate students and one graduate student. The chair is responsible for forming a panel (see B-1 below) and designating the chair. ~~Hearing panels will be drawn from these committee members.~~ Given the nature of responsibility of the Chair of ~~SDRB/SCB~~, Committee on Committees ~~will shall~~ first consider a tenured faculty member. ~~Pursuant to FSH 2400 the chair will appoint the three person panels.~~ *[rev. 7-14, 7-16]*

**B-1. Panel:** The chair of the SDRB shall appoint a three person panel from the committee to hear matters presented to the SDRB pursuant to FSH 2400. Each panel will consist of at least one faculty member and, if possible, at least one student. A student may not chair any panel. In selecting a chair, a tenured faculty member will receive priority. Persons appointed must have no interest in or involvement with the parties to or the subject matter of the situation under review. *[add. 7-16, rev. 7-17]*

**C. SPECIAL CONSIDERATION.** Each committee member ~~will~~shall be required to participate in Title IX training and other training as needed. Members ~~servi~~ng onof the ~~SDRB-SCB~~ should be aware that federal regulations governing the handling of disciplinary matters recommend a specific hearing time schedule. Therefore, ~~SDRB-SCB~~ members may need to be available ~~for approximately two to four hours within as little as five days of a student being notified of the alleged violation of the Student Code of Conduct on short notice and during the summer months.~~ *[add. 1-14, rev. 7-14, rev. & ren. 7-16]*

Outgoing committee members should be aware that their appointment will continue until their replacement is confirmed and has received the required Title IX training (typically by early fall). *[add. 1-17]*

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #5**

**3:30 p.m. - Tuesday, September 19, 2017**

**Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

- I. Call to Order.**
- II. Minutes.**
  - Minutes of the 2017-18 Faculty Senate Meeting #4, September 12, 2017 (vote)
- III. Chair's Report.**
- IV. Provost's Report.**
- V. Other Announcements and Communications.**
- VI. Committee Reports.**
- VII. Special Orders.**
  - Green Dot (Salsbury/MillerMacPhee)
  - Center for Excellence in Teaching & Learning (Smentkowski)
  - Vice Provost for Faculty (Stevenson)
- VIII. Unfinished Business and General Orders.**
- IX. New Business.**
- X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #4  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #4, Tuesday, September 12, 2017**

**Present:** Anderson (Miranda), Arowojolu, Baird, Barbour, Brandt (w/o vote), Brown, Buggingo, Tutino for Cannon (Boise)(w/o vote), Caplan, De Angelis, Ellison, Dezzani for Foster (w/o vote), Frost for Ostrom (Idaho Falls)(w/o vote),Grieb, Hrdlicka, Jeffery, Johnson, Kern (Coeur d'Alene), Mahoney, Morgan, Morrison, Panttaja, Seamon, Tibbals, Watson, Wiencek (w/o vote). **Absent:** Anderson (Mike), Cannon (Boise), Foster, Leonor, Ostrom (Idaho Falls), Nicotra, Vella. **Guests:** 12

**Call to Order and Minutes:** The chair called the meeting to order at 3:31. He introduced a new member of Senate, Brian Mahoney replacing Irma Sixtos and representing Staff Council. He also introduced several proxies who were sitting in for absent senators and reminded them that they participate without vote. A motion (Johnson/Baird) to approve the minutes of Senate meeting #3, September 5, 2017, was approved with three abstentions.

**Chair's Report:** Chair Hrdlicka made several announcements:

- The fall University Faculty Meeting will be held on September 20<sup>th</sup> at 3:00 pm. Provost Wiencek will be presiding at the meeting on behalf of the president. New faculty will be introduced and the provost will make remarks.
- [Training on Zoom](#) for interactive classes and meetings will be offered by the DOCEO center on September 18<sup>th</sup> and 21<sup>st</sup>.
- Senate Leadership forwarded two nominations for the NWCCU advisory committee, Dean Panttaja and Jennifer Johnson-Leung. Both have been invited to participate on the committee.
- Savannah Tranchell, Internal Communications Manager, is spearheading UI's involvement in the Idaho Charitable Giving Campaign. A faculty member is needed to serve as a member of the coordinating group. Please solicit involvement from your colleagues and forward nominations directly to Savannah at [stranchell@uidaho.edu](mailto:stranchell@uidaho.edu).
- Early warning grades are due on September 19<sup>th</sup>. These grades are an important part of our efforts to retain students.
- We have received positive feedback on the talking points distributed by the Faculty Secretary. Chair Hrdlicka encouraged Senators to forward the talking points to their constituents.

**Provost Report:** The Provost reported that the university has concluded the current process of Program Prioritization. Deans and vice presidents have had an opportunity to see the results and have shared them with unit leaders. The results are also available on the Program Prioritization website. Two open forums were held on Monday, September 11, 2017, for faculty and staff to provide comments and input on the process and results. As a result of initial communication about the results with the Institutional Planning and Effectiveness Committee (IPEC) and the deans and unit leaders, the decision has been made to move away from the position control model that had originally been envisioned. Rather, individual department/program scores have been normed to indicate how programs are performing relative to each other. Reallocation targets have been provided to the vice presidents who will make determinations about how to implement the reallocations for their areas. Each vice president, in collaboration with deans and unit leaders, will make decisions about how to meet their assigned reallocation target. The vice presidents and deans were comfortable with this approach as it allows for nuance and more ability to plan for and manage the budget impacts of reallocation.

It was clear at the open forums that faculty and staff were upset and thought that the process cast a negative light on their programs. This reaction was acknowledged by IPEC. The Provost indicated that the university will not go through a program prioritization annually. As a result, we will have more time to plan for the next reallocation, which will likely occur in three years at the next Strategic Plan Waypoint. He explained that the deadline this past year was externally imposed by the state board. It had been several years since the university had engaged in a prioritization process, and the provost was informed that the last process was unacceptable. Thus, the state board mandated that the UI complete a program prioritization process last year. The Provost stressed the extensive efforts that have been made to be inclusive, transparent and open about the program prioritization process. The evaluation criteria were developed by work groups comprised of faculty and staff. He cautioned that we ensure that criticism of the process not become of these colleagues. The Provost also stressed his belief that the program prioritization process will help the university move forward.

In addition to the forums, the program prioritization process was also discussed at the Presidential Breakfast earlier in the day on Tuesday September 12, 2017. A sli.do poll taken at the breakfast indicated that most people believe that program prioritization was a difficult but necessary process; that we need to focus on addressing the morale issues arising from the results and on how to continue to move forward.

The Provost concluded his comments by emphasizing that the best way for units and departments to improve and move forward is to focus on the strategic plan, and more specifically on their cascaded plans. These cascaded plans need to be closely aligned to the institution's strategic plan and metrics.

A senator commented that he found discussion of process at the open forum enlightening and believed that the critical analysis of the process was good. He asked what positive things could be done to alleviate some of the concerns. His suggestions included allocating Teaching Assistants (TA's) to programs that do not currently have TA's and providing a coach/manager to help struggling programs devise approaches to improve over the next three years. The Provost commented that these are both good ideas, but also pointed out that each idea would require additional resources. Another senator pointed out that because many programs use shared resources, addressing TA compensation in one program will sometimes benefit related programs. The Provost added that initially our institutional focus was on providing in-state tuition waivers for TA's. But as the university investigated how to recruit and retain high quality graduate students, it became clear that tuition waivers were only part of the problem. This realization led to the current initiative addressing TA compensation more broadly. Even so, the initiative does not address the cost of health care for TAs. The Provost also pointed out that most of the funding to support TAs is already being invested by colleges and departments. The \$2.3 million that is part of our current reallocation process is the additional amount needed to offer competitive compensation.

A senator offered a compliment on two aspects of the process. 1) He appreciated the administration's transparency with respect to the data gathered as part of the process and pointed out that in past years; the background information was never released to the university community. 2) He also appreciated that the administration is holding itself accountable as well as the colleges, something that has not happened in the past. He asked how the program rankings will be used to establish the specific "tax" on individual units. The Provost stated that the rankings were used to calculate the overall amount for which each vice presidential area is responsible. He stressed that every program in the institution will contribute to the reallocation, but a share of the reallocation amount is not being assigned to individual departments and units. Rather, the vice presidents will manage the impact across an entire vice presidential area. The Provost is working with administrative and college leaders to develop a set of guiding principles regarding how responsibility for the reallocation will be determined.

A senator asked whether the current program prioritization information will guide reallocation decisions in future years until we do another prioritization. The Provost answered yes, but stressed that the level of reallocation will vary from year to year. It could be larger or smaller. He again emphasized that the guiding principles he referred to earlier would be the mechanism to assist vice presidents in the reallocation process within their units. He stressed that we must get started and when necessary make mid-course corrections.

A senator asked whether the detailed results are available to the public. The provost answered that they were available upon request from his office.

A senator pointed out that under the old position control approach to program prioritization, the provost had made assurances that only funds from open positions would be used. Having moved away from the position control model, he asked whether any employees are at risk of losing their jobs under the new approach. The Provost responded that while he cannot make such a commitment for each vice presidential area, there is no appetite or interest in taking positions from current employees. He indicated that some employees may be reassigned and that not filling or eliminating empty positions created by turnover might be a logical way to meet an area's assigned reallocation. He stated that terminating the employment of existing employees is not part of our institutional culture. The senator suggested that the provost provide whatever assurances are possible to employees about job loss.

**Great Colleges to Work For Survey.** The chair introduced Rula Awwad-Rafferty and Ro Aftachao to discuss the university's efforts to understand and address the initial results from the Great Colleges to Work For survey. As part

of the President's Council on Diversity and Inclusion, they followed up on the 2016 survey results. The 2017 results are available and are currently being analyzed. Their charge was to assess campus climate and make recommendations that are framed by the strategic plan and serve campus priorities. Awwad-Rafferty pointed out that there is a disconnect between how we perceive our work, the work of others and what our role on campus is. Administrators had a much more positive view of their work environment and of the institution than did staff and, particularly, faculty. The university needs to address the overall results as well as this disconnect in order to improve campus climate and culture. The council developed listening sessions at which people sat around the table and talked about their feelings and experiences as an employee at the university. They provided at least two different times and days to meet for faculty, staff and administrators. They also held listening sessions in Coeur d'Alene, Idaho Falls and Boise. Each session began with a brief introduction and questions about the focus group tool that would be used to assess each session. One or two members of the committee were at each session as facilitators. The sessions were very positive with a high energy atmosphere. Participants felt valued and heard. They often stayed after the sessions to continue to talk. Faculty representation was low. A detailed summary and report was developed and will be available soon.

The council reported on a number of common themes that stood out in the listening sessions:

- Communication –poor culture of communication, strained, ineffective, lacking transparency
- Poor behavior –microaggressions, ineffective feedback or evaluation, need for more training on workplace behavior
- Teaching –not properly valued, not resourced, quality
- Shared governance –current system not working, staff feel unheard and excluded, decisions made without adequate/appropriate voice
- Respect –issues with classification and compensation
- Mistrust of senior leadership

The council made ten summary recommendations:

- Replicate survey at a full scale. The first year we participated in this survey we only utilized the free portion available to all institutions. The committee recommended investing in a more full survey. In 2017, the university invested in the full survey.
- Embrace an evolution. Culture and climate cannot be changed on a dime. It takes sustained effort.
- Commit to authentic conversation.
- Continue cultural competency training. The committee recommended the continuance and expansion of training provided by the Office of Equity and Diversity.
- Demonstrate ways a positive climate makes a difference. The council encourages recognition of employees at every level of the institution.
- Ensure everyone participates in building inclusivity. Employees should understand that building a better workplace is not just the job of a dean, chair or designated person.
- Continue to disseminate results.
- Record and celebrate wins!
- Acknowledge past failures and the pain/distrust they caused. Saying get over it isn't enough - we must act.
- Be realistic. Do what we can. There are some things we cannot control, but we can always do SOMETHING.

Awwad-Rafferty highlighted that the process of shared governance at the university was not viewed positively in the survey or in the listening sessions. Communication and lack of transparency at the level of committees, faculty senate and university administration were identified as issues. The view was also expressed that it does not matter what faculty committees do because senior leadership will ignore them.

Chair Hrdlicka responded to the comments about shared governance that Senate Leadership participated in spring administrative leadership retreat at which the preliminary results of the council were first released. In response, we have instituted efforts to encourage more transparency and better communications by committees and by senate. A senator asked whether the report is being presented to Staff Council. Awwad-Rafferty and Afatchao expressed interest in such a presentation if invited.

**American Language & Culture Program and International Marketing, Recruitment & Retention.** Mary Ellen Brewick, Director of International Marketing and Recruitment and Katie Schiffelbein, Director of the American Language and Culture Program, reported that international student enrollment appears to be up about 8%. This is the result of concerted efforts of our recruitment programs, our new pathway program with Navitas, and articulation agreements with partners overseas. The university has 22 Chinese students in electrical engineering this fall as a result of one of our articulation agreements. They also reported that a new registration form has been made part of the travel request process for international travel. Faculty and staff travelling internationally on university business will get an emailed travel registration request for information about their travel. This will help the International Programs Office to keep track where faculty and staff are travelling and might assist in the university's international recruitment efforts.

The American Language & Culture Program (ALCP) is an intensive English language program on campus. It provides an avenue for qualified students to attend the University of Idaho. Students who are qualified academically; but, whose English language skills are not strong enough to succeed at the University of Idaho, may be conditionally admitted. They then participate in ALCP to improve their language skills, and acquire an understanding of American academic values and skills to be successful in our programs. ALCP has 65 students currently enrolled. There are two cohorts each semester and a third during the summer. 14 countries are represented in ALCP. ALCP wants to be a resource to faculty. The program encourages faculty to contact ALCP if they are working with a struggling international student. Not all international students participate in ALCP. Some have qualified for admission by taking TOEFL, IELTS or other tests. These students may not understand the nuances of language or culture issues and could benefit from contact with ALCP. Finally, ALCP works with faculty and TA's to help them work with English language learners. Schiffelbein also advocated that graduate programs think about conditional admission to help international students transition to American graduate school. In addition to providing this transition, such students are then able to make advance contact with major professors. International graduate student enrollment increased by 80% this year.

A senator asked whether the university is doing everything we can to help international students succeed? The senator commented that sometimes the students' language abilities are not strong enough, even when they have succeeded in ALCP. He also commented that he has observed a higher level of academic dishonesty. Schiffelbein commented that this is good feedback; it helps inform the ALCP curriculum which is updated each academic year. She encouraged and welcomed this dialogue saying she would love to meet with anyone. ALCP also has done a recent survey of faculty to improve its programs. Another senator commented that it is difficult for graduate programs using GRE scores as part of their admission criteria to grant conditional admission to international students via the ALCP program. Students are unlikely to perform well on GRE's if they do not have strong English language skills. It is a chicken and egg problem.

A senator asked whether ALCP encourages students to get involved in social and club activities. ALCP has an "activity passport" to encourage students to engage in extracurricular and community activities. The program also provides individual counselling to assist. Another senator pointed out that fees that ALCP student pays aren't necessarily like the UI tuition and fees and thus do not include campus recreation fees. These activities are a place where we see many common activities – maybe we should sponsor SRC membership for ALCP students. Finally a Senator pointed out that ALCP is completely self-funded.

The presentation about the Green Dot program and Campus Sexual violence grant program will be scheduled for a future meeting.

A motion (Panttaja/Tibbals) to adjourn was unanimously approve and the meeting was adjourned at 4:56pm.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

Lysa Salisbury, Director  
Bekah MillerMacPhee, OVW Project Director  
Women's Center

**Presentation to Faculty Senate – 9/12/17**

- Introduction of Women's Center's OVW campus grant program (see summary handout)
- Brief introduction to Green Dot Bystander Intervention Program (see summary handout)
- Specific ways for faculty to get involved in violence prevention initiatives on campus:
  - Host a Green Dot overview for your department
  - Sign up for a Green Dot training
  - Put a statement in your syllabus, e.g.  
*I support Green Dot and violence prevention efforts across campus. My classroom and office are safe places. Please know you will be supported and heard if you have experienced any form of violence. Also, know you are not alone:  
UI Counseling and Testing Center – (208) 885-5138  
UI Women's Center – (208) 885-2777  
Alternatives to Violence of the Palouse – (208) 883-4357*



## University of Idaho Green Dot Safety Program

The Green Dot safety program is a bystander intervention program that gives participants the tools and resources to measurably reduce interpersonal violence in their community.

The program is based on the idea that most people will intervene or prevent an act of violence from occurring if they simply are inspired to do so and have resources they feel comfortable using.

Violence Prevention Programs offers engaging and empowering training of this program that cover:

- Building authentic, positive interpersonal relationships
- Promoting personal responsibility to maintain safe environments

In contrast to historical approaches to violence prevention that have focused on victims and perpetrators, the Green Dot strategy is predicated on the belief that individual safety is a community responsibility and shifts the lens away from victims/perpetrators and onto bystanders. The overarching goal is to mobilize a force of engaged and proactive bystanders.

The **Green Dot Overview** introduces the basic elements of the Green Dot Bystander Intervention program, focusing specifically on the vital role that university employees play in establishing and reinforcing the campus culture that students and colleagues exist within. The program will help employees understand the expanded role of “bystander” and to equip university employees to integrate within their current job functions, key behaviors that establish two norms: 1) power-based personal violence won’t be tolerated, and 2) everyone—including faculty, staff, and administrators—does their part to keep the campus community free from violence and fear of violence. This training is hands-on and action-oriented.

Green Dot overviews are available through the Violence Prevention Programs office by calling (208) 885-6757 or emailing [askjoe@uidaho.edu](mailto:askjoe@uidaho.edu).

Presentations can be customized to fit your program, department, college, or organization’s needs. All presentations are inclusive of diverse identities.

## Office on Violence Against Women Campus Grant Project

### What is the OVW Campus Grant Program?

In September 2016, the U.S. Department of Justice's Office on Violence Against Women awarded the Women's Center at the University of Idaho almost \$300,000 to fund the Campus Violence Prevention Project. The grant award is funding efforts to engage the campus, community, and statewide organizations in developing and implementing culturally competent, community responsive prevention education programming and victim services at UI. The project will have a special outreach emphasis to students from diverse and multicultural backgrounds.

### What are the grant goals?

**Goal 1:** Broaden campus and community engagement;

**Goal 2:** The reduction of sexual assault, domestic violence, dating violence, and stalking;

**Goal 3:** Effective and timely intervention.

### These three overarching goals will be carried out through efforts in five key areas:

1. A coordinated community response team (CCRT);
2. Comprehensive prevention education and outreach;
3. Student conduct;
4. Law enforcement;
5. Victim services.

All grant activities will support and promote [Clery Act](#) and [Title IX](#) compliance, robust efforts to engage men, and cultural competence.

### Campus and Community Partners

A coordinated community response approach ensures a timely, culturally relevant, and respectful response to sexual assault, domestic violence, dating violence and stalking committed on or off campus. Implementing such an approach requires establishing a Coordinated Community Response Team (CCRT). This team coordinates all prevention and intervention efforts; facilitates communication between key campus departments and community partners; ensures messages across efforts are consistent and reinforced; and ensures the system's response to victims is seamless, consistent, and supportive.

### CCRT Subcommittees

#### Mobilizing Men

The Mobilizing Men subcommittee creates and implements educational programming designed to engage campus men in gender-based violence prevention, with a focus on healthy masculinities, non-violent communication, and their roles as empowered bystanders. Members include:

- **Greg Lambeth**, Director, Counseling & Testing Center
- **Rob Spear**, Director, Athletics
- **Tyson Berrett**, Captain, Moscow Police Department
- **Hassel Morrison**, Associate Dean of Students
- **Emilie McLarnan**, Coordinator, Violence Prevention Programs
- **Chris Cook**, Director, Career Services

- **Barrie Steele**, Director, Athletic Training
- **Brian Hopper**, Licensed Psychologist, Counseling & Testing Center
- **Barb Beatty**, University Ombuds (ad hoc)

#### Comprehensive Prevention

This subcommittee is conducting an inventory of existing prevention training and assessing gaps for specific student populations, to identify culturally responsive and accessible strategies for broader implementation of educational programs for all students, staff, faculty, and community members. This group works closely with the Mobilizing Men subcommittee to ensure consistent application. Members include:

- **Julia Keleher**, Director, LGBTQA Office
- **James Fry**, Chief, Moscow Police Department
- **Emily Tuschhoff**, Director of Health Promotion
- **Erin Chapman**, Professor, Family & Consumer Sciences
- **Emilie McLarnan**, Coordinator, Violence Prevention Programs
- **Jesse Martinez**, Director, Office of Multicultural Affairs
- **Bekah MillerMacPhee**, OVW Project Director, Women's Center

#### Policies, Procedures, and Protocols

This subcommittee reviews existing University and local community policies, protocols, and procedures through a trauma-informed, culturally responsive lens to determine necessary updates, and identify areas for improvement. Members include:

- **Shawn Dowiak**, Assistant Dean of Students and Director, Fraternity & Sorority Life
- **Christine Wall**, Executive Director, Alternatives to Violence of the Palouse
- **Cari Espenschade**, Member, Student Disciplinary Review Board
- **Erin Agidius**, Director, Office of Civil Rights & Investigations
- **Matt Dorshel**, Executive Director, Public Safety & Security
- **Glen Downing**, Air Force Officer Education Program
- **Liz Brandt**, Secretary, Faculty Senate

#### Marketing and Messaging

This subcommittee will create program-specific marketing and messaging to ensure consistency, inclusivity, broad appeal, and congruency with the goals set by the grant, and serve to communicate clear values and expectations to the Vandal community. Members include:

- **Jodi Walker**, Director of Communications, University Communications & Marketing
- **Summer Howard**, Chair, Staff Council
- **Lysa Salisbury**, Director, Women's Center
- **Yolanda Bisbee**, Chief Diversity Officer & Executive Director of Tribal Relations
- **Corey Ray**, Associate Director, University Housing

#### Victim Services

Through a trauma-informed lens, this subcommittee is reviewing existing services and responses to and for victims and survivors, to identify current strengths and opportunities for improvement. This subcommittee works closely with the Policies, Protocols, and Procedures subcommittee. Members include:

- **Sydel Samuels**, Director, Native American Student Center
- **Jill Crump**, Assistant Director, Alternatives to Violence of the Palouse
- **Tim Besst**, Latah County Sherriff's Office
- **Casey Green**, Moscow Police Department, Campus Division
- **Evelina Martinez**, Director, College Assistance Migrant Program
- **Jessica Long**, Director, College of Law's Victim Services Clinic

## Center for Excellence in Teaching and Learning

**What we do:** The Center for Excellence in Teaching and Learning is a full-service faculty and educational development center that supports all aspects of faculty success at all career stages, within and across academic disciplines and programs.

Aligned with the University's Strategic Plan, we

- Collaborate with faculty to design transformative educational experiences that improve the lives and learning of our students through innovative and often collaborative teaching and research.
- Offer expert consultation and programming on diverse teaching and learning strategies customizable to all instructional modalities, learning environments, fields of study, and UI campus locations.
  - Whether online, in the classroom, the field, or abroad, we have the expertise and resources to help you create significant learning experiences.
- Provide specialized training and leadership in course and curriculum design, learning assessment techniques, peer observation of instruction, mentoring, educational development research, and the scholarship of teaching, learning, and engagement.
- Support robust BBLearn usage, with a focus on how technology can be used to enhance learning in all classes.
  - We further support collaborative inquiry and innovation in teaching and learning through the use of new, emerging, and existing technologies.
- Strive for diversity, inclusion, responsiveness, and transparency in all aspects of our programming.

We invite you to help us identify and support what you need to succeed as teachers and scholars. **Together we will shape the mission of the Center.**

**We are:** [Brian Smentkowski](#) (Director); [Carie Saunders](#) and [Doug Habib](#) (Instructional Designers); [Kari Dickinson](#) and [David Schlater](#) (BBLearn Technical Support Specialists); and [Cassidy Hall](#) (Doceo Center and CETL).

*We are located on the second floor of the Education Building, in Suite 220*

# CETL Teaching & Learning Workshops

## INCREASING OUR EDUCATIONAL IMPACT

### Teaching & Learning Track

#### Enhance Student Success with High-Impact Practices

Educ 341 (Doceo Center), Moscow, ID

[9/11/2017 2:00pm](#) and [9/14/2017 11:00am](#)

#### Leading Effective Discussions

Educ 341 (Doceo Center), Moscow, ID

[9/25/2017 2:00pm](#) and [9/28/2017 11:00am](#)

#### Classroom and Learning Assessment Techniques

Educ 341 (Doceo Center), Moscow, ID

[10/16/2017 2:00pm](#) and [10/19/2017 11:00am](#)

#### Rubrics: Digital/Design

Educ 341 (Doceo Center), Moscow, ID

[10/23/2017 2:00pm](#) and [10/26/2017 11:00am](#)

#### Teaching Large Classes

Educ 341 (Doceo Center), Moscow, ID

[10/30/2017 2:00pm](#) and [11/2/2017 11:00am](#)

#### Metacognition & Critical Reflection

Educ 341 (Doceo Center), Moscow, ID

[11/13/2017 2:00pm](#) and [11/16/2017 11:00am](#)

### Tech-Enhanced Track

#### Zoom Essentials

Educ 341 (Doceo Center), Moscow, ID

[9/18/2017 2:00pm](#) and [9/21/2017 11:00am](#)

#### Mid-Term Grading Prep: BbLearn Grade Center

Educ 220 (CETL), Moscow, ID

[10/2/2017 2:00pm](#) and [10/5/2017 11:00am](#)

#### Zoom Accelerated

Educ 341 (Doceo Center), Moscow, ID

[11/6/2017 2:00pm](#) and [11/9/2017 11:00am](#)

#### Screencasting

Educ 341 (Doceo Center), Moscow, ID

[11/27/2017 2:00pm](#) and [11/30/2017 11:00am](#)

#### Preparing for Finals: BbLearn Grade Center

Educ 220 (CETL), Moscow, ID

[12/4/2017 2:00pm](#) and [12/7/2017 11:00am](#)

### Invited Guest Speaker

#### Dr. Zakrajsek: Teaching for Learning

##### *Making the Most of New Science of Learning*

Dr. Zakrajsek is the author of *Teaching for Learning: 101 Intentionally Designed Activities to Put Students on the Path to Success* and *New Science of Learning: How to Learn in Harmony with Your Brain*.

Whitewater Room, Idaho Commons, Moscow, ID

[Wednesday, 11/8/2017 from 2:30pm to 3:30pm](#)

### Campus Conversations

#### Diversity & Inclusion in Teaching & Learning

This event is designed to bring faculty together to explore ways of creating inclusive, equity-minded, and respectful learning experiences within and across the curriculum.

#### Active Learning Discussion Circle

Share pedagogical strategies and ideas for incorporating the active learning instructional model to support student learning.

Register at <http://www.webpages.uidaho.edu/cetl/workshops/>

### Vice Provost for Faculty

(Includes excerpts from the position description)

**Purpose:** The Vice Provost for Faculty provides leadership for the recruitment, development, and retention of a high quality faculty engaged in teaching, research and scholarly activity, outreach and engagement, and leadership and service. Working in partnership with deans, department administrators, and faculty, the Vice Provost sustains and builds upon current faculty support programs to assure the University of Idaho's continued commitment to faculty excellence in support of the university mission and strategic plan.

Responsibilities include:

- Facilitate and support faculty hiring process and personnel matters.
- Facilitate and provide faculty development and support functions (e.g., New Faculty Orientation, mentoring through promotion and tenure, leadership development, department chair orientation/seminar series, and other targeted mentoring programs).
- Oversee faculty processes such as sabbatical leaves, distinguished professor rank, and periodic review of administrators.
- Establish metrics and review and continuously improve processes and procedures (e.g., hiring processes, performance review, conflict resolution, and so forth) to recruit and retain high performing faculty members.
- Provide leadership and oversight of the university Leadership Academy.
- Serve as the provost's liaison with Faculty Senate and represent the provost as needed.
- Serve on university committees as assigned and/or invited (e.g., Committee on Committees, Native American Advisory Board, President's Athletic Advisory Committee, and Sabbatical Leave Committee).
- Engage with principal partners in the design, implementation, and assessment and continuous improvement of processes, programs, and services in support of faculty.

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #4**

**3:30 p.m. - Tuesday, September 12, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

- I. Call to Order.**
- II. Minutes.**
  - Minutes of the 2017-18 Faculty Senate Meeting #3, September 5, 2017 (vote)
- III. Chair's Report.**
- IV. Provost's Report.**
- V. Other Announcements and Communications.**
- VI. Committee Reports.**
- VII. Special Orders.**
  - Great Colleges to Work for Survey (Awwad-Rafferty)
  - American Language & Culture Program and International Marketing, Recruitment, & Retention (Schiffelbein/Brewick)
  - Green Dot (Salsbury)
- VIII. Unfinished Business and General Orders.**
- IX. New Business.**
- X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #3  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #3, Tuesday, September 5, 2017**

**Present:** Anderson (Mike), Anderson (Miranda), Arowojolu, Baird, Brandt (w/o vote), Cannon (Boise), Caplan, De Angelis, Ellison, Foster, Grieb, Ostrom (Idaho Falls), Hrdlicka, Jeffery, Johnson, Kern (Coeur d'Alene), Morgan, Morrison, Nicotra, Panttaja, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote).  
**Absent:** Barbour, Brown, Bugingo, Sixtos, Wright. **Guests:** 15.

**Call to Order and Minutes:** Chair Hrdlicka called the meeting to order at 3:30 pm. He reminded senators that two last minute revisions to the draft minutes were circulated earlier in the day and summarized the changes. A motion (Mike Anderson/Foster) to approve the minutes of 2017-18 Senate meeting #2, August 29, 2017, was approved unanimously.

**Chair's Report:** Chair Hrdlicka made three announcements:

- The University Faculty Meeting at which President Staben will address the faculty will be on Wednesday, September 20<sup>th</sup> at 3:00 pm PDT/4:00pm MDT.
- [Training on Zoom](#) for interactive classes and meetings will be offered by the DOCEO center on September 18<sup>th</sup> and 21<sup>st</sup>.
- Senate Leadership has received several nominations for the NWCCU advisory committee. If senators still wish to make nominations they must do so by the end of this week, at which time nominations will be forwarded to the Provost.

After these reminders, Chair Hrdlicka emphasized the important communication role played by Senate. In addition to reporting on Senate activities to our faculty colleagues, he asked senators to consider including staff from their colleges in the communiques. Senate's staff representatives do not have a good mechanism for reaching staff across the campus. Faculty Senators can help fill this communication gap by including college staff in their communications.

**Provost Report:** Provost Wiencek announced that the process of communicating the results of the Program Prioritization process has begun. Deans and vice presidents have had an opportunity to see the results and have been asked to share them with unit leaders. The results will be available to the university community by the end of this week. On Monday, September 11, two open forums to discuss the results will be held. Information on the results and the specifics of the forums will be available soon. The Provost emphasized that, as a result of initial communication about the results with the Institutional Planning and Effectiveness Committee (IPEC) and the deans, the decision has been made to move away from quintiles. Rather, individual department/program scores have been normed to indicate how programs are performing relative to each other. Reallocation targets have been provided to the vice presidents who will make determinations about how to implement the reallocations for their area. He also advised that a conversation is underway about how to improve the process in future years.

A senator asked what would happen to the position control policy, if the concept of quintiles is abandoned? The Provost explained that the quintile/position control idea had the potential to create difficulty for vice presidents and deans by undermining their ability to manage their own budgets. Under the new approach the vice presidents will work at the college and unit level to implement an area-wide reallocation. For example, academic departments will work with the dean to determine how the college will meet its reallocation target. An additional benefit of the re-configured approach is that it will allow time for units to plan how to meet their share of the reallocation. The Provost emphasized that most units will come out of the process with a net positive change in their budgets. He noted that the revenue generated through this reallocation will be returned in the form of increased market-based compensation for faculty and staff, and stipends/tuition waivers for TAs.

Another senator asked how the process of investing in units to build them up will move forward? The Provost responded that units will be able to make proposals for reinvestment and expansion through University Budget & Finance Committee (UBFC). A Senator expressed concern that because we do not have sufficient resources to fully fund our initiatives this year, would the UBFC resources for next year already be obligated to completing this year's priorities? The Provost responded that he believes we can fund most, if not all, of the TA initiative in the first year. Market-based compensation may take multiple years to fully implement and will remain on the radar as a funding priority in years to come. How this impacts our ability to fund additional future projects, through the UBFC process, will depend on whether we are successful in increasing enrollment.

The references to market-based compensation led to a number of specific questions on that initiative. A Senator asked how faculty will know what their target market salary is? The Provost stated that Human Resources is developing a web-based tool where each employee will be able to view their market salary target. Vice President Ewart offered that the tool for staff will be available on 10/1. The process is not as far along for the faculty. However, the provost's office is developing a master spreadsheet with compensation targets that enable deans to answer such questions in the near future. Another Senator asked whether we will know the salary targets for others in our departments? The Provost emphasized that we will have access to the data for our positions. The information we get will be based on the national market information for our discipline. Aggregated data for the UI will eventually be available, but it will not be specific to individuals. A Qualtrics survey is being developed through which each faculty member will have the ability to determine the CIP code that best describes them. Deans will also weigh in on these selections and a decision will be made by the provost after reviewing the recommendations by the deans, chairs and faculty. The process will be documented for future use and/or revision. A senator asked how faculty working in interdisciplinary areas will be assigned CIP Codes? The Provost indicated that CIP codes for faculty assigned to more than one department would be employed and weighted consistent with the time allocation in the contract. Informal interdisciplinary teaching assignments would not impact the determination of market salary for a given position. The Senator stated that we must be certain to ensure that we do not discourage interdisciplinary work through this compensation process. The Provost agreed and thanked the Senator for this insight.

**Migration of Information Technology Help Services to the new Technology Solutions Partners (TSPs).**

Vice President Dan Ewart thanked Senate for their time. He noted that through feedback from faculty, staff and students, and as part of its strategic planning process, Information Technology Services (ITS) identified a need to be more responsive to these groups, including specific units/areas on campus. As a result, ITS has launched a new model this semester. Tech support provided within individual units will remain available and will be the point of entry for those units for tech support. In addition, ITS has embedded tech support personnel in eight regions around campus. These embedded IT support personnel will be known as TSPs. They are part of a new group within IT named the Customer Experience and Engagement group that is headed by Brian Cox. He then turned the presentation over to Mr. Cox to explain this new model. Mr. Cox explained that the TSPs have been provided specialized training to enhance their ability to support staff and faculty. ITS has produced a number of communications to ease the transition to this new system. First, they are not turning people away who contact the helpdesk or other IT support access points, but rather are funneling those requests to the applicable TSP. In addition, ITS has developed signage and reference cards that should assist faculty and staff to reach their assigned TSP. The latest information is available on [uidaho.edu/tsp](http://uidaho.edu/tsp). In the end, the biggest change is that faculty and staff will not access tech support through the Helpdesk. The Helpdesk will transition to support only students.

A senator asked whether the TSPs will be at their physical office locations from 8-5. VP Ewart answered that they will be available during normal business hours. However, while their office is home base, they

may often be out providing support. Cox elaborated that faculty and staff will have phone numbers (including cell phone numbers) and emails that are all interconnected and will be routed directly to their TSP. A senator asked whether support would be available during weekends? Cox indicated that currently, ITS is not officially staffed for weekends. The TSPs will take advance requests for weekend support and will endeavor to meet those needs, where possible. A senator asked why some of the buildings on campus were not included in a TSP region on the map? Mr. Cox explained that those colleges/units have their own specialized tech support staff. Finally, a senator asked how the TSP program would work for off-campus faculty and staff at the Centers. Center tech support staff will be primarily responsible for supporting Center faculty and staff. Each Center has also been assigned a backup TSP support person. At some point in the future, ITS expects to reach out to remote sites to determine needs and potential for additional support.

**Academic Initiatives.** Chair Hrdlicka introduced Vice Provost for Academic Initiatives, Dr. Cher Hendricks by stating that her position is the result of a recent change of structure in the Provost's area to focus on faculty development, new programs and student recruitment.

Dr. Hendricks summarized her initial priorities and responsibilities as: 1) assisting with the development of new academic programs, 2) fostering undergraduate education, 3) advancing the new Center for Excellence in Teaching and Learning, and 4) supporting student success initiatives, as well as other duties as assigned.

Regarding academic program development, she indicated the university has begun investing funds in market analysis for new programs. This analysis will become a regular part of the determination on whether to move forward with a particular program. She is also looking at ways to proactively identify possible markets into which the UI might move with a new program. The challenge is to balance the creative efforts of faculty against the shrinking resources for higher education. UI needs to be more strategic in our creative program development efforts. Hendricks also stated that changes are taking place in the state that make it prudent for the UI to focus on market analysis. The State Board of Education is committed to making sure new programs are likely to be of interest to students, that students actually enroll, and that the students are retained at the university.

Regarding undergrad education, Dr. Hendricks stated that she is responsible for a number of disparate programs – general education, undergraduate research, service learning, and the honors program. This is a somewhat disconnected portfolio and she is seeking how to share resources efficiently.

Dr. Hendricks did not focus on the Center for Excellence in Teaching and Learning because the new director of the center, Brian Smentkowski will be presenting to Senate soon.

Hendricks also plans to focus on student success initiatives, including looking at how undergraduate students get through programs in a timely way. In addition, she will address under-preparation for college level study through the lens of state expectations.

A senator asked whether Dr. Hendricks plans to focus on graduate students. She pointed out that graduate student education is the primary focus of the College of Graduate Studies. However, she will direct her efforts toward new programs aimed at moving the strategic plan forward. She will be collaborating with Dean Jerry McMurtry on these efforts. In answer to a question about student involvement, Dr. Hendricks indicated that she is looking at ways to bring students into the process. The questioner suggested using ASUI as a resource.

In answer to further questions, Dr. Hendricks stated that given the cost and our current resources, market analysis would be conducted for new programs, but not for program enhancement. The analysis is expensive and she will be exploring how to make market information available more broadly throughout the program planning process. She emphasized the need to work collaboratively with faculty who propose new programs and with processes of the UCC to improve the quality of proposals and their eventual success.

Regarding distance learning she will be coordinating together with Vice Provost Kahler who has recently hired a new director of distance and extended education. Her focus will be on the curriculum, teaching and program development aspects of distance education.

A senator asked about how the university plans to address writing across the curriculum. Hendricks responded that she plans to address writing across the curriculum as part of an overall evaluation of General Education.

**Title IX:** Jim Craig, Associate General Counsel and Erin Agidius, Director of the Office of Civil Rights and Investigations gave senators an overview of Title IX issues confronting the university. Mr. Craig reviewed the requirements of Title IX and stressed that they are far broader than ensuring equality for student athletics. In particular, Title IX governs the UI's responsibility to address sexual harassment (including sexual assault). Craig also addressed the due process expectations imposed on the university when addressing sexual harassment and assault issues. He summarized the law stating that the UI must give notice and an opportunity for a hearing to individuals accused of sexual harassment. However, the law is vague on the specific minimum requirements. These requirements – to address sexual harassment on campus and to provide due process to those accused of harassment – can be in tension with each other.

Ms. Agidius addressed the application of these requirements to the UI. She stressed that all employees have an obligation to report instances of sexual harassment that might fall under Title IX. Reports should be made to the Office of Civil Rights and Enforcement within 24 hours. She stated that once a faculty or staff member knows of a situation, the law assumes that the UI as a whole knows. The timeline for taking action on possible instances of harassment is short. The Department of Education guidance suggests we must act within 60 days. Because of this compressed timeline, the institution needs to begin an investigation as soon as possible. Ms. Agidius also emphasized that because employees must make reports of possible sexual harassment, we cannot promise confidentiality to any individual who speaks to us. We can, however, try to keep issues as private as possible. Faculty and staff do not have to be the investigator or counselor. Agidius suggested that we take a non-judgmental approach and that we work to provide resources to individuals who come to us.

Senators asked Agidius to provide more specific guidance on what sorts of situations should be reported. A Title IX statement for inclusion in course syllabi was also suggested. Agidius promised to provide such information along with other resources to assist faculty with Title IX compliance issues.

The time for the meeting having come to an end, a motion (Foster/Vella) to adjourn was unanimously approved. The meeting was adjourned at 4:58 pm.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &  
Secretary to the Faculty Senate

## Outline

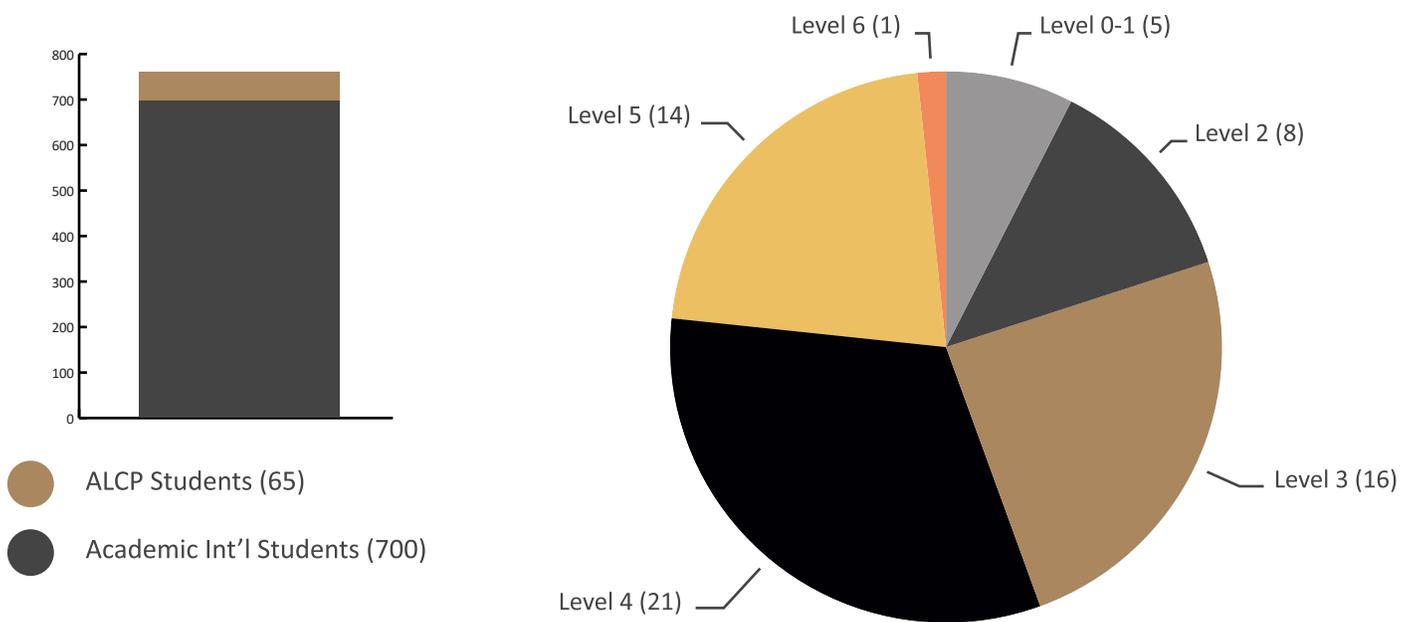
1. International Enrollment Overview – Mary Ellen
  - a. Highlight successful partnerships/initiatives
  - b. Highlight overall enrollment and college enrollment
  
2. ALCP Overview – Katie
  - a. Purpose/Mission
    - i. Celebrating 25th Anniversary
    - ii. Expect 10 year re-accreditation in December
    - iii. ALCP benefits and resources
  - b. Enrollment benefits:
    - i. Provide students access to UI
    - ii. Matriculation rates
    - iii. Graduate conditional admission
  - c. Partnerships and workshops for working with English language learners

FALL  
2017

Celebrating  
**25**  
years of  
excellence!

## AMERICAN LANGUAGE & CULTURE PROGRAM

### ALCP Students' Language Level



### Represented Countries

OMAN  
INDIA  
COLOMBIA  
BRAZIL  
MEXICO  
LIBYA  
JAPAN  
SOUTH KOREA  
THAILAND  
SAUDI ARABIA  
CHINA  
TAIWAN  
KUWAIT

### MISSION

The ALCP provides non-native English speakers with the linguistic, academic, social, and cultural skills necessary to successfully navigate university environments in the United States.

# Academic Emphasis



## English Language

- Reading Composition
- Listening and Speaking
- Grammar
- Academic Writing
- Intro to Research



## U.S. Academic Values

- Academic Honesty
- MLA Citation
- Extrinsic vs. Intrinsic Motivation/Learning
- Process vs. Product Oriented
- US Classroom Cultural Norms
  - » Participation, group work, essays, presentations, and reading strategies.

# Enrollment Benefits

- Provide university access to more students
- Prepare students to successfully communicate in English
- Offer individual academic advising and small class sizes

## MATRICULATION

75% of Undergraduate students in ALCP matriculate to UI.

90% of Graduate students in ALCP matriculate to UI.

## Conditional Admission

Conditional admission may be granted to applicants who qualify academically, but have not yet met the University of Idaho minimum English language requirements for full admission. Conditional admission is offered for ALL undergraduate majors and many graduate majors.

## Success Rate

73% passing rate in Level 5.

## Accreditation

ALCP is accredited by CEA, the Commission on English Language Accreditation.

## Faculty

The ALCP has 4 full-time instructors and 3 part-time lecturers, who are experts in teaching English as a second language.

**FALL  
2017**



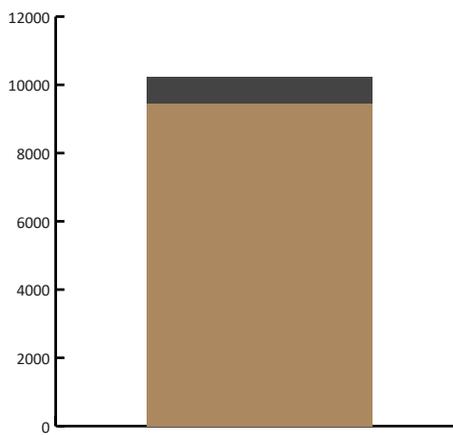
**762**  
International  
Students  

---

**8%**  
Increase!

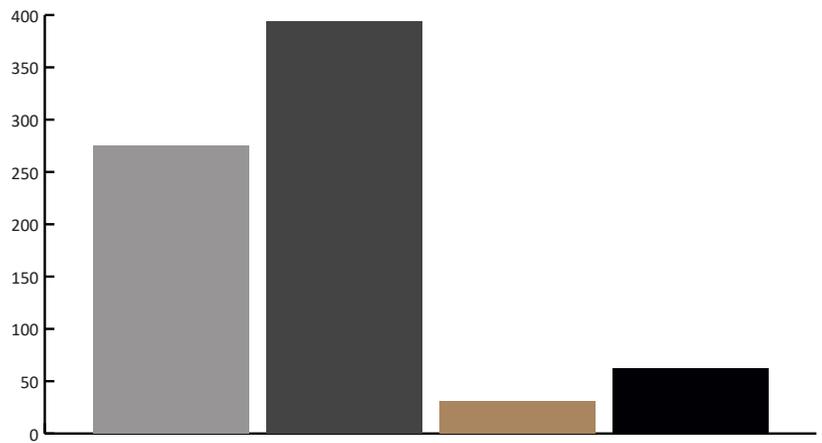
## INTERNATIONAL PROFILE

### Total UI Enrollment



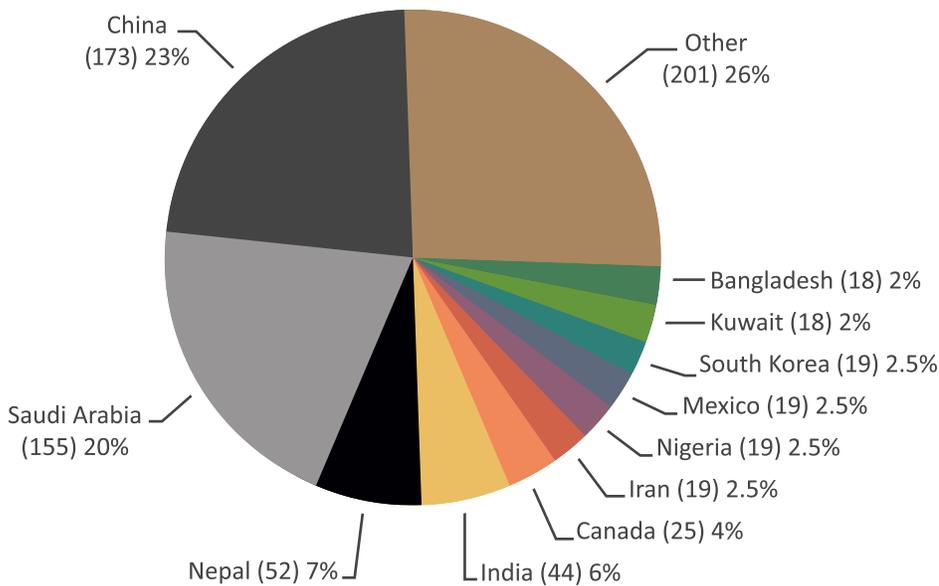
- International Students (762)
- Domestic Students (9,458)

### International Student Enrollment



- Grad/Law (275)
- Undergraduates (394)
- Non-Degree (31)
- ALCP (62)

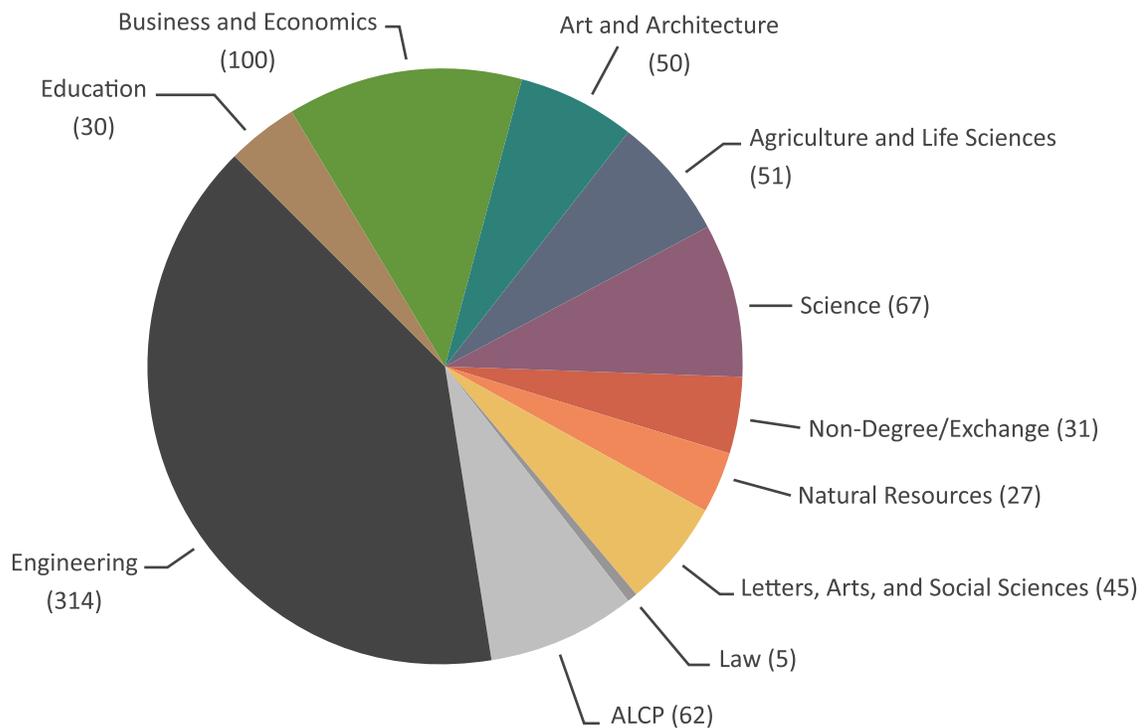
### Top Countries Represented



**7.5%**

of UI students are **International**, representing **73** different countries.

# International Student Academic Areas



**700**  
Int'l Students in  
Academic Programs

**5%**  
of Undergrads

**14%**  
of Graduate  
and Law

## Top 10 International Undergraduate Majors

Mechanical Engineering	61
Electrical Engineering	52
Chemical Engineering	26
Computer Science	26
Finance	23
Operations Management	19
Accounting	18
Civil Engineering	16
Architecture	14
Landscape Architecture	10

## Top 10 International Graduate Majors

Electrical Engineering	37
Computer Science	36
Civil Engineering	17
Natural Resources	16
Plant Science	16
Physics	14
Chemistry	12
Landscape Architecture	9
Mechanical Engineering	9
Food Science	8

Lysa Salisbury, Director  
Bekah MillerMacPhee, OVW Project Director  
Women's Center

**Presentation to Faculty Senate – 9/12/17**

- Introduction of Women's Center's OVW campus grant program (see summary handout)
- Brief introduction to Green Dot Bystander Intervention Program (see summary handout)
- Specific ways for faculty to get involved in violence prevention initiatives on campus:
  - Host a Green Dot overview for your department
  - Sign up for a Green Dot training
  - Put a statement in your syllabus, e.g.  
*I support Green Dot and violence prevention efforts across campus. My classroom and office are safe places. Please know you will be supported and heard if you have experienced any form of violence. Also, know you are not alone:*  
*UI Counseling and Testing Center – (208) 885-5138*  
*UI Women's Center – (208) 885-2777*  
*Alternatives to Violence of the Palouse – (208) 883-4357*



## University of Idaho Green Dot Safety Program

The Green Dot safety program is a bystander intervention program that gives participants the tools and resources to measurably reduce interpersonal violence in their community.

The program is based on the idea that most people will intervene or prevent an act of violence from occurring if they simply are inspired to do so and have resources they feel comfortable using.

Violence Prevention Programs offers engaging and empowering training of this program that cover:

- Building authentic, positive interpersonal relationships
- Promoting personal responsibility to maintain safe environments

In contrast to historical approaches to violence prevention that have focused on victims and perpetrators, the Green Dot strategy is predicated on the belief that individual safety is a community responsibility and shifts the lens away from victims/perpetrators and onto bystanders. The overarching goal is to mobilize a force of engaged and proactive bystanders.

The **Green Dot Overview** introduces the basic elements of the Green Dot Bystander Intervention program, focusing specifically on the vital role that university employees play in establishing and reinforcing the campus culture that students and colleagues exist within. The program will help employees understand the expanded role of “bystander” and to equip university employees to integrate within their current job functions, key behaviors that establish two norms: 1) power-based personal violence won’t be tolerated, and 2) everyone—including faculty, staff, and administrators—does their part to keep the campus community free from violence and fear of violence. This training is hands-on and action-oriented.

Green Dot overviews are available through the Violence Prevention Programs office by calling (208) 885-6757 or emailing [askjoe@uidaho.edu](mailto:askjoe@uidaho.edu).

Presentations can be customized to fit your program, department, college, or organization’s needs. All presentations are inclusive of diverse identities.

# Office on Violence Against Women Campus Grant Project

## What is the OVW Campus Grant Program?

In September 2016, the U.S. Department of Justice's Office on Violence Against Women awarded the Women's Center at the University of Idaho almost \$300,000 to fund the Campus Violence Prevention Project. The grant award is funding efforts to engage the campus, community, and statewide organizations in developing and implementing culturally competent, community responsive prevention education programming and victim services at UI. The project will have a special outreach emphasis to students from diverse and multicultural backgrounds.

## What are the grant goals?

**Goal 1:** Broaden campus and community engagement;

**Goal 2:** The reduction of sexual assault, domestic violence, dating violence, and stalking;

**Goal 3:** Effective and timely intervention.

## These three overarching goals will be carried out through efforts in five key areas:

1. A coordinated community response team (CCRT);
2. Comprehensive prevention education and outreach;
3. Student conduct;
4. Law enforcement;
5. Victim services.

All grant activities will support and promote [Clery Act](#) and [Title IX](#) compliance, robust efforts to engage men, and cultural competence.

## Campus and Community Partners

A coordinated community response approach ensures a timely, culturally relevant, and respectful response to sexual assault, domestic violence, dating violence and stalking committed on or off campus. Implementing such an approach requires establishing a Coordinated Community Response Team (CCRT). This team coordinates all prevention and intervention efforts; facilitates communication between key campus departments and community partners; ensures messages across efforts are consistent and reinforced; and ensures the system's response to victims is seamless, consistent, and supportive.

## CCRT Subcommittees

### Mobilizing Men

The Mobilizing Men subcommittee creates and implements educational programming designed to engage campus men in gender-based violence prevention, with a focus on healthy masculinities, non-violent communication, and their roles as empowered bystanders. Members include:

- **Greg Lambeth**, Director, Counseling & Testing Center
- **Rob Spear**, Director, Athletics
- **Tyson Berrett**, Captain, Moscow Police Department
- **Hassel Morrison**, Associate Dean of Students
- **Emilie McLarnan**, Coordinator, Violence Prevention Programs
- **Chris Cook**, Director, Career Services

- **Barrie Steele**, Director, Athletic Training
- **Brian Hopper**, Licensed Psychologist, Counseling & Testing Center
- **Barb Beatty**, University Ombuds (ad hoc)

#### Comprehensive Prevention

This subcommittee is conducting an inventory of existing prevention training and assessing gaps for specific student populations, to identify culturally responsive and accessible strategies for broader implementation of educational programs for all students, staff, faculty, and community members. This group works closely with the Mobilizing Men subcommittee to ensure consistent application. Members include:

- **Julia Keleher**, Director, LGBTQA Office
- **James Fry**, Chief, Moscow Police Department
- **Emily Tuschhoff**, Director of Health Promotion
- **Erin Chapman**, Professor, Family & Consumer Sciences
- **Emilie McLarnan**, Coordinator, Violence Prevention Programs
- **Jesse Martinez**, Director, Office of Multicultural Affairs
- **Bekah MillerMacPhee**, OVW Project Director, Women's Center

#### Policies, Procedures, and Protocols

This subcommittee reviews existing University and local community policies, protocols, and procedures through a trauma-informed, culturally responsive lens to determine necessary updates, and identify areas for improvement. Members include:

- **Shawn Dowiak**, Assistant Dean of Students and Director, Fraternity & Sorority Life
- **Christine Wall**, Executive Director, Alternatives to Violence of the Palouse
- **Cari Espenschade**, Member, Student Disciplinary Review Board
- **Erin Agidius**, Director, Office of Civil Rights & Investigations
- **Matt Dorshel**, Executive Director, Public Safety & Security
- **Glen Downing**, Air Force Officer Education Program
- **Liz Brandt**, Secretary, Faculty Senate

#### Marketing and Messaging

This subcommittee will create program-specific marketing and messaging to ensure consistency, inclusivity, broad appeal, and congruency with the goals set by the grant, and serve to communicate clear values and expectations to the Vandal community. Members include:

- **Jodi Walker**, Director of Communications, University Communications & Marketing
- **Summer Howard**, Chair, Staff Council
- **Lysa Salisbury**, Director, Women's Center
- **Yolanda Bisbee**, Chief Diversity Officer & Executive Director of Tribal Relations
- **Corey Ray**, Associate Director, University Housing

#### Victim Services

Through a trauma-informed lens, this subcommittee is reviewing existing services and responses to and for victims and survivors, to identify current strengths and opportunities for improvement. This subcommittee works closely with the Policies, Protocols, and Procedures subcommittee. Members include:

- **Sydel Samuels**, Director, Native American Student Center
- **Jill Crump**, Assistant Director, Alternatives to Violence of the Palouse
- **Tim Besst**, Latah County Sheriff's Office
- **Casey Green**, Moscow Police Department, Campus Division
- **Evelina Martinez**, Director, College Assistance Migrant Program
- **Jessica Long**, Director, College of Law's Victim Services Clinic

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #3**

**3:30 p.m. - Tuesday, September 5, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

- I. Call to Order.**
- II. Minutes.**
  - Minutes of the 2017-18 Faculty Senate Meeting #2, August 29, 2017 (vote)
- III. Chair's Report.**
- IV. Provost's Report.**
- V. Other Announcements and Communications.**
- VI. Committee Reports.**
- VII. Special Orders.**
  - [ITS to TSP Presentation](#) (Ewart/Cox)
  - Academic Initiatives (Hendricks)
  - Title IX (Craig/Agidius)
- VIII. Unfinished Business and General Orders.**
- IX. New Business.**
- X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2017-2018 FS Meeting #2  
Handouts

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting #2, Tuesday, August 29, 2017**

**Present:** (Mike) Anderson, (Miranda) Anderson, Arowojolu, Barbour, Brandt (w/o vote), Brown, Bugingo, Canon, Caplan, De Angelis, Ellison, Foster, Grieb, Hrdlicka, Jeffrey, Johnson, Kern, Morgan, Morrison, Nicotra, Ostrom, Panttaja, Seamon, Tibbals, Vella, Watson, Wiencek (w/o vote). **Absent:** Baird, Sixtos, Wright. **Guests:**  
9

**Call to Order and Minutes:** Chair Hrdlicka called the meeting to order at 3:30. He welcomed the new senators and invited members to introduce themselves briefly. After introductions, Professor Hrdlicka suggested that the agenda be amended by moving the election of the Secretary to Faculty Senate before the business begins. He explained that, pursuant to FSH 1520.V.3, the Faculty Secretary is not automatically the Secretary of the Senate. It was moved and seconded (Morrison/Watson) that the agenda be amended as suggested by the chair. The motion passed unanimously. Professor Hrdlicka then recommended that Faculty Secretary Liz Brandt serve as the Secretary to the Faculty Senate. A motion (Panttaja/Vella) that the chair's recommendation be approved passed unanimously.

A motion (Johnson/Brown) to approve the minutes of 2016-17 Faculty Senate Meeting #27 May 9, 2017 was approved unanimously with 2 abstentions. A motion (Watson/Panttaja) to approve 2017-18 Faculty Senate Meeting #1 May 9, 2017 passed unanimously with 1 abstention.

**Chair's Report:** Professor Hrdlicka reminded senators of regular Senate procedures:

- senators should raise their hand and be recognized by the chair before speaking,
- senators will not be recognized to speak a second time until all interested senators have had an opportunity to speak,
- reasonable follow-up discussion is permissible, and,
- brevity is encouraged.

Chair Hrdlicka reminded Senators that their role is to review and not to redo the work of committees, or of other groups appearing before Senate. He also encouraged senators to keep the welfare of the entire institution in mind while representing their constituencies.

The chair also stressed that Senators should serve not only as a source of information for colleagues, but also as a source of information on behalf of colleagues to the Senate, and to the university administration. He encouraged Senators to read the University of Idaho Register regularly. By way of example regarding issues of communication, he pointed out that faculty received an email, and that the Register has included announcements about, the Information Technology Services (ITS) to Technology Service Partners (TSP) transfer. This transfer will impact the way faculty and staff access help with technology. ITS has scheduled info sessions for faculty and staff that are ongoing now. Senate Leadership has invited Dan Ewart and Brian Cox to come to the September 5, 2017 Senate meeting to provide more information on this transition.

The chair also made three announcements:

- The Provost's Office is seeking a faculty member to serve on a workgroup that will be preparing for our 2018 accreditation site visit from the Northwest Commission on Colleges and Universities (NWCCU). The committee will be advisory to the administration and will assist with preparation for the visit and the organization of the 2018 visit. Senators should forward suggestions to Ann Thompson [annat@uidaho.edu](mailto:annat@uidaho.edu).
- Faculty recently received an email from Brian Smentkowski, the new director of the Center for Excellence in Teaching and Learning. The email detailed a number of workshop opportunities for faculty. In particular, there will be a workshop on the use of Zoom for interactive video meetings. Chair Hrdlicka also indicated that Dr. Smentkowski will be attending a future Senate meeting to share his vision and approach.

- The first University Faculty Meeting will be September 20. President Staben will preside and will address the faculty. Senators are encouraged to attend and bring their colleagues. The meeting is an excellent opportunity to meet other faculty as we start the new academic year.

**Provost's Report:** The Provost began his report by stressing his desire to be engaged with Senate. He made a number of announcements:

- There is a football game against Sacramento State on August 31 and encouraged everyone to attend.
- The university has hired a number of new administrators: Dr. Cher Hendricks, Vice Provost for Academic Initiatives, Dr. Ginger Carney, Dean of the College of Science, Dr. Brian Smentkowski, Director of the Center for Excellence in Teaching and Learning.
- The College of Art and Architecture is soon likely to begin a search for a new dean.

Finally, the Provost updated the Senate on a number of ongoing initiatives:

- **University Budget and Finance Committee (UBFC)** process. The university has struggled to get a final report out by the end of the semester in which the UBFC makes its recommendations. Implementation of the UBFC recommendations relies on several important factors that are not available in the spring semester – enrollment figures for the coming year, tuition and fees, and the amount of money that might be available through reallocations. Going forward, requests to UBFC will still be due during late December or early January. However, the final announcements of recommended and funded projects will not be available until after the start of the following fall semester. While the final announcement will be forthcoming, the Provost informed Senate that two items strongly recommended by UBFC were: 1) funding market-based compensation initiatives; and 2) funding competitive stipends and tuition waivers for Teaching Assistants. Regarding the latter initiative, he is working with the Dean of Graduate Studies to develop information regarding competitive stipends. Finally, the Provost will recommend that UBFC develop a separate process for funding requests relating to program improvement.
- **Market-based Compensation.** The Provost will be working with the task force on its recommendations. There will be a mid-year salary increase this year that will contribute to our goal of reaching market in salaries. The initiative will require a number of years to catch up. Salary adjustments will initially focus on staff and faculty who are the furthest away from the market salary for their positions.
- **Program Prioritization.** The process is going forward and should give rise to about \$2 million in funding. An additional \$2 million will be added from other revenue and reallocation sources outside of the program prioritization process. Both of these fund sources will be directed toward the market-based compensation initiatives and toward providing for competitive TA stipends/tuition waivers. The deans and IPEC (Institutional Planning and Effectiveness Committee) have seen preliminary results. Currently, we are considering modifications regarding how the process should move forward. In all likelihood, the university will move away from the quintiles language but will look at the results as part of a continuous improvement process. Reallocation targets based on the results will be provided at the VP level who will be charged with how to implement the reallocations within their areas.

Chair Hrdlicka asked the Provost whether the Dean of Graduate Studies will form a committee to determine what the competitive stipends are for TAs. The provost answered that while there will be a process, we need to move forward using the data that is generally available from sources such as the Oklahoma State Salary Study. Dean McMurtry will likely report the results of his work to the Graduate Council for input. A Senator asked if the stipends will be market based, to which the Provost answered yes.

**FS-18-001: FSH 4930 – Honorary Degrees.** Faculty Secretary Brandt presented a seconded motion from the Commencement Committee on behalf of Committee Chair Prof. Beth Hendrix. The proposed change would update policy to clarify that a letter of support from the dean of the appropriate college is included in the nomination packet. The motion was unanimously approved.

**Summer Graduates.** It was moved and seconded (Panttaja/Miranda Anderson) that the list of Summer Graduates be approved. A senator questioned the first name on the list designated as a graduate of the College of Agriculture and Life Sciences (CALs) program in Medical Technology saying the program currently does not exist in CALs. After discussion, the mover and seconder of the motion agreed to accept a friendly amendment that the list of summer graduates be approved pending clarification of college affiliation and major of the graduate in question. The amended motion was approved unanimously. *[N.B. The Registrar Heather Chermak confirmed by email that the listed college is correct.]*

**Election to Specific Senate Committees.** The following Senators were elected to the Senate positions on committees by acclamation:

Campus Planning Advisory Committee – Penny Morgan  
Student Appeals Committee – Joseph De Angelis  
Presidents Athletic Advisory Council – Rich Seamon

**FS-18-002: FSH 4400** – College Level Examination Program (CLEP). This proposal would eliminate FSH 4400 regarding CLEP credits. It is out of date and covered by University Catalog Regulation I. It was moved and seconded (Tibbals/Grieb) that the policy be eliminated as recommended. At the request of a Senator, Registrar Heather Chermak explained the changes in more detail. She also explained that Senate would continue to play a key role in decisions about granting of academic credit because changes to the Regulation section of the Catalogue come to Senate for vote. Several Senators asked questions regarding the process for approving catalog changes and whether eliminating the CLEP provision from the FSH would affect students or the ability of faculty to have a voice in how credits are granted. The Registrar clarified that the revision would not change the way credit is granted, and it would not have an impact on students. She reiterated that the FSH provision is simply outdated as they were unaware that it existed. Given this discussion, the Senate unanimously approved the motion.

**2016-17 Senate Annual Report and Retreat Follow-up.** Secretary Brandt presented the Annual Report of activities by last year's Senate stating that she hoped the report would provide background to new Senators on the nature and scope of the Senate's work and responsibility for communication. She next reviewed UI's governance process and detailed the timeline for consideration of policy changes/amendments. She commented that she worried faculty governance is in jeopardy. The Great College Survey gave low marks to faculty governance. This was surprising as in her opinion she believes it is much more robust at the UI than other universities. Part of the reason may be lack of communication about the governance process. The Faculty Secretary' Office will work on an email with bulleted list following each meeting for senators to adjust or send out as is to their constituency. A Senator pointed out that forwarding an email was not a "silver bullet" for communication. He suggested that, though difficult, personal contact with colleagues is invaluable. Many agreed with a nod of their head with some who suggested walking the halls or announcing at a college or other unit meetings. Senate Leadership requested that senators forward other ideas/suggestions. The Provost will speak to the deans and VPs regarding providing support for senators to communicate.

Finally, Brandt sought additional input and comments on the list of issues developed by Senators at the Senate Retreat. Senator Nicotra offered that one of her colleagues had suggested a move to a MW/TTh class schedule. Senator Watson asked if Senate Leadership knew the status of the +/- grading system issue. Chair Hrdlicka indicated that the Teaching and Advising Committee is considering the issue.

**Adjournment:** Having reached the end of the agenda the chair entertained a motion (Panttaja/Watson) to adjourn at 4:51.

Respectfully Submitted,  
Liz Brandt, Faculty Secretary & Secretary to the Faculty Senate



## UI FACULTY & STAFF

**This month, ITS launched a new model for employee tech support: Technology Solutions Partners (TSPs).**

In the past, the ITS Help Desk provided your tech support. Now, skilled, specialized teams of Technology Solutions Partners (TSPs) will take care of your daily technical needs.

- TSPs are your “go to” for daily technical service/support.
- Find your TSP at [www.uidaho.edu/tsp/directory](http://www.uidaho.edu/tsp/directory).
- UI departments/units with previously assigned technical support will not be impacted.
- ITS will continue to support UI students in the current Help Desk location.

To learn more about TSP services and how to contact your TSP for help, go to [www.uidaho.edu/tsp](http://www.uidaho.edu/tsp)

**University of Idaho**

Information Technology Services

[www.uidaho.edu/its](http://www.uidaho.edu/its)

ITS Technology Solutions Partners (TSPs) — *Ready to Help*



# University of Idaho

## Information Technology Services



ITS Technology Solutions Partners (TSPs) — *Ready to Help*

[www.uidaho.edu/tsp](http://www.uidaho.edu/tsp)

### TSP Service and Support

The Technology Solutions Partners' #1 goal is to provide UI employees consistent, reliable, high-level technical support every day. TSPs are skilled professionals ready to serve and help when needed.

#### How do I get help from my TSP team?

There are four ways. You can expect a contact from your TSP within four business hours.

1. **WEB:** Submit a Service Ticket: Fill out an online service ticket at [www.uidaho.edu/tsp](http://www.uidaho.edu/tsp). Once received, your TSP will contact you, assess your technical need and take next steps.
2. **IN PERSON:** Go to your TSP's office in Facilities, Room 136.
3. **CALL** your TSP: 208-885-1101
4. **EMAIL** your TSP: [ITS-Region1@uidaho.edu](mailto:ITS-Region1@uidaho.edu)

### TSP Standard Technical Services

All TSPs offer and deliver the below set of services. If you have a need not on this list, please don't hesitate to contact your TSP for guidance.

- Account Creation and Management
- Classroom Standard Technology Access and Response
- Computer and Telephone Moves, Adds or Changes
- Email Support
- Information and Computer Security
- Network-Stored File Management and Recovery
- Network Connectivity
- Office 365 Guidance, Information and Support
- Printer Troubleshooting and Banner Print Queue
- Software Installation
- Standard Device Installation and Troubleshooting
- Surplus Coordination for Information Technology-Related Items
- Video Conferencing and Zoom Training and Scheduling Assistance

# University of Idaho

## Information Technology Services



ITS Technology Solutions Partners (TSPs) — *Ready to Help*

[www.uidaho.edu/tsp](http://www.uidaho.edu/tsp)

### TSP Service and Support

The Technology Solutions Partners' #1 goal is to provide UI employees consistent, reliable, high-level technical support every day. TSPs are skilled professionals ready to serve and help when needed.

#### How do I get help from my TSP team?

There are four ways. You can expect a contact from your TSP within four business hours.

1. **WEB:** Submit a Service Ticket: Fill out an online service ticket at [www.uidaho.edu/tsp](http://www.uidaho.edu/tsp). Once received, your TSP will contact you, assess your technical need and take next steps.
2. **IN PERSON:** Go to your TSP's office in the Education Building, Room 412.
3. **CALL** your TSP: 208-885-1102
4. **EMAIL** your TSP: [ITS-Region2@uidaho.edu](mailto:ITS-Region2@uidaho.edu)

### TSP Standard Technical Services

All TSPs offer and deliver the below set of services. If you have a need not on this list, please don't hesitate to contact your TSP for guidance.

- Account Creation and Management
- Classroom Standard Technology Access and Response
- Computer and Telephone Moves, Adds or Changes
- Email Support
- Information and Computer Security
- Network-Stored File Management and Recovery
- Network Connectivity
- Office 365 Guidance, Information and Support
- Printer Troubleshooting and Banner Print Queue
- Software Installation
- Standard Device Installation and Troubleshooting
- Surplus Coordination for Information Technology-Related Items
- Video Conferencing and Zoom Training and Scheduling Assistance

## Technology Solutions Partners

I WANT TO: +

Search TSP

ITS Homepage

Find Your TSP +

About TSP +

FAQ

Services

Submit a Service Ticket +

Feedback Form

Events-Information Sessions

### TECHNOLOGY SOLUTIONS PARTNERS

Physical Address:

Find Your TSP

Service Hours

Monday - Friday  
8 a.m. to 5 p.m.

Summer  
Monday - Friday  
7:30 a.m. to 4:30 p.m.

Submit a TSP Service Ticket

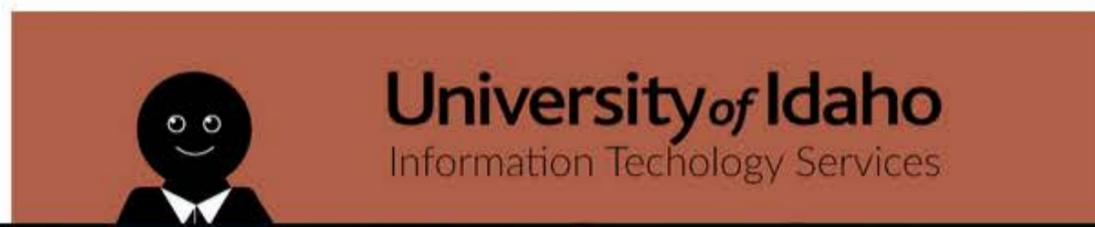


The ITS TSPs and Management. The ITS TSP service model began fall 2017 in response to UI employee feedback. Their goal is to deliver exceptional technical support and service to Moscow faculty and staff across campus.

HOME > DIVISION OF INFRASTRUCTURE > ITS > DEPARTMENTS >

TECHNOLOGY SOLUTIONS PARTNERS

## Technology Solutions Partners



Subscribe iCAL RBS

Select: All | None Event Actions...

SEPTEMBER 2017

Date Time Event Location

Sep 7 1pm All Region Crest/Horizon

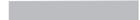


# University of Idaho

Information Technology Services

**TSP** TECHNOLOGY SOLUTIONS PARTNERS  
**DIRECTORY MAP**

[www.uidaho.edu/tsp](http://www.uidaho.edu/tsp)

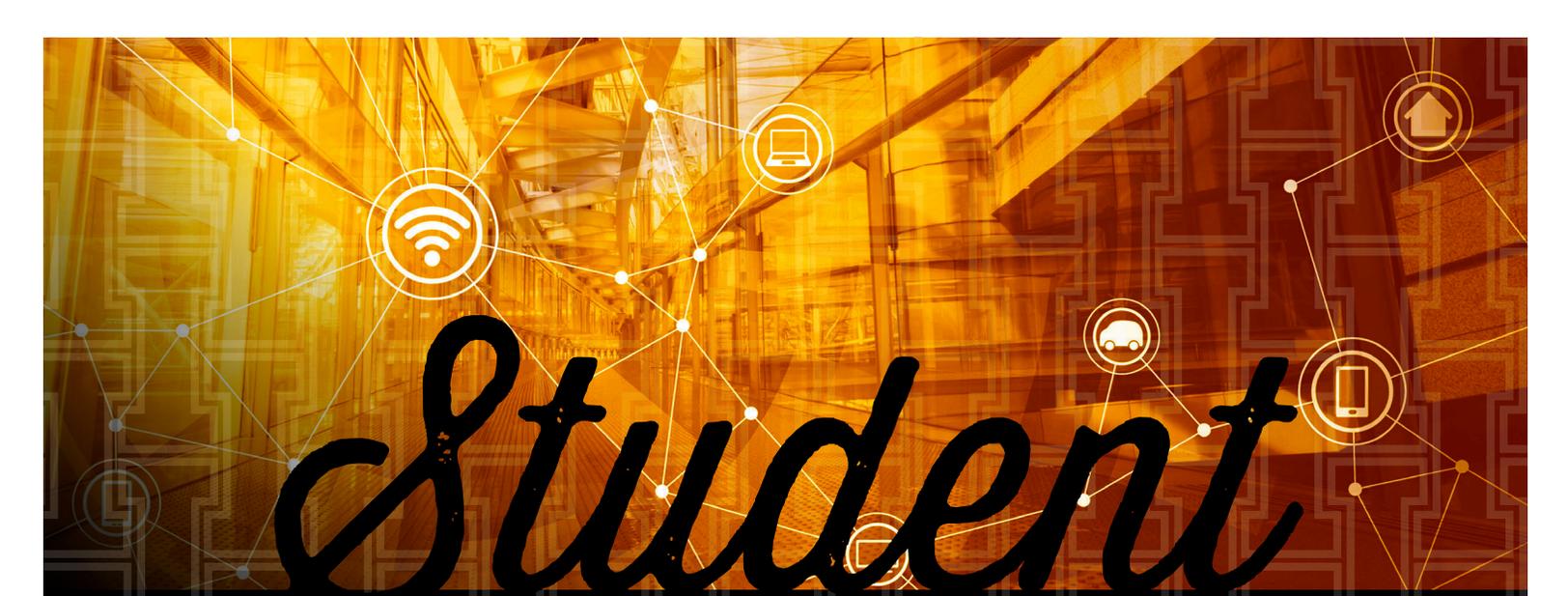
**Other Buildings**   
 College, department or unit has existing technical support—not specifically covered by TSP Region.

### TSP Regions

- 1 
- 2 
- 3 
- 4 
- 5 
- 6 
- 7 
- 8 

### TSP Office Locations

Facilities	Room 136
College of Education	Room 412
Administration	Room 24
Pitman Center	Room 124
Art and Architecture Main	Room 109
Mines	Room 313
Teaching and Learning Center	Room 132
Brink Hall	Room 126



# Student

## TECHNOLOGY CENTER

(Formerly known as the Help Desk)

*We can help!*

Standard Services + More

Initial UI Account Setup | Hardware Troubleshooting  
UI Supported Software—VLab, BbLearn and Office 365  
UI Wireless and Networked Device Connectivity

Monday - Friday  
8 a.m. - 5 p.m.



208.885.4357  
[help@uidaho.edu](mailto:help@uidaho.edu)

Located in the Teaching & Learning Center (TLC), Room 128  
Weekends and after hours: UI Library, First Floor (Information Desk)

**University of Idaho**  
Information Technology Services

# UI FACULTY AND STAFF: *Need Technical Help?*

Contact your *Technology Solutions Partners (TSPs)*!



SEAN

WES

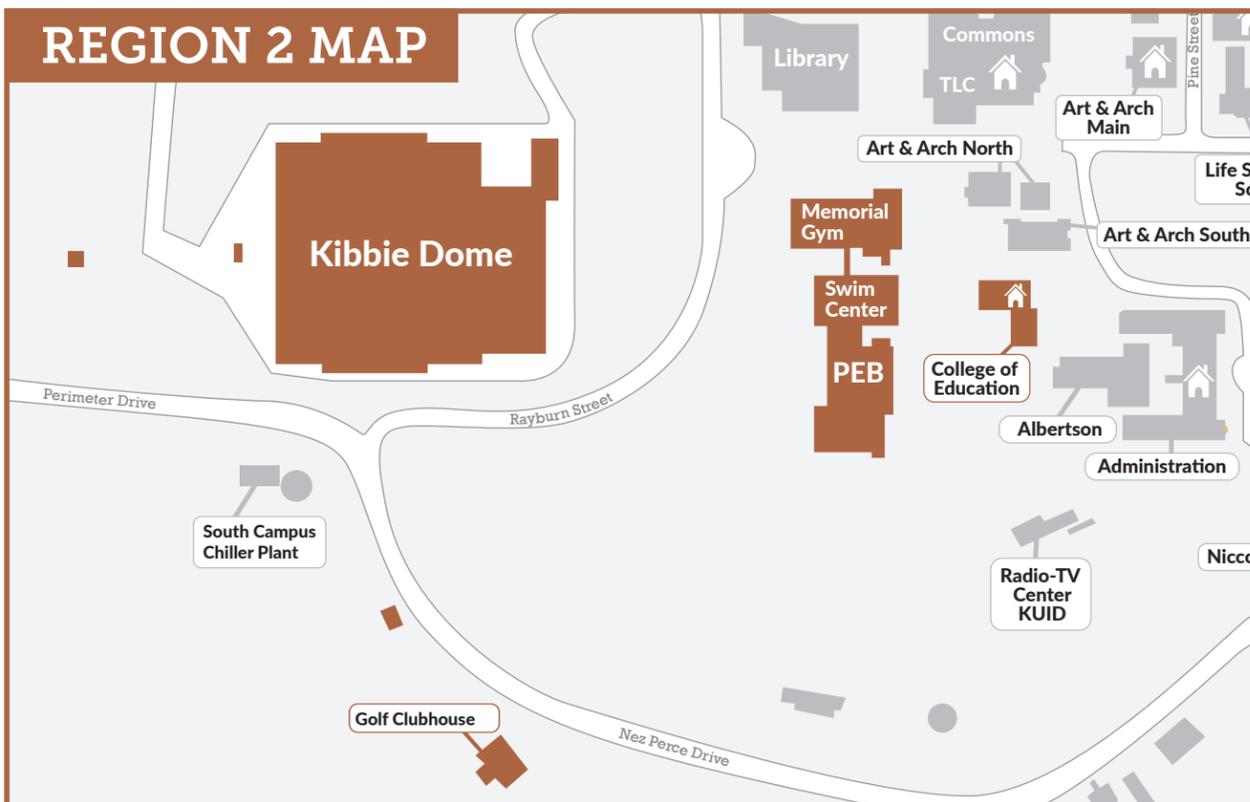
## Region 2 TSP Team: **Wes Russell, Sean Sullivan**

**Web:** Submit a TSP Service Ticket:  
[www.uidaho.edu/tsp/ticket](http://www.uidaho.edu/tsp/ticket)

**Phone:** 208-885-1102

**Email:** [its-region2@uidaho.edu](mailto:its-region2@uidaho.edu)

**Location:** Education Building, Rm. 412



### SERVICE COVERAGE:

- Education Building
- Golf Course Clubhouse
- Kibbie Dome
- Memorial Gym
- Physical Education Bldg.
- Swim Center





# UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

April 4, 2011

Dear Colleague:

Education has long been recognized as the great equalizer in America. The U.S. Department of Education and its Office for Civil Rights (OCR) believe that providing all students with an educational environment free from discrimination is extremely important. The sexual harassment of students, including sexual violence, interferes with students' right to receive an education free from discrimination and, in the case of sexual violence, is a crime.

Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. In order to assist recipients, which include school districts, colleges, and universities (hereinafter "schools" or "recipients") in meeting these obligations, this letter<sup>1</sup> explains that the requirements of Title IX pertaining to sexual harassment also cover sexual violence, and lays out the specific Title IX requirements applicable to sexual violence.<sup>2</sup> Sexual violence, as that term is used in this letter, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape,

---

<sup>1</sup> The Department has determined that this Dear Colleague Letter is a "significant guidance document" under the Office of Management and Budget's Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007), available at:

[http://www.whitehouse.gov/sites/default/files/omb/assets/regulatory\\_matters\\_pdf/012507\\_good\\_guidance.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/regulatory_matters_pdf/012507_good_guidance.pdf).

OCR issues this and other policy guidance to provide recipients with information to assist them in meeting their obligations, and to provide members of the public with information about their rights, under the civil rights laws and implementing regulations that we enforce. OCR's legal authority is based on those laws and regulations. This letter does not add requirements to applicable law, but provides information and examples to inform recipients about how OCR evaluates whether covered entities are complying with their legal obligations. If you are interested in commenting on this guidance, please send an e-mail with your comments to [OCR@ed.gov](mailto:OCR@ed.gov), or write to us at the following address: Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.

<sup>2</sup> Use of the term "sexual harassment" throughout this document includes sexual violence unless otherwise noted. Sexual harassment also may violate Title IV of the Civil Rights Act of 1964 (42 U.S.C. § 2000c), which prohibits public school districts and colleges from discriminating against students on the basis of sex, among other bases. The U.S. Department of Justice enforces Title IV.

sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

The statistics on sexual violence are both deeply troubling and a call to action for the nation. A report prepared for the National Institute of Justice found that about 1 in 5 women are victims of completed or attempted sexual assault while in college.<sup>3</sup> The report also found that approximately 6.1 percent of males were victims of completed or attempted sexual assault during college.<sup>4</sup> According to data collected under the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (Clery Act), 20 U.S.C. § 1092(f), in 2009, college campuses reported nearly 3,300 forcible sex offenses as defined by the Clery Act.<sup>5</sup> This problem is not limited to college. During the 2007-2008 school year, there were 800 reported incidents of rape and attempted rape and 3,800 reported incidents of other sexual batteries at public high schools.<sup>6</sup> Additionally, the likelihood that a woman with intellectual disabilities will be sexually assaulted is estimated to be significantly higher than the general population.<sup>7</sup> The Department is deeply concerned about this problem and is committed to ensuring that all students feel safe in their school, so that they have the opportunity to benefit fully from the school's programs and activities.

This letter begins with a discussion of Title IX's requirements related to student-on-student sexual harassment, including sexual violence, and explains schools' responsibility to take immediate and effective steps to end sexual harassment and sexual violence. These requirements are discussed in detail in OCR's *Revised Sexual Harassment Guidance* issued in 2001 (*2001 Guidance*).<sup>8</sup> This letter supplements the *2001 Guidance* by providing additional guidance and practical examples regarding the Title IX requirements as they relate to sexual violence. This letter concludes by discussing the proactive efforts schools can take to prevent sexual harassment and violence, and by providing examples of remedies that schools and OCR may use to end such conduct, prevent its recurrence, and address its effects. Although some examples contained in this letter are applicable only in the postsecondary context, sexual

---

<sup>3</sup> CHRISTOPHER P. KREBS ET AL., THE CAMPUS SEXUAL ASSAULT STUDY: FINAL REPORT xiii (Nat'l Criminal Justice Reference Serv., Oct. 2007), available at <http://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>. This study also found that the majority of campus sexual assaults occur when women are incapacitated, primarily by alcohol. *Id.* at xviii.

<sup>4</sup> *Id.* at 5-5.

<sup>5</sup> U.S. Department of Education, Office of Postsecondary Education, Summary Crime Statistics (data compiled from reports submitted in compliance with the Clery Act), available at <http://www2.ed.gov/admins/lead/safety/criminal2007-09.pdf>. Under the Clery Act, forcible sex offenses are defined as any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. Forcible sex offenses include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. 34 C.F.R. Part 668, Subpt. D, App. A.

<sup>6</sup> SIMONE ROBERS ET AL., INDICATORS OF SCHOOL CRIME AND SAFETY: 2010 at 104 (U.S. Dep't of Educ. & U.S. Dep't of Justice, Nov. 2010), available at <http://nces.ed.gov/pubs2011/2011002.pdf>.

<sup>7</sup> ERIKA HARRELL & MICHAEL R. RAND, CRIME AGAINST PEOPLE WITH DISABILITIES, 2008 (Bureau of Justice Statistics, U.S. Dep't of Justice, Dec. 2010), available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/capd08.pdf>.

<sup>8</sup> The *2001 Guidance* is available on the Department's Web site at <http://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf>. This letter focuses on peer sexual harassment and violence. Schools' obligations and the appropriate response to sexual harassment and violence committed by employees may be different from those described in this letter. Recipients should refer to the *2001 Guidance* for further information about employee harassment of students.

harassment and violence also are concerns for school districts. The Title IX obligations discussed in this letter apply equally to school districts unless otherwise noted.

## **Title IX Requirements Related to Sexual Harassment and Sexual Violence**

### **Schools' Obligations to Respond to Sexual Harassment and Sexual Violence**

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 prohibited by Title IX.<sup>9</sup>

As explained in OCR's *2001 Guidance*, when a student sexually harasses another student, the harassing conduct creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the school's program. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. Indeed, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. For instance, a single instance of rape is sufficiently severe to create a hostile environment.<sup>10</sup>

Title IX protects students from sexual harassment in a school's education programs and activities. This means that Title IX protects students in connection with all the academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program

---

<sup>9</sup> Title IX also prohibits gender-based harassment, which may include 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. The Title IX obligations discussed in this letter also apply to gender-based harassment. Gender-based harassment is discussed in more detail in the *2001 Guidance*, and in the 2010 Dear Colleague letter on Harassment and Bullying, which is available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>.

<sup>10</sup> See, e.g., *Jennings v. Univ. of N.C.*, 444 F.3d 255, 268, 274 n.12 (4th Cir. 2006) (acknowledging that while not an issue in this case, a single incident of sexual assault or rape could be sufficient to raise a jury question about whether a hostile environment exists, and noting that courts look to Title VII cases for guidance in analyzing Title IX sexual harassment claims); *Vance v. Spencer Cnty. Pub. Sch. Dist.*, 231 F.3d 253, 259 n.4 (6th Cir. 2000) ("[w]ithin the context of Title IX, a student's claim of hostile environment can arise from a single incident" (quoting *Doe v. Sch. Admin. Dist. No. 19*, 66 F. Supp. 2d 57, 62 (D. Me. 1999))); *Soper v. Hoben*, 195 F.3d 845, 855 (6th Cir. 1999) (explaining that rape and sexual abuse "obviously qualify[ed] as...severe, pervasive, and objectively offensive sexual harassment"); see also *Berry v. Chi. Transit Auth.*, 618 F.3d 688, 692 (7th Cir. 2010) (in the Title VII context, "a single act can create a hostile environment if it is severe enough, and instances of uninvited physical contact with intimate parts of the body are among the most severe types of sexual harassment"); *Turner v. Saloon, Ltd.*, 595 F.3d 679, 686 (7th Cir. 2010) (noting that "[o]ne instance of conduct that is sufficiently severe may be enough," which is "especially true when the touching is of an intimate body part" (quoting *Jackson v. Cnty. of Racine*, 474 F.3d 493, 499 (7th Cir. 2007))); *McKinnis v. Crescent Guardian, Inc.*, 189 F. App'x 307, 310 (5th Cir. 2006) (holding that "the deliberate and unwanted touching of [a plaintiff's] intimate body parts can constitute severe sexual harassment" in Title VII cases (quoting *Harvill v. Westward Commc'ns, L.L.C.*, 433 F.3d 428, 436 (5th Cir. 2005))).

sponsored by the school at another location, or elsewhere. For example, Title IX protects a student who is sexually assaulted by a fellow student during a school-sponsored field trip.<sup>11</sup>

If a school knows or reasonably should know about student-on-student harassment that creates a hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects.<sup>12</sup> Schools also are required to publish a notice of nondiscrimination and to adopt and publish grievance procedures. Because of these requirements, which are discussed in greater detail in the following section, schools need to ensure that their employees are trained so that they know to report harassment to appropriate school officials, and so that employees with the authority to address harassment know how to respond properly. Training for employees should include practical information about how to identify and report sexual harassment and violence. OCR recommends that this training be provided to any employees likely to witness or receive reports of sexual harassment and violence, including teachers, school law enforcement unit employees, school administrators, school counselors, general counsels, health personnel, and resident advisors.

Schools may have an obligation to respond to student-on-student sexual harassment that initially occurred off school grounds, outside a school's education program or activity. If a student files a complaint with the school, regardless of where the conduct occurred, the school must process the complaint in accordance with its established procedures. Because students often experience the continuing effects of off-campus sexual harassment in the educational setting, schools should consider the effects of the off-campus conduct when evaluating whether there is a hostile environment on campus. For example, if a student alleges that he or she was sexually assaulted by another student off school grounds, and that upon returning to school he or she was taunted and harassed by other students who are the alleged perpetrator's friends, the school should take the earlier sexual assault into account in determining whether there is a sexually hostile environment. The school also should take steps to protect a student who was assaulted off campus from further sexual harassment or retaliation from the perpetrator and his or her associates.

Regardless of whether a harassed student, his or her parent, or a third party files a complaint under the school's grievance procedures or otherwise requests action on the student's behalf, a school that knows, or reasonably should know, about possible harassment must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. As discussed later in this letter, the school's Title IX investigation is different from any law enforcement investigation, and a law enforcement investigation does not relieve the school of its independent Title IX obligation to investigate the conduct. The specific steps in a school's

---

<sup>11</sup> Title IX also protects third parties from sexual harassment or violence in a school's education programs and activities. For example, Title IX protects a high school student participating in a college's recruitment program, a visiting student athlete, and a visitor in a school's on-campus residence hall. Title IX also protects employees of a recipient from sexual harassment. For further information about harassment of employees, see *2001 Guidance* at n.1.

<sup>12</sup> This is the standard for administrative enforcement of Title IX and in court cases where plaintiffs are seeking injunctive relief. See *2001 Guidance* at ii-v, 12-13. The standard in private lawsuits for monetary damages is actual knowledge and deliberate indifference. See *Davis v. Monroe Cnty. Bd. of Ed.*, 526 U.S. 629, 643, 648 (1999).

investigation will vary depending upon the nature of the allegations, the age of the student or students involved (particularly in elementary and secondary schools), the size and administrative structure of the school, and other factors. Yet as discussed in more detail below, the school's inquiry must in all cases be prompt, thorough, and impartial. In cases involving potential criminal conduct, school personnel must determine, consistent with State and local law, whether appropriate law enforcement or other authorities should be notified.<sup>13</sup>

Schools also should inform and obtain consent from the complainant (or the complainant's parents if the complainant is under 18 and does not attend a postsecondary institution) before beginning an investigation. If the complainant requests confidentiality or asks that the complaint not be pursued, the school should take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the school should inform the complainant that its ability to respond may be limited.<sup>14</sup> The school also should tell the complainant that Title IX prohibits retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

As discussed in the *2001 Guidance*, if the complainant continues to ask that his or her name or other identifiable information not be revealed, the school should evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the school may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the alleged harasser's rights to receive information about the allegations if the information is maintained by the school as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.<sup>15</sup> The school should inform the complainant if it cannot ensure confidentiality. Even if the school cannot take disciplinary action against the alleged harasser because the complainant insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence. Examples of such steps are discussed later in this letter.

Compliance with Title IX, such as publishing a notice of nondiscrimination, designating an employee to coordinate Title IX compliance, and adopting and publishing grievance procedures, can serve as preventive measures against harassment. Combined with education and training programs, these measures can help ensure that all students and employees recognize the

---

<sup>13</sup> In states with mandatory reporting laws, schools may be required to report certain incidents to local law enforcement or child protection agencies.

<sup>14</sup> Schools should refer to the *2001 Guidance* for additional information on confidentiality and the alleged perpetrator's due process rights.

<sup>15</sup> For example, the alleged harasser may have a right under FERPA to inspect and review portions of the complaint that directly relate to him or her. In that case, the school must redact the complainant's name and other identifying information before allowing the alleged harasser to inspect and review the sections of the complaint that relate to him or her. In some cases, such as those where the school is required to report the incident to local law enforcement or other officials, the school may not be able to maintain the complainant's confidentiality.

nature of sexual harassment and violence, and understand that the school will not tolerate such conduct. Indeed, these measures may bring potentially problematic conduct to the school's attention before it becomes serious enough to create a hostile environment. Training for administrators, teachers, staff, and students also can help ensure that they understand what types of conduct constitute sexual harassment or violence, can identify warning signals that may need attention, and know how to respond. More detailed information and examples of education and other preventive measures are provided later in this letter.

### **Procedural Requirements Pertaining to Sexual Harassment and Sexual Violence**

Recipients of Federal financial assistance must comply with the procedural requirements outlined in the Title IX implementing regulations. Specifically, a recipient must:

- (A) Disseminate a notice of nondiscrimination;<sup>16</sup>
- (B) Designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX;<sup>17</sup> and
- (C) Adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee sex discrimination complaints.<sup>18</sup>

These requirements apply to all forms of sexual harassment, including sexual violence, and are important for preventing and effectively responding to sex discrimination. They are discussed in greater detail below. OCR advises recipients to examine their current policies and procedures on sexual harassment and sexual violence to determine whether those policies comply with the requirements articulated in this letter and the *2001 Guidance*. Recipients should then implement changes as needed.

#### **(A) Notice of Nondiscrimination**

The Title IX regulations require that each recipient publish a notice of nondiscrimination stating that the recipient does not discriminate on the basis of sex in its education programs and activities, and that Title IX requires it not to discriminate in such a manner.<sup>19</sup> The notice must state that inquiries concerning the application of Title IX may be referred to the recipient's Title IX coordinator or to OCR. It should include the name or title, office address, telephone number, and e-mail address for the recipient's designated Title IX coordinator.

The notice must be widely distributed to all students, parents of elementary and secondary students, employees, applicants for admission and employment, and other relevant persons. OCR recommends that the notice be prominently posted on school Web sites and at various

---

<sup>16</sup> 34 C.F.R. § 106.9.

<sup>17</sup> *Id.* § 106.8(a).

<sup>18</sup> *Id.* § 106.8(b).

<sup>19</sup> *Id.* § 106.9(a).

locations throughout the school or campus and published in electronic and printed publications of general distribution that provide information to students and employees about the school's services and policies. The notice should be available and easily accessible on an ongoing basis.

Title IX does not require a recipient to adopt a policy specifically prohibiting sexual harassment or sexual violence. As noted in the *2001 Guidance*, however, a recipient's general policy prohibiting sex discrimination will not be considered effective and would violate Title IX if, because of the lack of a specific policy, students are unaware of what kind of conduct constitutes sexual harassment, including sexual violence, or that such conduct is prohibited sex discrimination. OCR therefore recommends that a recipient's nondiscrimination policy state that prohibited sex discrimination covers sexual harassment, including sexual violence, and that the policy include examples of the types of conduct that it covers.

(B) *Title IX Coordinator*

The Title IX regulations require a recipient to notify all students and employees of the name or title and contact information of the person designated to coordinate the recipient's compliance with Title IX.<sup>20</sup> The coordinator's responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Title IX coordinator or designee should be available to meet with students as needed. If a recipient designates more than one Title IX coordinator, the notice should describe each coordinator's responsibilities (*e.g.*, who will handle complaints by students, faculty, and other employees). The recipient should designate one coordinator as having ultimate oversight responsibility, and the other coordinators should have titles clearly showing that they are in a deputy or supporting role to the senior coordinator. The Title IX coordinators should not have other job responsibilities that may create a conflict of interest. For example, serving as the Title IX coordinator and a disciplinary hearing board member or general counsel may create a conflict of interest.

Recipients must ensure that employees designated to serve as Title IX coordinators have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the recipient's grievance procedures operate. Because sexual violence complaints often are filed with the school's law enforcement unit, all school law enforcement unit employees should receive training on the school's Title IX grievance procedures and any other procedures used for investigating reports of sexual violence. In addition, these employees should receive copies of the school's Title IX policies. Schools should instruct law enforcement unit employees both to notify complainants of their right to file a Title IX sex discrimination complaint with the school in addition to filing a criminal complaint, and to report incidents of sexual violence to the Title IX coordinator if the complainant consents. The school's Title IX coordinator or designee should be available to provide assistance to school law enforcement unit employees regarding how to respond appropriately to reports of sexual violence. The Title IX coordinator also should be given access to school law enforcement unit investigation notes

---

<sup>20</sup> *Id.* § 106.8(a).

and findings as necessary for the Title IX investigation, so long as it does not compromise the criminal investigation.

(C) Grievance Procedures

The Title IX regulations require all recipients to adopt and publish grievance procedures providing for the prompt and equitable resolution of sex discrimination complaints.<sup>21</sup> The grievance procedures must apply to sex discrimination complaints filed by students against school employees, other students, or third parties.

Title IX does not require a recipient to provide separate grievance procedures for sexual harassment and sexual violence complaints. Therefore, a recipient may use student disciplinary procedures or other separate procedures to resolve such complaints. Any procedures used to adjudicate complaints of sexual harassment or sexual violence, including disciplinary procedures, however, must meet the Title IX requirement of affording a complainant a prompt and equitable resolution.<sup>22</sup> These requirements are discussed in greater detail below. If the recipient relies on disciplinary procedures for Title IX compliance, the Title IX coordinator should review the recipient's disciplinary procedures to ensure that the procedures comply with the prompt and equitable requirements of Title IX.<sup>23</sup>

Grievance procedures generally may include voluntary informal mechanisms (*e.g.*, mediation) for resolving some types of sexual harassment complaints. OCR has frequently advised recipients, however, that it is improper for a student who complains of harassment to be required to work out the problem directly with the alleged perpetrator, and certainly not without appropriate involvement by the school (*e.g.*, participation by a trained counselor, a trained mediator, or, if appropriate, a teacher or administrator). In addition, as stated in the *2001 Guidance*, the complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process. Moreover, in cases involving allegations of sexual assault, mediation is not appropriate even on a voluntary basis. OCR recommends that recipients clarify in their grievance procedures that mediation will not be used to resolve sexual assault complaints.

---

<sup>21</sup> *Id.* § 106.8(b). Title IX also requires recipients to adopt and publish grievance procedures for employee complaints of sex discrimination.

<sup>22</sup> These procedures must apply to all students, including athletes. If a complaint of sexual violence involves a student athlete, the school must follow its standard procedures for resolving sexual violence complaints. Such complaints must not be addressed solely by athletics department procedures. Additionally, if an alleged perpetrator is an elementary or secondary student with a disability, schools must follow the procedural safeguards in the Individuals with Disabilities Education Act (at 20 U.S.C. § 1415 and 34 C.F.R. §§ 300.500-300.519, 300.530-300.537) as well as the requirements of Section 504 of the Rehabilitation Act of 1973 (at 34 C.F.R. §§ 104.35-104.36) when conducting the investigation and hearing.

<sup>23</sup> A school may not absolve itself of its Title IX obligations to investigate and resolve complaints of sexual harassment or violence by delegating, whether through express contractual agreement or other less formal arrangement, the responsibility to administer school discipline to school resource officers or "contract" law enforcement officers. See 34 C.F.R. § 106.4.

Prompt and Equitable Requirements

As stated in the *2001 Guidance*, OCR has identified a number of elements in evaluating whether a school's grievance procedures provide for prompt and equitable resolution of sexual harassment complaints. These elements also apply to sexual violence complaints because, as explained above, sexual violence is a form of sexual harassment. OCR will review all aspects of a school's grievance procedures, including the following elements that are critical to achieve compliance with Title IX:

- Notice to students, parents of elementary and secondary students, and employees of the grievance procedures, including where complaints may be filed;
- Application of the procedures to complaints alleging harassment carried out by employees, other students, or third parties;
- Adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present witnesses and other evidence;
- Designated and reasonably prompt time frames for the major stages of the complaint process;
- Notice to parties of the outcome of the complaint;<sup>24</sup> and
- An assurance that the school will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

As noted in the *2001 Guidance*, procedures adopted by schools will vary in detail, specificity, and components, reflecting differences in the age of students, school sizes and administrative structures, State or local legal requirements, and past experiences. Although OCR examines whether all applicable elements are addressed when investigating sexual harassment complaints, this letter focuses on those elements where our work indicates that more clarification and explanation are needed, including:

(A) Notice of the grievance procedures

The procedures for resolving complaints of sex discrimination, including sexual harassment, should be written in language appropriate to the age of the school's students, easily understood, easily located, and widely distributed. OCR recommends that the grievance procedures be prominently posted on school Web sites; sent electronically to all members of the school community; available at various locations throughout the school or campus; and summarized in or attached to major publications issued by the school, such as handbooks, codes of conduct, and catalogs for students, parents of elementary and secondary students, faculty, and staff.

(B) Adequate, Reliable, and Impartial Investigation of Complaints

OCR's work indicates that a number of issues related to an adequate, reliable, and impartial investigation arise in sexual harassment and violence complaints. In some cases, the conduct

---

<sup>24</sup> "Outcome" does not refer to information about disciplinary sanctions unless otherwise noted. Notice of the outcome is discussed in greater detail in Section D below.

may constitute both sexual harassment under Title IX and criminal activity. Police investigations may be useful for fact-gathering; but because the standards for criminal investigations are different, police investigations or reports are not determinative of whether sexual harassment or violence violates Title IX. Conduct may constitute unlawful sexual harassment under Title IX even if the police do not have sufficient evidence of a criminal violation. In addition, a criminal investigation into allegations of sexual violence does not relieve the school of its duty under Title IX to resolve complaints promptly and equitably.

A school should notify a complainant of the right to file a criminal complaint, and should not dissuade a victim from doing so either during or after the school's internal Title IX investigation. For instance, if a complainant wants to file a police report, the school should not tell the complainant that it is working toward a solution and instruct, or ask, the complainant to wait to file the report.

Schools should not wait for the conclusion of a criminal investigation or criminal proceeding to begin their own Title IX investigation and, if needed, must take immediate steps to protect the student in the educational setting. For example, a school should not delay conducting its own investigation or taking steps to protect the complainant because it wants to see whether the alleged perpetrator will be found guilty of a crime. Any agreement or Memorandum of Understanding (MOU) with a local police department must allow the school to meet its Title IX obligation to resolve complaints promptly and equitably. Although a school may need to delay temporarily the fact-finding portion of a Title IX investigation while the police are gathering evidence, once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the school must promptly resume and complete its fact-finding for the Title IX investigation.<sup>25</sup> Moreover, nothing in an MOU or the criminal investigation itself should prevent a school from notifying complainants of their Title IX rights and the school's grievance procedures, or from taking interim steps to ensure the safety and well-being of the complainant and the school community while the law enforcement agency's fact-gathering is in progress. OCR also recommends that a school's MOU include clear policies on when a school will refer a matter to local law enforcement.

As noted above, the Title IX regulation requires schools to provide equitable grievance procedures. As part of these procedures, schools generally conduct investigations and hearings to determine whether sexual harassment or violence occurred. In addressing complaints filed with OCR under Title IX, OCR reviews a school's procedures to determine whether the school is using a preponderance of the evidence standard to evaluate complaints. The Supreme Court has applied a preponderance of the evidence standard in civil litigation involving discrimination under Title VII of the Civil Rights Act of 1964 (Title VII), 42 U.S.C. §§ 2000e *et seq.* Like Title IX,

---

<sup>25</sup> In one recent OCR sexual violence case, the prosecutor's office informed OCR that the police department's evidence gathering stage typically takes three to ten calendar days, although the delay in the school's investigation may be longer in certain instances.

Title VII prohibits discrimination on the basis of sex.<sup>26</sup> OCR also uses a preponderance of the evidence standard when it resolves complaints against recipients. For instance, OCR’s Case Processing Manual requires that a noncompliance determination be supported by the preponderance of the evidence when resolving allegations of discrimination under all the statutes enforced by OCR, including Title IX.<sup>27</sup> OCR also uses a preponderance of the evidence standard in its fund termination administrative hearings.<sup>28</sup> Thus, in order for a school’s grievance procedures to be consistent with Title IX standards, the school must use a preponderance of the evidence standard (*i.e.*, it is more likely than not that sexual harassment or violence occurred). The “clear and convincing” standard (*i.e.*, it is highly probable or reasonably certain that the sexual harassment or violence occurred), currently used by some schools, is a higher standard of proof. Grievance procedures that use this higher standard are inconsistent with the standard of proof established for violations of the civil rights laws, and are thus not equitable under Title IX. Therefore, preponderance of the evidence is the appropriate standard for investigating allegations of sexual harassment or violence.

Throughout a school’s Title IX investigation, including at any hearing, the parties must have an equal opportunity to present relevant witnesses and other evidence. The complainant and the alleged perpetrator must be afforded similar and timely access to any information that will be used at the hearing.<sup>29</sup> For example, a school should not conduct a pre-hearing meeting during which only the alleged perpetrator is present and given an opportunity to present his or her side of the story, unless a similar meeting takes place with the complainant; a hearing officer or disciplinary board should not allow only the alleged perpetrator to present character witnesses at a hearing; and a school should not allow the alleged perpetrator to review the complainant’s

---

<sup>26</sup> See, e.g., *Desert Palace, Inc. v. Costa*, 539 U.S. 90, 99 (2003) (noting that under the “conventional rule of civil litigation,” the preponderance of the evidence standard generally applies in cases under Title VII); *Price Waterhouse v. Hopkins*, 490 U.S. 228, 252-55 (1989) (approving preponderance standard in Title VII sex discrimination case) (plurality opinion); *id.* at 260 (White, J., concurring in the judgment); *id.* at 261 (O’Connor, J., concurring in the judgment). The 2001 *Guidance* noted (on page vi) that “[w]hile *Gebser* and *Davis* made clear that Title VII agency principles do not apply in determining liability for money damages under Title IX, the *Davis* Court also indicated, through its specific references to Title VII caselaw, that Title VII remains relevant in determining what constitutes hostile environment sexual harassment under Title IX.” See also *Jennings v. Univ. of N.C.*, 482 F.3d 686, 695 (4th Cir. 2007) (“We look to case law interpreting Title VII of the Civil Rights Act of 1964 for guidance in evaluating a claim brought under Title IX.”).

<sup>27</sup> OCR’s Case Processing Manual is available on the Department’s Web site, at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.

<sup>28</sup> The Title IX regulations adopt the procedural provisions applicable to Title VI of the Civil Rights Act of 1964. See 34 C.F.R. § 106.71 (“The procedural provisions applicable to Title VI of the Civil Rights Act of 1964 are hereby adopted and incorporated herein by reference.”). The Title VI regulations apply the Administrative Procedure Act to administrative hearings required prior to termination of Federal financial assistance and require that termination decisions be “supported by and in accordance with the reliable, probative and substantial evidence.” 5 U.S.C. § 556(d). The Supreme Court has interpreted “reliable, probative and substantial evidence” as a direction to use the preponderance standard. See *Steadman v. SEC*, 450 U.S. 91, 98-102 (1981).

<sup>29</sup> Access to this information must be provided consistent with FERPA. For example, if a school introduces an alleged perpetrator’s prior disciplinary records to support a tougher disciplinary penalty, the complainant would not be allowed access to those records. Additionally, access should not be given to privileged or confidential information. For example, the alleged perpetrator should not be given access to communications between the complainant and a counselor or information regarding the complainant’s sexual history.

statement without also allowing the complainant to review the alleged perpetrator’s statement.

While OCR does not require schools to permit parties to have lawyers at any stage of the proceedings, if a school chooses to allow the parties to have their lawyers participate in the proceedings, it must do so equally for both parties. Additionally, any school-imposed restrictions on the ability of lawyers to speak or otherwise participate in the proceedings should apply equally. OCR strongly discourages schools from allowing the parties personally to question or cross-examine each other during the hearing. Allowing an alleged perpetrator to question an alleged victim directly may be traumatic or intimidating, thereby possibly escalating or perpetuating a hostile environment. OCR also recommends that schools provide an appeals process. If a school provides for appeal of the findings or remedy, it must do so for both parties. Schools must maintain documentation of all proceedings, which may include written findings of facts, transcripts, or audio recordings.

All persons involved in implementing a recipient’s grievance procedures (*e.g.*, Title IX coordinators, investigators, and adjudicators) must have training or experience in handling complaints of sexual harassment and sexual violence, and in the recipient’s grievance procedures. The training also should include applicable confidentiality requirements. In sexual violence cases, the fact-finder and decision-maker also should have adequate training or knowledge regarding sexual violence.<sup>30</sup> Additionally, a school’s investigation and hearing processes cannot be equitable unless they are impartial. Therefore, any real or perceived conflicts of interest between the fact-finder or decision-maker and the parties should be disclosed.

Public and state-supported schools must provide due process to the alleged perpetrator. However, schools should ensure that steps taken to accord due process rights to the alleged perpetrator do not restrict or unnecessarily delay the Title IX protections for the complainant.

(C) *Designated and Reasonably Prompt Time Frames*

OCR will evaluate whether a school’s grievance procedures specify the time frames for all major stages of the procedures, as well as the process for extending timelines. Grievance procedures should specify the time frame within which: (1) the school will conduct a full investigation of the complaint; (2) both parties receive a response regarding the outcome of the complaint; and (3) the parties may file an appeal, if applicable. Both parties should be given periodic status updates. Based on OCR experience, a typical investigation takes approximately 60 calendar days following receipt of the complaint. Whether OCR considers complaint resolutions to be timely, however, will vary depending on the complexity of the investigation and the severity and extent of the harassment. For example, the resolution of a complaint involving multiple incidents with multiple complainants likely would take longer than one involving a single incident that

---

<sup>30</sup> For instance, if an investigation or hearing involves forensic evidence, that evidence should be reviewed by a trained forensic examiner.

occurred in a classroom during school hours with a single complainant.

(D) Notice of Outcome

Both parties must be notified, in writing, about the outcome of both the complaint and any appeal,<sup>31</sup> *i.e.*, whether harassment was found to have occurred. OCR recommends that schools provide the written determination of the final outcome to the complainant and the alleged perpetrator concurrently. Title IX does not require the school to notify the alleged perpetrator of the outcome before it notifies the complainant.

Due to the intersection of Title IX and FERPA requirements, OCR recognizes that there may be confusion regarding what information a school may disclose to the complainant.<sup>32</sup> FERPA generally prohibits the nonconsensual disclosure of personally identifiable information from a student's "education record." However, as stated in the *2001 Guidance*, FERPA permits a school to disclose to the harassed student information about the sanction imposed upon a student who was found to have engaged in harassment when the sanction directly relates to the harassed student. This includes an order that the harasser stay away from the harassed student, or that the harasser is prohibited from attending school for a period of time, or transferred to other classes or another residence hall.<sup>33</sup> Disclosure of other information in the student's "education record," including information about sanctions that do not relate to the harassed student, may result in a violation of FERPA.

Further, when the conduct involves a crime of violence or a non-forcible sex offense,<sup>34</sup> FERPA permits a postsecondary institution to disclose to the alleged victim the final results of a

---

<sup>31</sup> As noted previously, "outcome" does not refer to information about disciplinary sanctions unless otherwise noted.

<sup>32</sup> In 1994, Congress amended the General Education Provisions Act (GEPA), of which FERPA is a part, to state that nothing in GEPA "shall be construed to affect the applicability of title VI of the Civil Rights Act of 1964, title IX of Education Amendments of 1972, title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." 20 U.S.C. § 1221(d). The Department interprets this provision to mean that FERPA continues to apply in the context of Title IX enforcement, but if there is a direct conflict between the requirements of FERPA and the requirements of Title IX, such that enforcement of FERPA would interfere with the primary purpose of Title IX to eliminate sex-based discrimination in schools, the requirements of Title IX override any conflicting FERPA provisions. *See 2001 Guidance* at vii.

<sup>33</sup> This information directly relates to the complainant and is particularly important in sexual harassment cases because it affects whether a hostile environment has been eliminated. Because seeing the perpetrator may be traumatic, a complainant in a sexual harassment case may continue to be subject to a hostile environment if he or she does not know when the perpetrator will return to school or whether he or she will continue to share classes or a residence hall with the perpetrator. This information also directly affects a complainant's decision regarding how to work with the school to eliminate the hostile environment and prevent its recurrence. For instance, if a complainant knows that the perpetrator will not be at school or will be transferred to other classes or another residence hall for the rest of the year, the complainant may be less likely to want to transfer to another school or change classes, but if the perpetrator will be returning to school after a few days or weeks, or remaining in the complainant's classes or residence hall, the complainant may want to transfer schools or change classes to avoid contact. Thus, the complainant cannot make an informed decision about how best to respond without this information.

<sup>34</sup> Under the FERPA regulations, crimes of violence include arson; assault offenses (aggravated assault, simple assault, intimidation); burglary; criminal homicide (manslaughter by negligence); criminal homicide (murder and

disciplinary proceeding against the alleged perpetrator, regardless of whether the institution concluded that a violation was committed.<sup>35</sup> Additionally, a postsecondary institution may disclose to anyone—not just the alleged victim—the final results of a disciplinary proceeding if it 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.<sup>36</sup>

Postsecondary institutions also are subject to additional rules under the Clery Act. This law, which applies to postsecondary institutions that participate in Federal student financial aid programs, requires that “both the accuser and the accused must be informed of the outcome<sup>37</sup> of any institutional disciplinary proceeding brought alleging a sex offense.”<sup>38</sup> Compliance with this requirement does not constitute a violation of FERPA. Furthermore, the FERPA limitations on redisclosure of information do not apply to information that postsecondary institutions are required to disclose under the Clery Act.<sup>39</sup> Accordingly, postsecondary institutions may not require a complainant to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of this information.

### **Steps to Prevent Sexual Harassment and Sexual Violence and Correct its Discriminatory Effects on the Complainant and Others**

#### **Education and Prevention**

In addition to ensuring full compliance with Title IX, schools should take proactive measures to prevent sexual harassment and violence. OCR recommends that all schools implement preventive education programs and make victim resources, including comprehensive victim services, available. Schools may want to include these education programs in their (1) orientation programs for new students, faculty, staff, and employees; (2) training for students who serve as advisors in residence halls; (3) training for student athletes and coaches; and (4) school assemblies and “back to school nights.” These programs should include a

---

non-negligent manslaughter); destruction, damage or vandalism of property; kidnapping/abduction; robbery; and forcible sex offenses. Forcible sex offenses are defined as any sexual act directed against another person forcibly or against that person’s will, or not forcibly or against the person’s will where the victim is incapable of giving consent. Forcible sex offenses include rape, sodomy, sexual assault with an object, and forcible fondling. Non-forcible sex offenses are incest and statutory rape. 34 C.F.R. Part 99, App. A.

<sup>35</sup> 34 C.F.R. § 99.31(a)(13). For purposes of 34 C.F.R. §§ 99.31(a)(13)-(14), disclosure of “final results” is limited to the name of the alleged perpetrator, any violation found to have been committed, and any sanction imposed against the perpetrator by the school. 34 C.F.R. § 99.39.

<sup>36</sup> 34 C.F.R. § 99.31(a)(14).

<sup>37</sup> For purposes of the Clery Act, “outcome” means the institution’s final determination with respect to the alleged sex offense and any sanctions imposed against the accused. 34 C.F.R. § 668.46(b)(11)(vi)(B).

<sup>38</sup> 34 C.F.R. § 668.46(b)(11)(vi)(B). Under the Clery Act, forcible sex offenses are defined as any sexual act directed against another person forcibly or against that person’s will, or not forcibly or against the person’s will where the person is incapable of giving consent. Forcible sex offenses include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. Non-forcible sex offenses include incest and statutory rape. 34 C.F.R. Part 668, Subpt. D, App. A.

<sup>39</sup> 34 C.F.R. § 99.33(c).

discussion of what constitutes sexual harassment and sexual violence, the school's policies and disciplinary procedures, and the consequences of violating these policies.

The education programs also should include information aimed at encouraging students to report incidents of sexual violence to the appropriate school and law enforcement authorities. Schools should be aware that victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of school or campus rules were involved.<sup>40</sup> As a result, schools should consider whether their disciplinary policies have a chilling effect on victims' or other students' reporting of sexual violence offenses. For example, OCR recommends that schools inform students that the schools' primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that use of alcohol or drugs never makes the victim at fault for sexual violence.

OCR also recommends that schools develop specific sexual violence materials that include the schools' policies, rules, and resources for students, faculty, coaches, and administrators. Schools also should include such information in their employee handbook and any handbooks that student athletes and members of student activity groups receive. These materials should include where and to whom students should go if they are victims of sexual violence. These materials also should tell students and school employees what to do if they learn of an incident of sexual violence. Schools also should assess student activities regularly to ensure that the practices and behavior of students do not violate the schools' policies against sexual harassment and sexual violence.

### **Remedies and Enforcement**

As discussed above, if a school determines that sexual harassment that creates a hostile environment has occurred, it must take immediate action to eliminate the hostile environment, prevent its recurrence, and address its effects. In addition to counseling or taking disciplinary action against the harasser, effective corrective action may require remedies for the complainant, as well as changes to the school's overall services or policies. Examples of these actions are discussed in greater detail below.

Title IX requires a school to take steps to protect the complainant as necessary, including taking interim steps before the final outcome of the investigation. The school should undertake these steps promptly once it has notice of a sexual harassment or violence allegation. The school should notify the complainant of his or her options to avoid contact with the alleged perpetrator and allow students to change academic or living situations as appropriate. For instance, the school may prohibit the alleged perpetrator from having any contact with the complainant pending the results of the school's investigation. When taking steps to separate the complainant and alleged perpetrator, a school should minimize the burden on the

---

<sup>40</sup> The Department's Higher Education Center for Alcohol, Drug Abuse, and Violence Prevention (HEC) helps campuses and communities address problems of alcohol, other drugs, and violence by identifying effective strategies and programs based upon the best prevention science. Information on HEC resources and technical assistance can be found at [www.higheredcenter.org](http://www.higheredcenter.org).

complainant, and thus should not, as a matter of course, remove complainants from classes or housing while allowing alleged perpetrators to remain. In addition, schools should ensure that complainants are aware of their Title IX rights and any available resources, such as counseling, health, and mental health services, and their right to file a complaint with local law enforcement.<sup>41</sup>

Schools should be aware that complaints of sexual harassment or violence may be followed by retaliation by the alleged perpetrator or his or her associates. For instance, friends of the alleged perpetrator may subject the complainant to name-calling and taunting. As part of their Title IX obligations, schools must have policies and procedures in place to protect against retaliatory harassment. At a minimum, schools must ensure that complainants and their parents, if appropriate, know how to report any subsequent problems, and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred.

When OCR finds that a school has not taken prompt and effective steps to respond to sexual harassment or violence, OCR will seek appropriate remedies for both the complainant and the broader student population. When conducting Title IX enforcement activities, OCR seeks to obtain voluntary compliance from recipients. When a recipient does not come into compliance voluntarily, OCR may initiate proceedings to withdraw Federal funding by the Department or refer the case to the U.S. Department of Justice for litigation.

Schools should proactively consider the following remedies when determining how to respond to sexual harassment or violence. These are the same types of remedies that OCR would seek in its cases.

Depending on the specific nature of the problem, remedies for the complainant might include, but are not limited to:<sup>42</sup>

- providing an escort to ensure that the complainant can move safely between classes and activities;
- ensuring that the complainant and alleged perpetrator do not attend the same classes;
- moving the complainant or alleged perpetrator to a different residence hall or, in the case of an elementary or secondary school student, to another school within the district;
- providing counseling services;
- providing medical services;
- providing academic support services, such as tutoring;

---

<sup>41</sup> The Clery Act requires postsecondary institutions to develop and distribute a statement of policy that informs students of their options to notify proper law enforcement authorities, including campus and local police, and the option to be assisted by campus personnel in notifying such authorities. The policy also must notify students of existing counseling, mental health, or other student services for victims of sexual assault, both on campus and in the community. 20 U.S.C. §§ 1092(f)(8)(B)(v)-(vi).

<sup>42</sup> Some of these remedies also can be used as interim measures before the school's investigation is complete.

- arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant’s academic record; and
- reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined.<sup>43</sup>

Remedies for the broader student population might include, but are not limited to:

*Counseling and Training*

- offering counseling, health, mental health, or other holistic and comprehensive victim services to all students affected by sexual harassment or sexual violence, and notifying students of campus and community counseling, health, mental health, and other student services;
- designating an individual from the school’s counseling center to be “on call” to assist victims of sexual harassment or violence whenever needed;
- training the Title IX coordinator and any other employees who are involved in processing, investigating, or resolving complaints of sexual harassment or sexual violence, including providing training on:
  - the school’s Title IX responsibilities to address allegations of sexual harassment or violence
  - how to conduct Title IX investigations
  - information on the link between alcohol and drug abuse and sexual harassment or violence and best practices to address that link;
- training all school law enforcement unit personnel on the school’s Title IX responsibilities and handling of sexual harassment or violence complaints;
- training all employees who interact with students regularly on recognizing and appropriately addressing allegations of sexual harassment or violence under Title IX; and
- informing students of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by school employees in notifying those authorities.

*Development of Materials and Implementation of Policies and Procedures*

- developing materials on sexual harassment and violence, which should be distributed to students during orientation and upon receipt of complaints, as well as widely posted throughout school buildings and residence halls, and which should include:
  - what constitutes sexual harassment or violence
  - what to do if a student has been the victim of sexual harassment or violence
  - contact information for counseling and victim services on and off school grounds
  - how to file a complaint with the school
  - how to contact the school’s Title IX coordinator

---

<sup>43</sup> For example, if the complainant was disciplined for skipping a class in which the harasser was enrolled, the school should review the incident to determine if the complainant skipped the class to avoid contact with the harasser.

- what the school will do to respond to allegations of sexual harassment or violence, including the interim measures that can be taken
- requiring the Title IX coordinator to communicate regularly with the school’s law enforcement unit investigating cases and to provide information to law enforcement unit personnel regarding Title IX requirements;<sup>44</sup>
- requiring the Title IX coordinator to review all evidence in a sexual harassment or sexual violence case brought before the school’s disciplinary committee to determine whether the complainant is entitled to a remedy under Title IX that was not available through the disciplinary committee;<sup>45</sup>
- requiring the school to create a committee of students and school officials to identify strategies for ensuring that students:
  - know the school’s prohibition against sex discrimination, including sexual harassment and violence
  - recognize sex discrimination, sexual harassment, and sexual violence when they occur
  - understand how and to whom to report any incidents
  - know the connection between alcohol and drug abuse and sexual harassment or violence
  - feel comfortable that school officials will respond promptly and equitably to reports of sexual harassment or violence;
- issuing new policy statements or other steps that clearly communicate that the school does not tolerate sexual harassment and violence and will respond to any incidents and to any student who reports such incidents; and
- revising grievance procedures used to handle sexual harassment and violence complaints to ensure that they are prompt and equitable, as required by Title IX.

*School Investigations and Reports to OCR*

- conducting periodic assessments of student activities to ensure that the practices and behavior of students do not violate the school’s policies against sexual harassment and violence;
- investigating whether any other students also may have been subjected to sexual harassment or violence;
- investigating whether school employees with knowledge of allegations of sexual harassment or violence failed to carry out their duties in responding to those allegations;
- conducting, in conjunction with student leaders, a school or campus “climate check” to assess the effectiveness of efforts to ensure that the school is free from sexual harassment and violence, and using the resulting information to inform future proactive steps that will be taken by the school; and

---

<sup>44</sup> Any personally identifiable information from a student’s education record that the Title IX coordinator provides to the school’s law enforcement unit is subject to FERPA’s nondisclosure requirements.

<sup>45</sup> For example, the disciplinary committee may lack the power to implement changes to the complainant’s class schedule or living situation so that he or she does not come in contact with the alleged perpetrator.

- submitting to OCR copies of all grievances filed by students alleging sexual harassment or violence, and providing OCR with documentation related to the investigation of each complaint, such as witness interviews, investigator notes, evidence submitted by the parties, investigative reports and summaries, any final disposition letters, disciplinary records, and documentation regarding any appeals.

## **Conclusion**

The Department is committed to ensuring that all students feel safe and have the opportunity to benefit fully from their schools' education programs and activities. As part of this commitment, OCR provides technical assistance to assist recipients in achieving voluntary compliance with Title IX.

If you need additional information about Title IX, have questions regarding OCR's policies, or seek technical assistance, please contact the OCR enforcement office that serves your state or territory. The list of offices is available at <http://wdcroboelp01.ed.gov/CFAPPS/OCR/contactus.cfm>. Additional information about addressing sexual violence, including victim resources and information for schools, is available from the U.S. Department of Justice's Office on Violence Against Women (OVW) at <http://www.ovw.usdoj.gov/>.<sup>46</sup>

Thank you for your prompt attention to this matter. I look forward to continuing our work together to ensure that all students have an equal opportunity to learn in a safe and respectful school climate.

Sincerely,

/s/

Russlynn Ali  
Assistant Secretary for Civil Rights

---

<sup>46</sup> OVW also administers the Grants to Reduce Domestic Violence, Dating Violence, Sexual Assault, and Stalking on Campus Program. This Federal funding is designed to encourage institutions of higher education to adopt comprehensive, coordinated responses to domestic violence, dating violence, sexual assault, and stalking. Under this competitive grant program, campuses, in partnership with community-based nonprofit victim advocacy organizations and local criminal justice or civil legal agencies, must adopt protocols and policies to treat these crimes as serious offenses and develop victim service programs and campus policies that ensure victim safety, offender accountability, and the prevention of such crimes. OVW recently released the first solicitation for the Services, Training, Education, and Policies to Reduce Domestic Violence, Dating Violence, Sexual Assault and Stalking in Secondary Schools Grant Program. This innovative grant program will support a broad range of activities, including training for school administrators, faculty, and staff; development of policies and procedures for responding to these crimes; holistic and appropriate victim services; development of effective prevention strategies; and collaborations with mentoring organizations to support middle and high school student victims.



## UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

### **Questions and Answers on Title IX and Sexual Violence**<sup>1</sup>

Title IX of the Education Amendments of 1972 (“Title IX”)<sup>2</sup> is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities receiving any federal financial assistance (hereinafter “schools”, “recipients”, or “recipient institutions”) must comply with Title IX.<sup>3</sup>

On April 4, 2011, the Office for Civil Rights (OCR) in the U.S. Department of Education issued a Dear Colleague Letter on student-on-student sexual harassment and sexual violence (“DCL”).<sup>4</sup> The DCL explains a school’s responsibility to respond promptly and effectively to sexual violence against students in accordance with the requirements of Title IX.<sup>5</sup> Specifically, the DCL:

- Provides guidance on the unique concerns that arise in sexual violence cases, such as a school’s independent responsibility under Title IX to investigate (apart from any separate criminal investigation by local police) and address sexual violence.

---

<sup>1</sup> The Department has determined that this document is a “significant guidance document” under the Office of Management and Budget’s Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007), available at [www.whitehouse.gov/sites/default/files/omb/fedreg/2007/012507\\_good\\_guidance.pdf](http://www.whitehouse.gov/sites/default/files/omb/fedreg/2007/012507_good_guidance.pdf). The Office for Civil Rights (OCR) issues this and other policy guidance to provide recipients with information to assist them in meeting their obligations, and to provide members of the public with information about their rights, under the civil rights laws and implementing regulations that we enforce. OCR’s legal authority is based on those laws and regulations. This guidance does not add requirements to applicable law, but provides information and examples to inform recipients about how OCR evaluates whether covered entities are complying with their legal obligations. If you are interested in commenting on this guidance, please send an e-mail with your comments to [OCR@ed.gov](mailto:OCR@ed.gov), or write to the following address: Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

<sup>2</sup> 20 U.S.C. § 1681 *et seq.*

<sup>3</sup> Throughout this document the term “schools” refers to recipients of federal financial assistance that operate educational programs or activities. For Title IX purposes, at the elementary and secondary school level, the recipient generally is the school district; and at the postsecondary level, the recipient is the individual institution of higher education. An educational institution that is controlled by a religious organization is exempt from Title IX to the extent that the law’s requirements conflict with the organization’s religious tenets. 20 U.S.C. § 1681(a)(3); 34 C.F.R. § 106.12(a). For application of this provision to a specific institution, please contact the appropriate OCR regional office.

<sup>4</sup> Available at <http://www.ed.gov/ocr/letters/colleague-201104.html>.

<sup>5</sup> Although this document and the DCL focus on sexual violence, the legal principles generally also apply to other forms of sexual harassment.

- Provides guidance and examples about key Title IX requirements and how they relate to sexual violence, such as the requirements to publish a policy against sex discrimination, designate a Title IX coordinator, and adopt and publish grievance procedures.
- Discusses proactive efforts schools can take to prevent sexual violence.
- Discusses the interplay between Title IX, the Family Educational Rights and Privacy Act (“FERPA”),<sup>6</sup> and the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”)<sup>7</sup> as it relates to a complainant’s right to know the outcome of his or her complaint, including relevant sanctions imposed on the perpetrator.
- Provides examples of remedies and enforcement strategies that schools and OCR may use to respond to sexual violence.

The DCL supplements OCR’s *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, issued in 2001 (*2001 Guidance*).<sup>8</sup> The *2001 Guidance* discusses in detail the Title IX requirements related to sexual harassment of students by school employees, other students, or third parties. The DCL and the *2001 Guidance* remain in full force and we recommend reading these Questions and Answers in conjunction with these documents.

In responding to requests for technical assistance, OCR has determined that elementary and secondary schools and postsecondary institutions would benefit from additional guidance concerning their obligations under Title IX to address sexual violence as a form of sexual harassment. The following questions and answers further clarify the legal requirements and guidance articulated in the DCL and the *2001 Guidance* and include examples of proactive efforts schools can take to prevent sexual violence and remedies schools may use to end such conduct, prevent its recurrence, and address its effects. In order to gain a complete understanding of these legal requirements and recommendations, this document should be read in full.

Authorized by

/s/

Catherine E. Lhamon  
Assistant Secretary for Civil Rights

---

April 29, 2014

<sup>6</sup> 20 U.S.C. §1232g; 34 C.F.R. Part 99.

<sup>7</sup> 20 U.S.C. §1092(f).

<sup>8</sup> Available at <http://www.ed.gov/ocr/docs/shguide.html>.

## **Notice of Language Assistance Questions and Answers on Title IX and Sexual Violence**

**Notice of Language Assistance:** If you have difficulty understanding English, you may, free of charge, request language assistance services for this Department information by calling 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), or email us at: [Ed.Language.Assistance@ed.gov](mailto:Ed.Language.Assistance@ed.gov).

**Aviso a personas con dominio limitado del idioma inglés:** Si usted tiene alguna dificultad en entender el idioma inglés, puede, sin costo alguno, solicitar asistencia lingüística con respecto a esta información llamando al 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), o envíe un mensaje de correo electrónico a: [Ed.Language.Assistance@ed.gov](mailto:Ed.Language.Assistance@ed.gov).

**給英語能力有限人士的通知:** 如果您不懂英語, 或者使用英語有困難, 您可以要求獲得向大眾提供的語言協助服務, 幫助您理解教育部資訊。這些語言協助服務均可免費提供。如果您需要有關口譯或筆譯服務的詳細資訊, 請致電 1-800-USA-LEARN (1-800-872-5327) (聽語障人士專線: 1-800-877-8339), 或電郵: [Ed.Language.Assistance@ed.gov](mailto:Ed.Language.Assistance@ed.gov)。

**Thông báo dành cho những người có khả năng Anh ngữ hạn chế:** Nếu quý vị gặp khó khăn trong việc hiểu Anh ngữ thì quý vị có thể yêu cầu các dịch vụ hỗ trợ ngôn ngữ cho các tin tức của Bộ dành cho công chúng. Các dịch vụ hỗ trợ ngôn ngữ này đều miễn phí. Nếu quý vị muốn biết thêm chi tiết về các dịch vụ phiên dịch hay thông dịch, xin vui lòng gọi số 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), hoặc email: [Ed.Language.Assistance@ed.gov](mailto:Ed.Language.Assistance@ed.gov).

**영어 미숙자를 위한 공고:** 영어를 이해하는 데 어려움이 있으신 경우, 교육부 정보 센터에 일반인 대상 언어 지원 서비스를 요청하실 수 있습니다. 이러한 언어 지원 서비스는 무료로 제공됩니다. 통역이나 번역 서비스에 대해 자세한 정보가 필요하신 경우, 전화번호 1-800-USA-LEARN (1-800-872-5327) 또는 청각 장애인용 전화번호 1-800-877-8339 또는 이메일주소 [Ed.Language.Assistance@ed.gov](mailto:Ed.Language.Assistance@ed.gov) 으로 연락하시기 바랍니다.

**Paunawa sa mga Taong Limitado ang Kaalaman sa English:** Kung nahihirapan kayong makaintindi ng English, maaari kayong humingi ng tulong ukol dito sa inpormasyon ng Kagawaran mula sa nagbibigay ng serbisyo na pagtulong kaugnay ng wika. Ang serbisyo na pagtulong kaugnay ng wika ay libre. Kung kailangan ninyo ng dagdag na inpormasyon tungkol sa mga serbisyo kaugnay ng pagpapaliwanag o pagsasalin, mangyari lamang tumawag sa 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), o mag-email sa: [Ed.Language.Assistance@ed.gov](mailto:Ed.Language.Assistance@ed.gov).

**Уведомление для лиц с ограниченным знанием английского языка:** Если вы испытываете трудности в понимании английского языка, вы можете попросить, чтобы вам предоставили перевод информации, которую Министерство Образования доводит до всеобщего сведения. Этот перевод предоставляется бесплатно. Если вы хотите получить более подробную информацию об услугах устного и письменного перевода, звоните по телефону 1-800-USA-LEARN (1-800-872-5327) (служба для слабослышащих: 1-800-877-8339), или отправьте сообщение по адресу: [Ed.Language.Assistance@ed.gov](mailto:Ed.Language.Assistance@ed.gov).

## TABLE OF CONTENTS

<b>Notice of Language Assistance .....</b>	<b>iii</b>
<b>A. A School’s Obligation to Respond to Sexual Violence .....</b>	<b>1</b>
A-1. What is sexual violence? .....	1
A-2. How does Title IX apply to student-on-student sexual violence? .....	1
A-3. How does OCR determine if a hostile environment has been created? .....	1
A-4. When does OCR consider a school to have notice of student-on-student sexual violence? .....	2
A-5. What are a school’s basic responsibilities to address student-on-student sexual violence? .....	2
A-6. Does Title IX cover employee-on-student sexual violence, such as sexual abuse of children? .....	3
<b>B. Students Protected by Title IX .....</b>	<b>5</b>
B-1. Does Title IX protect all students from sexual violence?.....	5
B-2. How should a school handle sexual violence complaints in which the complainant and the alleged perpetrator are members of the same sex?.....	5
B-3. What issues may arise with respect to students with disabilities who experience sexual violence? .....	6
B-4. What issues arise with respect to international students and undocumented students who experience sexual violence? .....	7
B-5. How should a school respond to sexual violence when the alleged perpetrator is not affiliated with the school?.....	9
<b>C. Title IX Procedural Requirements .....</b>	<b>9</b>
C-1. What procedures must a school have in place to prevent sexual violence and resolve complaints? .....	9
C-2. What information must be included in a school’s notice of nondiscrimination? .....	10
C-3. What are a Title IX coordinator’s responsibilities? .....	10
C-4. Are there any employees who should not serve as the Title IX coordinator? .....	11
C-5. Under Title IX, what elements should be included in a school’s procedures for responding to complaints of sexual violence?.....	12
C-6. Is a school required to use separate grievance procedures for sexual violence complaints? .....	14

<b>D. Responsible Employees and Reporting .....</b>	<b>14</b>
D-1. Which school employees are obligated to report incidents of possible sexual violence to school officials? .....	14
D-2. Who is a “responsible employee”?.....	15
D-3. What information is a responsible employee obligated to report about an incident of possible student-on-student sexual violence? .....	16
D-4. What should a responsible employee tell a student who discloses an incident of sexual violence? .....	16
D-5. If a student informs a resident assistant/advisor (RA) that he or she was subjected to sexual violence by a fellow student, is the RA obligated under Title IX to report the incident to school officials? .....	17
<b>E. Confidentiality and a School’s Obligation to Respond to Sexual Violence .....</b>	<b>18</b>
E-1. How should a school respond to a student’s request that his or her name not be disclosed to the alleged perpetrator or that no investigation or disciplinary action be pursued to address the alleged sexual violence? .....	18
E-2. What factors should a school consider in weighing a student’s request for confidentiality? .....	21
E-3. What are the reporting responsibilities of school employees who provide or support the provision of counseling, advocacy, health, mental health, or sexual assault-related services to students who have experienced sexual violence? .....	22
E-4. Is a school required to investigate information regarding sexual violence incidents shared by survivors during public awareness events, such as “Take Back the Night”? .....	24
<b>F. Investigations and Hearings .....</b>	<b>24</b>
F-1. What elements should a school’s Title IX investigation include?.....	24
F-2. What are the key differences between a school’s Title IX investigation into allegations of sexual violence and a criminal investigation?.....	27
F-3. How should a school proceed when campus or local law enforcement agencies are conducting a criminal investigation while the school is conducting a parallel Title IX investigation?.....	28
F-4. Is a school required to process complaints of alleged sexual violence that occurred off campus?.....	29
F-5. Must a school allow or require the parties to be present during an entire hearing? .....	30

F-6. May every witness at the hearing, including the parties, be cross-examined? .....	31
F-7. May the complainant’s sexual history be introduced at hearings? .....	31
F-8. What stages of the investigation are included in the 60-day timeframe referenced in the DCL as the length for a typical investigation? .....	31
<b>G. Interim Measures .....</b>	<b>32</b>
G-1. Is a school required to take any interim measures before the completion of its investigation?.....	32
G-2. How should a school determine what interim measures to take? .....	33
G-3. If a school provides all students with access to counseling on a fee basis, does that suffice for providing counseling as an interim measure?.....	33
<b>H. Remedies and Notice of Outcome .....</b>	<b>34</b>
H-1. What remedies should a school consider in a case of student-on-student sexual violence? .....	34
H-2. If, after an investigation, a school finds the alleged perpetrator responsible and determines that, as part of the remedies for the complainant, it must separate the complainant and perpetrator, how should the school accomplish this if both students share the same major and there are limited course options? .....	36
H-3. What information must be provided to the complainant in the notice of the outcome? .....	36
<b>I. Appeals .....</b>	<b>37</b>
I-1. What are the requirements for an appeals process? .....	37
I-2. Must an appeal be available to a complainant who receives a favorable finding but does not believe a sanction that directly relates to him or her was sufficient? .....	38
<b>J. Title IX Training, Education and Prevention .....</b>	<b>38</b>
J-1. What type of training on Title IX and sexual violence should a school provide to its employees? .....	38
J-2. How should a school train responsible employees to report incidents of possible sexual harassment or sexual violence? .....	39
J-3. What type of training should a school provide to employees who are involved in implementing the school’s grievance procedures?.....	40
J-4. What type of training on sexual violence should a school provide to its students?.....	41

<b>K. Retaliation .....</b>	<b>42</b>
K-1. Does Title IX protect against retaliation? .....	42
<b>L. First Amendment .....</b>	<b>43</b>
L-1. How should a school handle its obligation to respond to sexual harassment and sexual violence while still respecting free-speech rights guaranteed by the Constitution?.....	43
<b>M. The Clery Act and the Violence Against Women Reauthorization Act of 2013.....</b>	<b>44</b>
M-1. How does the Clery Act affect the Title IX obligations of institutions of higher education that participate in the federal student financial aid programs? .....	44
M-2. Were a school’s obligations under Title IX and the DCL altered in any way by the Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, including Section 304 of that Act, which amends the Clery Act?.....	44
<b>N. Further Federal Guidance.....</b>	<b>45</b>
N-1. Whom should I contact if I have additional questions about the DCL or OCR’s other Title IX guidance? .....	45
N-2. Are there other resources available to assist a school in complying with Title IX and preventing and responding to sexual violence? .....	45

## **A. A School's Obligation to Respond to Sexual Violence**

### **A-1. What is sexual violence?**

**Answer:** Sexual violence, as that term is used in this document and prior OCR guidance, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (*e.g.*, due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

### **A-2. How does Title IX apply to student-on-student sexual violence?**

**Answer:** Under Title IX, federally funded schools must ensure that students of all ages are not denied or limited in their ability to participate in or benefit from the school's educational programs or activities on the basis of sex. A school violates a student's rights under Title IX regarding student-on-student sexual violence when the following conditions are met: (1) the alleged conduct is sufficiently serious to limit or deny a student's ability to participate in or benefit from the school's educational program, *i.e.* creates a hostile environment; and (2) the school, upon notice, fails to take prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.<sup>9</sup>

### **A-3. How does OCR determine if a hostile environment has been created?**

**Answer:** As discussed more fully in OCR's *2001 Guidance*, OCR considers a variety of related factors to determine if a hostile environment has been created; and also considers the conduct in question from both a subjective and an objective perspective. Specifically, OCR's standards require that the conduct be evaluated from the perspective of a reasonable person in the alleged victim's position, considering all the circumstances. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. Indeed, a single or isolated incident of sexual violence may create a hostile environment.

---

<sup>9</sup> This is the standard for administrative enforcement of Title IX and in court cases where plaintiffs are seeking injunctive relief. *See 2001 Guidance* at ii-v, 12-13. The standard in private lawsuits for monetary damages is actual knowledge and deliberate indifference. *See Davis v. Monroe Cnty Bd. of Educ.*, 526 U.S. 629, 643 (1999).

**A-4. When does OCR consider a school to have notice of student-on-student sexual violence?**

**Answer:** OCR deems a school to have notice of student-on-student sexual violence if a responsible employee knew, or in the exercise of reasonable care should have known, about the sexual violence. See question D-2 regarding who is a responsible employee.

A school can receive notice of sexual violence in many different ways. Some examples of notice include: a student may have filed a grievance with or otherwise informed the school's Title IX coordinator; a student, parent, friend, or other individual may have reported an incident to a teacher, principal, campus law enforcement, staff in the office of student affairs, or other responsible employee; or a teacher or dean may have witnessed the sexual violence.

The school may also receive notice about sexual violence in an indirect manner, from sources such as a member of the local community, social networking sites, or the media. In some situations, if the school knows of incidents of sexual violence, the exercise of reasonable care should trigger an investigation that would lead to the discovery of additional incidents. For example, if school officials receive a credible report that a student has perpetrated several acts of sexual violence against different students, that pattern of conduct should trigger an inquiry as to whether other students have been subjected to sexual violence by that student. In other cases, the pervasiveness of the sexual violence may be widespread, openly practiced, or well-known among students or employees. In those cases, OCR may conclude that the school should have known of the hostile environment. In other words, if the school would have found out about the sexual violence had it made a proper inquiry, knowledge of the sexual violence will be imputed to the school even if the school failed to make an inquiry. A school's failure to take prompt and effective corrective action in such cases (as described in questions G-1 to G-3 and H-1 to H-3) would violate Title IX even if the student did not use the school's grievance procedures or otherwise inform the school of the sexual violence.

**A-5. What are a school's basic responsibilities to address student-on-student sexual violence?**

**Answer:** When a school knows or reasonably should know of possible sexual violence, it must take immediate and appropriate steps to investigate or otherwise determine what occurred (subject to the confidentiality provisions discussed in Section E). If an investigation reveals that sexual violence created a hostile environment, the school must then take prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its

effects. But a school should not wait to take steps to protect its students until students have already been deprived of educational opportunities.

Title IX requires a school to protect the complainant and ensure his or her safety as necessary, including taking interim steps before the final outcome of any investigation.<sup>10</sup> The school should take these steps promptly once it has notice of a sexual violence allegation and should provide the complainant with periodic updates on the status of the investigation. If the school determines that the sexual violence occurred, the school must continue to take these steps to protect the complainant and ensure his or her safety, as necessary. The school should also ensure that the complainant is aware of any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance, and the right to report a crime to campus or local law enforcement. For additional information on interim measures, see questions G-1 to G-3.

If a school delays responding to allegations of sexual violence or responds inappropriately, the school's own inaction may subject the student to a hostile environment. If it does, the school will also be required to remedy the effects of the sexual violence that could reasonably have been prevented had the school responded promptly and appropriately. For example, if a school's ignoring of a student's complaints of sexual assault by a fellow student results in the complaining student having to remain in classes with the other student for several weeks and the complaining student's grades suffer because he or she was unable to concentrate in these classes, the school may need to permit the complaining student to retake the classes without an academic or financial penalty (in addition to any other remedies) in order to address the effects of the sexual violence.

**A-6. Does Title IX cover employee-on-student sexual violence, such as sexual abuse of children?**

**Answer:** Yes. Although this document and the DCL focus on student-on-student sexual violence, Title IX also protects students from other forms of sexual harassment (including sexual violence and sexual abuse), such as sexual harassment carried out by school employees. Sexual harassment by school employees can include unwelcome sexual advances; requests for sexual favors; and other verbal, nonverbal, or physical conduct of a sexual nature, including but not limited to sexual activity. Title IX's prohibition against

---

<sup>10</sup> Throughout this document, unless otherwise noted, the term "complainant" refers to the student who allegedly experienced the sexual violence.

sexual harassment generally does not extend to legitimate nonsexual touching or other nonsexual conduct. But in some circumstances, nonsexual conduct may take on sexual connotations and rise to the level of sexual harassment. For example, a teacher repeatedly hugging and putting his or her arms around students under inappropriate circumstances could create a hostile environment. Early signs of inappropriate behavior with a child can be the key to identifying and preventing sexual abuse by school personnel.

A school's Title IX obligations regarding sexual harassment by employees can, in some instances, be greater than those described in this document and the DCL. Recipients should refer to OCR's *2001 Guidance* for further information about Title IX obligations regarding harassment of students by school employees. In addition, many state and local laws have mandatory reporting requirements for schools working with minors. Recipients should be careful to satisfy their state and local legal obligations in addition to their Title IX obligations, including training to ensure that school employees are aware of their obligations under such state and local laws and the consequences for failing to satisfy those obligations.

With respect to sexual activity in particular, OCR will always view as unwelcome and nonconsensual sexual activity between an adult school employee and an elementary school student or any student below the legal age of consent in his or her state. In cases involving a student who meets the legal age of consent in his or her state, there will still be a strong presumption that sexual activity between an adult school employee and a student is unwelcome and nonconsensual. When a school is on notice that a school employee has sexually harassed a student, it is responsible for taking prompt and effective steps reasonably calculated to end the sexual harassment, eliminate the hostile environment, prevent its recurrence, and remedy its effects. Indeed, even if a school was not on notice, the school is nonetheless responsible for remedying any effects of the sexual harassment on the student, as well as for ending the sexual harassment and preventing its recurrence, when the employee engaged in the sexual activity in the context of the employee's provision of aid, benefits, or services to students (*e.g.*, teaching, counseling, supervising, advising, or transporting students).

A school should take steps to protect its students from sexual abuse by its employees. It is therefore imperative for a school to develop policies prohibiting inappropriate conduct by school personnel and procedures for identifying and responding to such conduct. For example, this could include implementing codes of conduct, which might address what is commonly known as grooming – a desensitization strategy common in adult educator sexual misconduct. Such policies and procedures can ensure that students, parents, and

school personnel have clear guidelines on what are appropriate and inappropriate interactions between adults and students in a school setting or in school-sponsored activities. Additionally, a school should provide training for administrators, teachers, staff, parents, and age-appropriate classroom information for students to ensure that everyone understands what types of conduct are prohibited and knows how to respond when problems arise.<sup>11</sup>

## **B. Students Protected by Title IX**

### **B-1. Does Title IX protect all students from sexual violence?**

**Answer:** Yes. Title IX protects all students at recipient institutions from sex discrimination, including sexual violence. Any student can experience sexual violence: from elementary to professional school students; male and female students; straight, gay, lesbian, bisexual and transgender students; part-time and full-time students; students with and without disabilities; and students of different races and national origins.

### **B-2. How should a school handle sexual violence complaints in which the complainant and the alleged perpetrator are members of the same sex?**

**Answer:** A school's obligation to respond appropriately to sexual violence complaints is the same irrespective of the sex or sexes of the parties involved. Title IX protects all students from sexual violence, regardless of the sex of the alleged perpetrator or complainant, including when they are members of the same sex. A school must investigate and resolve allegations of sexual violence involving parties of the same sex using the same procedures and standards that it uses in all complaints involving sexual violence.

Title IX's sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity and OCR accepts such complaints for investigation. Similarly, the actual or perceived sexual orientation or gender identity of the parties does not change a school's obligations. Indeed, lesbian, gay, bisexual, and transgender (LGBT) youth report high rates of sexual harassment and sexual violence. A school should investigate and resolve allegations of sexual violence regarding LGBT students using the same procedures and standards that it

---

<sup>11</sup> For additional informational on training please see the Department of Education's Resource and Emergency Management for Schools Technical Assistance Center – Adult Sexual Misconduct in Schools: Prevention and Management Training, available at [http://rems.ed.gov/Docs/ASM\\_Marketing\\_Flyer.pdf](http://rems.ed.gov/Docs/ASM_Marketing_Flyer.pdf).

uses in all complaints involving sexual violence. The fact that incidents of sexual violence may be accompanied by anti-gay comments or be partly based on a student's actual or perceived sexual orientation does not relieve a school of its obligation under Title IX to investigate and remedy those instances of sexual violence.

If a school's policies related to sexual violence include examples of particular types of conduct that violate the school's prohibition on sexual violence, the school should consider including examples of same-sex conduct. In addition, a school should ensure that staff are capable of providing culturally competent counseling to all complainants. Thus, a school should ensure that its counselors and other staff who are responsible for receiving and responding to complaints of sexual violence, including investigators and hearing board members, receive appropriate training about working with LGBT and gender-nonconforming students and same-sex sexual violence. See questions J-1 to J-4 for additional information regarding training.

Gay-straight alliances and similar student-initiated groups can also play an important role in creating safer school environments for LGBT students. On June 14, 2011, the Department issued guidance about the rights of student-initiated groups in public secondary schools under the Equal Access Act. That guidance is available at <http://www2.ed.gov/policy/elsec/guid/secletter/110607.html>.

**B-3. What issues may arise with respect to students with disabilities who experience sexual violence?**

**Answer:** When students with disabilities experience sexual violence, federal civil rights laws other than Title IX may also be relevant to a school's responsibility to investigate and address such incidents.<sup>12</sup> Certain students require additional assistance and support. For example, students with intellectual disabilities may need additional help in learning about sexual violence, including a school's sexual violence education and prevention programs, what constitutes sexual violence and how students can report incidents of sexual

---

<sup>12</sup> OCR enforces two civil rights laws that prohibit disability discrimination. Section 504 of the Rehabilitation Act of 1973 (Section 504) prohibits disability discrimination by public or private entities that receive federal financial assistance, and Title II of the American with Disabilities Act of 1990 (Title II) prohibits disability discrimination by all state and local public entities, regardless of whether they receive federal funding. See 29 U.S.C. § 794 and 34 C.F.R. part 104; 42 U.S.C. § 12131 *et seq.* and 28 C.F.R. part 35. OCR and the U.S. Department of Justice (DOJ) share the responsibility of enforcing Title II in the educational context. The Department of Education's Office of Special Education Programs in the Office of Special Education and Rehabilitative Services administers Part B of the Individuals with Disabilities Education Act (IDEA). 20 U.S.C. 1400 *et seq.* and 34 C.F.R. part 300. IDEA provides financial assistance to states, and through them to local educational agencies, to assist in providing special education and related services to eligible children with disabilities ages three through twenty-one, inclusive.

violence. In addition, students with disabilities who experience sexual violence may require additional services and supports, including psychological services and counseling services. Postsecondary students who need these additional services and supports can seek assistance from the institution's disability resource office.

A student who has not been previously determined to have a disability may, as a result of experiencing sexual violence, develop a mental health-related disability that could cause the student to need special education and related services. At the elementary and secondary education level, this may trigger a school's child find obligations under IDEA and the evaluation and placement requirements under Section 504, which together require a school to evaluate a student suspected of having a disability to determine if he or she has a disability that requires special education or related aids and services.<sup>13</sup>

A school must also ensure that any school reporting forms, information, or training about sexual violence be provided in a manner that is accessible to students and employees with disabilities, for example, by providing electronically-accessible versions of paper forms to individuals with print disabilities, or by providing a sign language interpreter to a deaf individual attending a training. See question J-4 for more detailed information on student training.

**B-4. What issues arise with respect to international students and undocumented students who experience sexual violence?**

**Answer:** Title IX protects all students at recipient institutions in the United States regardless of national origin, immigration status, or citizenship status.<sup>14</sup> A school should ensure that all students regardless of their immigration status, including undocumented students and international students, are aware of their rights under Title IX. A school must also ensure that any school reporting forms, information, or training about sexual violence be provided in a manner accessible to students who are English language learners. OCR recommends that a school coordinate with its international office and its undocumented student program coordinator, if applicable, to help communicate information about Title IX in languages that are accessible to these groups of students. OCR also encourages schools to provide foreign national complainants with information about the U nonimmigrant status and the T nonimmigrant status. The U nonimmigrant status is set

---

<sup>13</sup> See 34 C.F.R. §§ 300.8; 300.111; 300.201; 300.300-300.311 (IDEA); 34 C.F.R. §§ 104.3(j) and 104.35 (Section 504). Schools must comply with applicable consent requirements with respect to evaluations. See 34 C.F.R. § 300.300.

<sup>14</sup> OCR enforces Title VI of the Civil Rights Act of 1964, which prohibits discrimination by recipients of federal financial assistance on the basis of race, color, or national origin. 42 U.S.C. § 2000d.

aside for victims of certain crimes who have suffered substantial mental or physical abuse as a result of the crime and are helpful to law enforcement agency in the investigation or prosecution of the qualifying criminal activity.<sup>15</sup> The T nonimmigrant status is available for victims of severe forms of human trafficking who generally comply with a law enforcement agency in the investigation or prosecution of the human trafficking and who would suffer extreme hardship involving unusual and severe harm if they were removed from the United States.<sup>16</sup>

A school should be mindful that unique issues may arise when a foreign student on a student visa experiences sexual violence. For example, certain student visas require the student to maintain a full-time course load (generally at least 12 academic credit hours per term), but a student may need to take a reduced course load while recovering from the immediate effects of the sexual violence. OCR recommends that a school take steps to ensure that international students on student visas understand that they must typically seek prior approval of the designated school official (DSO) for student visas to drop below a full-time course load. A school may also want to encourage its employees involved in handling sexual violence complaints and counseling students who have experienced sexual violence to approach the DSO on the student's behalf if the student wishes to drop below a full-time course load. OCR recommends that a school take steps to ensure that its employees who work with international students, including the school's DSO, are trained on the school's sexual violence policies and that employees involved in handling sexual violence complaints and counseling students who have experienced sexual violence are aware of the special issues that international students may encounter. See questions J-1 to J-4 for additional information regarding training.

A school should also be aware that threatening students with deportation or invoking a student's immigration status in an attempt to intimidate or deter a student from filing a Title IX complaint would violate Title IX's protections against retaliation. For more information on retaliation see question K-1.

---

<sup>15</sup> For more information on the U nonimmigrant status, see <http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/questions-answers-victims-criminal-activity-u-nonimmigrant-status>.

<sup>16</sup> For more information on the T nonimmigrant status, see <http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status>.

**B-5. How should a school respond to sexual violence when the alleged perpetrator is not affiliated with the school?**

**Answer:** The appropriate response will differ depending on the level of control the school has over the alleged perpetrator. For example, if an athlete or band member from a visiting school sexually assaults a student at the home school, the home school may not be able to discipline or take other direct action against the visiting athlete or band member. However (and subject to the confidentiality provisions discussed in Section E), it should conduct an inquiry into what occurred and should report the incident to the visiting school and encourage the visiting school to take appropriate action to prevent further sexual violence. The home school should also notify the student of any right to file a complaint with the alleged perpetrator’s school or local law enforcement. The home school may also decide not to invite the visiting school back to its campus.

Even though a school’s ability to take direct action against a particular perpetrator may be limited, the school must still take steps to provide appropriate remedies for the complainant and, where appropriate, the broader school population. This may include providing support services for the complainant, and issuing new policy statements making it clear that the school does not tolerate sexual violence and will respond to any reports about such incidents. For additional information on interim measures see questions G-1 to G-3.

**C. Title IX Procedural Requirements**

Overview

**C-1. What procedures must a school have in place to prevent sexual violence and resolve complaints?**

**Answer:** The Title IX regulations outline three key procedural requirements. Each school must:

(1) disseminate a notice of nondiscrimination (see question C-2);<sup>17</sup>

(2) designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX (see questions C-3 to C-4);<sup>18</sup> and

---

<sup>17</sup> 34 C.F.R. § 106.9.

<sup>18</sup> *Id.* § 106.8(a).

(3) adopt and publish grievance procedures providing for the prompt and equitable resolution of student and employee sex discrimination complaints (see questions C-5 to C-6).<sup>19</sup>

These requirements apply to all forms of sex discrimination and are particularly important for preventing and effectively responding to sexual violence.

Procedural requirements under other federal laws may also apply to complaints of sexual violence, including the requirements of the Clery Act.<sup>20</sup> For additional information about the procedural requirements in the Clery Act, please see <http://www2.ed.gov/admins/lead/safety/campus.html>.

### Notice of Nondiscrimination

#### **C-2. What information must be included in a school's notice of nondiscrimination?**

**Answer:** The notice of nondiscrimination must state that the school does not discriminate on the basis of sex in its education programs and activities, and that it is required by Title IX not to discriminate in such a manner. The notice must state that questions regarding Title IX may be referred to the school's Title IX coordinator or to OCR. The school must notify all of its students and employees of the name or title, office address, telephone number, and email address of the school's designated Title IX coordinator.<sup>21</sup>

### Title IX Coordinator

#### **C-3. What are a Title IX coordinator's responsibilities?**

**Answer:** A Title IX coordinator's core responsibilities include overseeing the school's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. This means that the Title IX coordinator must have knowledge of the requirements of Title IX, of the school's own policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the school. To accomplish this, subject to the exemption for school counseling employees discussed in question E-3, the Title IX coordinator must be informed of all

---

<sup>19</sup> *Id.* § 106.8(b).

<sup>20</sup> All postsecondary institutions participating in the Higher Education Act's Title IV student financial assistance programs must comply with the Clery Act.

<sup>21</sup> For more information on notices of nondiscrimination, please see OCR's Notice of Nondiscrimination (August 2010), available at <http://www.ed.gov/ocr/docs/nondisc.pdf>.

reports and complaints raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The school should ensure that the Title IX coordinator is given the training, authority, and visibility necessary to fulfill these responsibilities.

Because the Title IX coordinator must have knowledge of all Title IX reports and complaints at the school, this individual (when properly trained) is generally in the best position to evaluate a student's request for confidentiality in the context of the school's responsibility to provide a safe and nondiscriminatory environment for all students. A school may determine, however, that another individual should perform this role. For additional information on confidentiality requests, see questions E-1 to E-4. If a school relies in part on its disciplinary procedures to meet its Title IX obligations, the Title IX coordinator should review the disciplinary procedures to ensure that the procedures comply with the prompt and equitable requirements of Title IX as discussed in question C-5.

In addition to these core responsibilities, a school may decide to give its Title IX coordinator additional responsibilities, such as: providing training to students, faculty, and staff on Title IX issues; conducting Title IX investigations, including investigating facts relevant to a complaint, and determining appropriate sanctions against the perpetrator and remedies for the complainant; determining appropriate interim measures for a complainant upon learning of a report or complaint of sexual violence; and ensuring that appropriate policies and procedures are in place for working with local law enforcement and coordinating services with local victim advocacy organizations and service providers, including rape crisis centers. A school must ensure that its Title IX coordinator is appropriately trained in all areas over which he or she has responsibility. The Title IX coordinator or designee should also be available to meet with students as needed.

If a school designates more than one Title IX coordinator, the school's notice of nondiscrimination and Title IX grievance procedures should describe each coordinator's responsibilities, and one coordinator should be designated as having ultimate oversight responsibility.

**C-4. Are there any employees who should not serve as the Title IX coordinator?**

**Answer:** Title IX does not categorically preclude particular employees from serving as Title IX coordinators. However, Title IX coordinators should not have other job responsibilities that may create a conflict of interest. Because some complaints may raise issues as to whether or how well the school has met its Title IX obligations, designating

the same employee to serve both as the Title IX coordinator and the general counsel (which could include representing the school in legal claims alleging Title IX violations) poses a serious risk of a conflict of interest. Other employees whose job responsibilities may conflict with a Title IX coordinator's responsibilities include Directors of Athletics, Deans of Students, and any employee who serves on the judicial/hearing board or to whom an appeal might be made. Designating a full-time Title IX coordinator will minimize the risk of a conflict of interest.

### Grievance Procedures

#### **C-5. Under Title IX, what elements should be included in a school's procedures for responding to complaints of sexual violence?**

**Answer:** Title IX requires that a school adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints of sex discrimination, including sexual violence. In evaluating whether a school's grievance procedures satisfy this requirement, OCR will review all aspects of a school's policies and practices, including the following elements that are critical to achieve compliance with Title IX:

- (1) notice to students, parents of elementary and secondary students, and employees of the grievance procedures, including where complaints may be filed;
- (2) application of the grievance procedures to complaints filed by students or on their behalf alleging sexual violence carried out by employees, other students, or third parties;
- (3) provisions for adequate, reliable, and impartial investigation of complaints, including the opportunity for both the complainant and alleged perpetrator to present witnesses and evidence;
- (4) designated and reasonably prompt time frames for the major stages of the complaint process (see question F-8);
- (5) written notice to the complainant and alleged perpetrator of the outcome of the complaint (see question H-3); and
- (6) assurance that the school will take steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the complainant and others, if appropriate.

To ensure that students and employees have a clear understanding of what constitutes sexual violence, the potential consequences for such conduct, and how the school processes complaints, a school's Title IX grievance procedures should also explicitly include the following in writing, some of which themselves are mandatory obligations under Title IX:

- (1) a statement of the school's jurisdiction over Title IX complaints;
- (2) adequate definitions of sexual harassment (which includes sexual violence) and an explanation as to when such conduct creates a hostile environment;
- (3) reporting policies and protocols, including provisions for confidential reporting;
- (4) identification of the employee or employees responsible for evaluating requests for confidentiality;
- (5) notice that Title IX prohibits retaliation;
- (6) notice of a student's right to file a criminal complaint and a Title IX complaint simultaneously;
- (7) notice of available interim measures that may be taken to protect the student in the educational setting;
- (8) the evidentiary standard that must be used (preponderance of the evidence) (*i.e.*, more likely than not that sexual violence occurred) in resolving a complaint;
- (9) notice of potential remedies for students;
- (10) notice of potential sanctions against perpetrators; and
- (11) sources of counseling, advocacy, and support.

For more information on interim measures, see questions G-1 to G-3.

The rights established under Title IX must be interpreted consistently with any federally guaranteed due process rights. Procedures that ensure the Title IX rights of the complainant, while at the same time according any federally guaranteed due process to both parties involved, will lead to sound and supportable decisions. Of course, a school should ensure that steps to accord any due process rights do not restrict or unnecessarily delay the protections provided by Title IX to the complainant.

A school's procedures and practices will vary in detail, specificity, and components, reflecting differences in the age of its students, school size and administrative structure, state or local legal requirements (*e.g.*, mandatory reporting requirements for schools working with minors), and what it has learned from past experiences.

**C-6. Is a school required to use separate grievance procedures for sexual violence complaints?**

**Answer:** No. Under Title IX, a school may use student disciplinary procedures, general Title IX grievance procedures, sexual harassment procedures, or separate procedures to resolve sexual violence complaints. However, any procedures used for sexual violence complaints, including disciplinary procedures, must meet the Title IX requirement of affording a complainant a prompt and equitable resolution (as discussed in question C-5), including applying the preponderance of the evidence standard of review. As discussed in question C-3, the Title IX coordinator should review any process used to resolve complaints of sexual violence to ensure it complies with requirements for prompt and equitable resolution of these complaints. When using disciplinary procedures, which are often focused on the alleged perpetrator and can take considerable time, a school should be mindful of its obligation to provide interim measures to protect the complainant in the educational setting. For more information on timeframes and interim measures, see questions F-8 and G-1 to G-3.

**D. Responsible Employees and Reporting**<sup>22</sup>

**D-1. Which school employees are obligated to report incidents of possible sexual violence to school officials?**

**Answer:** Under Title IX, whether an individual is obligated to report incidents of alleged sexual violence generally depends on whether the individual is a responsible employee of the school. A responsible employee must report incidents of sexual violence to the Title IX coordinator or other appropriate school designee, subject to the exemption for school counseling employees discussed in question E-3. This is because, as discussed in question A-4, a school is obligated to address sexual violence about which a responsible employee knew or should have known. As explained in question C-3, the Title IX coordinator must be informed of all reports and complaints raising Title IX issues, even if the report or

---

<sup>22</sup> This document addresses only Title IX's reporting requirements. It does not address requirements under the Clery Act or other federal, state, or local laws, or an individual school's code of conduct.

complaint was initially filed with another individual or office, subject to the exemption for school counseling employees discussed in question E-3.

**D-2. Who is a “responsible employee”?**

**Answer:** According to OCR’s *2001 Guidance*, a responsible employee includes any employee: who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty.<sup>23</sup>

A school must make clear to all of its employees and students which staff members are responsible employees so that students can make informed decisions about whether to disclose information to those employees. A school must also inform all employees of their own reporting responsibilities and the importance of informing complainants of: the reporting obligations of responsible employees; complainants’ option to request confidentiality and available confidential advocacy, counseling, or other support services; and complainants’ right to file a Title IX complaint with the school and to report a crime to campus or local law enforcement.

Whether an employee is a responsible employee will vary depending on factors such as the age and education level of the student, the type of position held by the employee, and consideration of both formal and informal school practices and procedures. For example, while it may be reasonable for an elementary school student to believe that a custodial staff member or cafeteria worker has the authority or responsibility to address student misconduct, it is less reasonable for a college student to believe that a custodial staff member or dining hall employee has this same authority.

As noted in response to question A-4, when a responsible employee knows or reasonably should know of possible sexual violence, OCR deems a school to have notice of the sexual violence. The school must take immediate and appropriate steps to investigate or otherwise determine what occurred (subject to the confidentiality provisions discussed in Section E), and, if the school determines that sexual violence created a hostile environment, the school must then take appropriate steps to address the situation. The

---

<sup>23</sup> The Supreme Court held that a school will only be liable for money damages in a private lawsuit where there is actual notice to a school official with the authority to address the alleged discrimination and take corrective action. *Gebser v. Lago Vista Ind. Sch. Dist.*, 524 U.S. 274, 290 (1998), and *Davis*, 524 U.S. at 642. The concept of a “responsible employee” under OCR’s guidance for administrative enforcement of Title IX is broader.

school has this obligation regardless of whether the student, student’s parent, or a third party files a formal complaint. For additional information on a school’s responsibilities to address student-on-student sexual violence, see question A-5. For additional information on training for school employees, see questions J-1 to J-3.

**D-3. What information is a responsible employee obligated to report about an incident of possible student-on-student sexual violence?**

**Answer:** Subject to the exemption for school counseling employees discussed in question E-3, a responsible employee must report to the school’s Title IX coordinator, or other appropriate school designee, all relevant details about the alleged sexual violence that the student or another person has shared and that the school will need to determine what occurred and to resolve the situation. This includes the names of the alleged perpetrator (if known), the student who experienced the alleged sexual violence, other students involved in the alleged sexual violence, as well as relevant facts, including the date, time, and location. A school must make clear to its responsible employees to whom they should report an incident of alleged sexual violence.

To ensure compliance with these reporting obligations, it is important for a school to train its responsible employees on Title IX and the school’s sexual violence policies and procedures. For more information on appropriate training for school employees, see question J-1 to J-3.

**D-4. What should a responsible employee tell a student who discloses an incident of sexual violence?**

**Answer:** Before a student reveals information that he or she may wish to keep confidential, a responsible employee should make every effort to ensure that the student understands: (i) the employee’s obligation to report the names of the alleged perpetrator and student involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident (including the date, time, and location), to the Title IX coordinator or other appropriate school officials, (ii) the student’s option to request that the school maintain his or her confidentiality, which the school (*e.g.*, Title IX coordinator) will consider, and (iii) the student’s ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual-assault-related services (*e.g.*, sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers). As discussed in questions E-1 and E-2, if the student requests confidentiality, the Title IX coordinator or other appropriate school designee responsible for evaluating requests for confidentiality should make every effort to respect this request

and should evaluate the request in the context of the school's responsibility to provide a safe and nondiscriminatory environment for all students.

**D-5. If a student informs a resident assistant/advisor (RA) that he or she was subjected to sexual violence by a fellow student, is the RA obligated under Title IX to report the incident to school officials?**

**Answer:** As discussed in questions D-1 and D-2, for Title IX purposes, whether an individual is obligated under Title IX to report alleged sexual violence to the school's Title IX coordinator or other appropriate school designee generally depends on whether the individual is a responsible employee.

The duties and responsibilities of RAs vary among schools, and, therefore, a school should consider its own policies and procedures to determine whether its RAs are responsible employees who must report incidents of sexual violence to the Title IX coordinator or other appropriate school designee.<sup>24</sup> When making this determination, a school should consider if its RAs have the general authority to take action to redress misconduct or the duty to report misconduct to appropriate school officials, as well as whether students could reasonably believe that RAs have this authority or duty. A school should also consider whether it has determined and clearly informed students that RAs are generally available for confidential discussions and do not have the authority or responsibility to take action to redress any misconduct or to report any misconduct to the Title IX coordinator or other appropriate school officials. A school should pay particular attention to its RAs' obligations to report other student violations of school policy (*e.g.*, drug and alcohol violations or physical assault). If an RA is required to report other misconduct that violates school policy, then the RA would be considered a responsible employee obligated to report incidents of sexual violence that violate school policy.

If an RA is a responsible employee, the RA should make every effort to ensure that *before* the student reveals information that he or she may wish to keep confidential, the student understands the RA's reporting obligation and the student's option to request that the school maintain confidentiality. It is therefore important that schools widely disseminate policies and provide regular training clearly identifying the places where students can seek confidential support services so that students are aware of this information. The RA

---

<sup>24</sup> Postsecondary institutions should be aware that, regardless of whether an RA is a responsible employee under Title IX, RAs are considered "campus security authorities" under the Clery Act. A school's responsibilities in regard to crimes reported to campus security authorities are discussed in the Department's regulations on the Clery Act at 34 C.F.R. § 668.46.

should also explain to the student (again, before the student reveals information that he or she may wish to keep confidential) that, although the RA must report the names of the alleged perpetrator (if known), the student who experienced the alleged sexual violence, other students involved in the alleged sexual violence, as well as relevant facts, including the date, time, and location to the Title IX coordinator or other appropriate school designee, the school will protect the student's confidentiality to the greatest extent possible. Prior to providing information about the incident to the Title IX coordinator or other appropriate school designee, the RA should consult with the student about how to protect his or her safety and the details of what will be shared with the Title IX coordinator. The RA should explain to the student that reporting this information to the Title IX coordinator or other appropriate school designee does not necessarily mean that a formal complaint or investigation under the school's Title IX grievance procedure must be initiated if the student requests confidentiality. As discussed in questions E-1 and E-2, if the student requests confidentiality, the Title IX coordinator or other appropriate school designee responsible for evaluating requests for confidentiality should make every effort to respect this request and should evaluate the request in the context of the school's responsibility to provide a safe and nondiscriminatory environment for all students.

Regardless of whether a reporting obligation exists, all RAs should inform students of their right to file a Title IX complaint with the school and report a crime to campus or local law enforcement. If a student discloses sexual violence to an RA who is a responsible employee, the school will be deemed to have notice of the sexual violence even if the student does not file a Title IX complaint. Additionally, all RAs should provide students with information regarding on-campus resources, including victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance. RAs should also be familiar with local rape crisis centers or other off-campus resources and provide this information to students.

## **E. Confidentiality and a School's Obligation to Respond to Sexual Violence**

### **E-1. How should a school respond to a student's request that his or her name not be disclosed to the alleged perpetrator or that no investigation or disciplinary action be pursued to address the alleged sexual violence?**

**Answer:** Students, or parents of minor students, reporting incidents of sexual violence sometimes ask that the students' names not be disclosed to the alleged perpetrators or that no investigation or disciplinary action be pursued to address the alleged sexual violence. OCR strongly supports a student's interest in confidentiality in cases involving sexual violence. There are situations in which a school must override a student's request

for confidentiality in order to meet its Title IX obligations; however, these instances will be limited and the information should only be shared with individuals who are responsible for handling the school's response to incidents of sexual violence. Given the sensitive nature of reports of sexual violence, a school should ensure that the information is maintained in a secure manner. A school should be aware that disregarding requests for confidentiality can have a chilling effect and discourage other students from reporting sexual violence. In the case of minors, state mandatory reporting laws may require disclosure, but can generally be followed without disclosing information to school personnel who are not responsible for handling the school's response to incidents of sexual violence.<sup>25</sup>

Even if a student does not specifically ask for confidentiality, to the extent possible, a school should only disclose information regarding alleged incidents of sexual violence to individuals who are responsible for handling the school's response. To improve trust in the process for investigating sexual violence complaints, a school should notify students of the information that will be disclosed, to whom it will be disclosed, and why. Regardless of whether a student complainant requests confidentiality, a school must take steps to protect the complainant as necessary, including taking interim measures before the final outcome of an investigation. For additional information on interim measures see questions G-1 to G-3.

For Title IX purposes, if a student requests that his or her name not be revealed to the alleged perpetrator or asks that the school not investigate or seek action against the alleged perpetrator, the school should inform the student that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. The school should also explain that Title IX includes protections against retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs. This includes retaliatory actions taken by the school and school officials. When a school knows or reasonably should know of possible retaliation by other students or third parties, including threats, intimidation, coercion, or discrimination (including harassment), it must take immediate

---

<sup>25</sup> The school should be aware of the alleged student perpetrator's right under the Family Educational Rights and Privacy Act ("FERPA") to request to inspect and review information about the allegations if the information directly relates to the alleged student perpetrator and the information is maintained by the school as an education record. In such a case, the school must either redact the complainant's name and all identifying information before allowing the alleged perpetrator to inspect and review the sections of the complaint that relate to him or her, or must inform the alleged perpetrator of the specific information in the complaint that are about the alleged perpetrator. See 34 C.F.R. § 99.12(a) The school should also make complainants aware of this right and explain how it might affect the school's ability to maintain complete confidentiality.

and appropriate steps to investigate or otherwise determine what occurred. Title IX requires the school to protect the complainant and ensure his or her safety as necessary. See question K-1 regarding retaliation.

If the student still requests that his or her name not be disclosed to the alleged perpetrator or that the school not investigate or seek action against the alleged perpetrator, the school will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, including the student who reported the sexual violence. As discussed in question C-3, the Title IX coordinator is generally in the best position to evaluate confidentiality requests. Because schools vary widely in size and administrative structure, OCR recognizes that a school may reasonably determine that an employee other than the Title IX coordinator, such as a sexual assault response coordinator, dean, or other school official, is better suited to evaluate such requests. Addressing the needs of a student reporting sexual violence while determining an appropriate institutional response requires expertise and attention, and a school should ensure that it assigns these responsibilities to employees with the capability and training to fulfill them. For example, if a school has a sexual assault response coordinator, that person should be consulted in evaluating requests for confidentiality. The school should identify in its Title IX policies and procedures the employee or employees responsible for making such determinations.

If the school determines that it can respect the student's request not to disclose his or her identity to the alleged perpetrator, it should take all reasonable steps to respond to the complaint consistent with the request. Although a student's request to have his or her name withheld may limit the school's ability to respond fully to an individual allegation of sexual violence, other means may be available to address the sexual violence. There are steps a school can take to limit the effects of the alleged sexual violence and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Examples include providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; changing and publicizing the school's policies on sexual violence; and conducting climate surveys regarding sexual violence. In instances affecting many students, an alleged perpetrator can be put on notice of allegations of harassing behavior and be counseled appropriately without revealing, even indirectly, the identity of the student complainant. A school must also take immediate action as necessary to protect the student while keeping the identity of the student confidential. These actions may include providing support services to the student and changing living arrangements or course schedules, assignments, or tests.

**E-2. What factors should a school consider in weighing a student’s request for confidentiality?**

**Answer:** When weighing a student’s request for confidentiality that could preclude a meaningful investigation or potential discipline of the alleged perpetrator, a school should consider a range of factors.

These factors include circumstances that suggest there is an increased risk of the alleged perpetrator committing additional acts of sexual violence or other violence (e.g., whether there have been other sexual violence complaints about the same alleged perpetrator, whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence, whether the alleged perpetrator threatened further sexual violence or other violence against the student or others, and whether the sexual violence was committed by multiple perpetrators). These factors also include circumstances that suggest there is an increased risk of future acts of sexual violence under similar circumstances (e.g., whether the student’s report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group). Other factors that should be considered in assessing a student’s request for confidentiality include whether the sexual violence was perpetrated with a weapon; the age of the student subjected to the sexual violence; and whether the school possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence).

A school should take requests for confidentiality seriously, while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students, including the student who reported the sexual violence. For example, if the school has credible information that the alleged perpetrator has committed one or more prior rapes, the balance of factors would compel the school to investigate the allegation of sexual violence, and if appropriate, pursue disciplinary action in a manner that may require disclosure of the student’s identity to the alleged perpetrator. If the school determines that it must disclose a student’s identity to an alleged perpetrator, it should inform the student prior to making this disclosure. In these cases, it is also especially important for schools to take whatever interim measures are necessary to protect the student and ensure the safety of other students. If a school has a sexual assault response coordinator, that person should be consulted in identifying safety risks and interim measures that are necessary to protect the student. In the event the student requests that the school inform the perpetrator that the student asked the school not to investigate or seek discipline, the school should honor this request and inform the alleged perpetrator that the school made the decision to go forward. For additional information on interim measures see questions G-1 to G-3. Any school officials responsible for

discussing safety and confidentiality with students should be trained on the effects of trauma and the appropriate methods to communicate with students subjected to sexual violence. See questions J-1 to J-3.

On the other hand, if, for example, the school has no credible information about prior sexual violence committed by the alleged perpetrator and the alleged sexual violence was not perpetrated with a weapon or accompanied by threats to repeat the sexual violence against the complainant or others or part of a larger pattern at a given location or by a particular group, the balance of factors would likely compel the school to respect the student's request for confidentiality. In this case the school should still take all reasonable steps to respond to the complaint consistent with the student's confidentiality request and determine whether interim measures are appropriate or necessary. Schools should be mindful that traumatic events such as sexual violence can result in delayed decisionmaking by a student who has experienced sexual violence. Hence, a student who initially requests confidentiality might later request that a full investigation be conducted.

**E-3. What are the reporting responsibilities of school employees who provide or support the provision of counseling, advocacy, health, mental health, or sexual assault-related services to students who have experienced sexual violence?**

**Answer:** OCR does not require campus mental-health counselors, pastoral counselors, social workers, psychologists, health center employees, or any other person with a professional license requiring confidentiality, or who is supervised by such a person, to report, without the student's consent, incidents of sexual violence to the school in a way that identifies the student. Although these employees may have responsibilities that would otherwise make them responsible employees for Title IX purposes, OCR recognizes the importance of protecting the counselor-client relationship, which often requires confidentiality to ensure that students will seek the help they need.

Professional counselors and pastoral counselors whose official responsibilities include providing mental-health counseling to members of the school community are not required by Title IX to report *any* information regarding an incident of alleged sexual violence to the Title IX coordinator or other appropriate school designee.<sup>26</sup>

---

<sup>26</sup> The exemption from reporting obligations for pastoral and professional counselors under Title IX is consistent with the Clery Act. For additional information on reporting obligations under the Clery Act, see Office of Postsecondary Education, *Handbook for Campus Safety and Security Reporting* (2011), available at <http://www2.ed.gov/admins/lead/safety/handbook.pdf>. Similar to the Clery Act, for Title IX purposes, a pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious

OCR recognizes that some people who provide assistance to students who experience sexual violence are not professional or pastoral counselors. They include all individuals who work or volunteer in on-campus sexual assault centers, victim advocacy offices, women’s centers, or health centers (“non-professional counselors or advocates”), including front desk staff and students. OCR wants students to feel free to seek their assistance and therefore interprets Title IX to give schools the latitude not to require these individuals to report incidents of sexual violence in a way that identifies the student without the student’s consent.<sup>27</sup> These non-professional counselors or advocates are valuable sources of support for students, and OCR strongly encourages schools to designate these individuals as confidential sources.

Pastoral and professional counselors and non-professional counselors or advocates should be instructed to inform students of their right to file a Title IX complaint with the school and a separate complaint with campus or local law enforcement. In addition to informing students about campus resources for counseling, medical, and academic support, these persons should also indicate that they are available to assist students in filing such complaints. They should also explain that Title IX includes protections against retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs. This includes retaliatory actions taken by the school and school officials. When a school knows or reasonably should know of possible retaliation by other students or third parties, including threats, intimidation, coercion, or discrimination (including harassment), it must take immediate and appropriate steps to investigate or otherwise determine what occurred. Title IX requires the school to protect the complainant and ensure his or her safety as necessary.

In order to identify patterns or systemic problems related to sexual violence, a school should collect aggregate data about sexual violence incidents from non-professional counselors or advocates in their on-campus sexual assault centers, women’s centers, or

---

order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the school, but are under contract to provide counseling at the school. This includes individuals who are not yet licensed or certified as a counselor, but are acting in that role under the supervision of an individual who is licensed or certified. An example is a Ph.D. counselor-trainee acting under the supervision of a professional counselor at the school.

<sup>27</sup> Postsecondary institutions should be aware that an individual who is counseling students, but who does not meet the Clery Act definition of a pastoral or professional counselor, is not exempt from being a campus security authority if he or she otherwise has significant responsibility for student and campus activities. See fn. 24.

health centers. Such individuals should report only general information about incidents of sexual violence such as the nature, date, time, and general location of the incident and should take care to avoid reporting personally identifiable information about a student. Non-professional counselors and advocates should consult with students regarding what information needs to be withheld to protect their identity.

**E-4. Is a school required to investigate information regarding sexual violence incidents shared by survivors during public awareness events, such as “Take Back the Night”?**

**Answer:** No. OCR wants students to feel free to participate in preventive education programs and access resources for survivors. Therefore, public awareness events such as “Take Back the Night” or other forums at which students disclose experiences with sexual violence are not considered notice to the school for the purpose of triggering an individual investigation unless the survivor initiates a complaint. The school should instead respond to these disclosures by reviewing sexual assault policies, creating campus-wide educational programs, and conducting climate surveys to learn more about the prevalence of sexual violence at the school. Although Title IX does not require the school to investigate particular incidents discussed at such events, the school should ensure that survivors are aware of any available resources, including counseling, health, and mental health services. To ensure that the entire school community understands their Title IX rights related to sexual violence, the school should also provide information at these events on Title IX and how to file a Title IX complaint with the school, as well as options for reporting an incident of sexual violence to campus or local law enforcement.

**F. Investigations and Hearings**

Overview

**F-1. What elements should a school’s Title IX investigation include?**

**Answer:** The specific steps in a school’s Title IX investigation will vary depending on the nature of the allegation, the age of the student or students involved, the size and administrative structure of the school, state or local legal requirements (including mandatory reporting requirements for schools working with minors), and what it has learned from past experiences.

For the purposes of this document the term “investigation” refers to the process the school uses to resolve sexual violence complaints. This includes the fact-finding investigation and any hearing and decision-making process the school uses to determine: (1) whether or not the conduct occurred; and, (2) if the conduct occurred, what actions

the school will take to end the sexual violence, eliminate the hostile environment, and prevent its recurrence, which may include imposing sanctions on the perpetrator and providing remedies for the complainant and broader student population.

In all cases, a school's Title IX investigation must be adequate, reliable, impartial, and prompt and include the opportunity for both parties to present witnesses and other evidence. The investigation may include a hearing to determine whether the conduct occurred, but Title IX does not necessarily require a hearing.<sup>28</sup> Furthermore, neither Title IX nor the DCL specifies who should conduct the investigation. It could be the Title IX coordinator, provided there are no conflicts of interest, but it does not have to be. All persons involved in conducting a school's Title IX investigations must have training or experience in handling complaints of sexual violence and in the school's grievance procedures. For additional information on training, see question J-3.

When investigating an incident of alleged sexual violence for Title IX purposes, to the extent possible, a school should coordinate with any other ongoing school or criminal investigations of the incident and establish appropriate fact-finding roles for each investigator. A school should also consider whether information can be shared among the investigators so that complainants are not unnecessarily required to give multiple statements about a traumatic event. If the investigation includes forensic evidence, it may be helpful for a school to consult with local or campus law enforcement or a forensic expert to ensure that the evidence is correctly interpreted by school officials. For additional information on working with campus or local law enforcement see question F-3.

If a school uses its student disciplinary procedures to meet its Title IX obligation to resolve complaints of sexual violence promptly and equitably, it should recognize that imposing sanctions against the perpetrator, without additional remedies, likely will not be sufficient to eliminate the hostile environment and prevent recurrence as required by Title IX. If a school typically processes complaints of sexual violence through its disciplinary process and that process, including any investigation and hearing, meets the Title IX requirements discussed above and enables the school to end the sexual violence, eliminate the hostile environment, and prevent its recurrence, then the school may use that process to satisfy its Title IX obligations and does not need to conduct a separate Title IX investigation. As discussed in question C-3, the Title IX coordinator should review the disciplinary process

---

<sup>28</sup> This answer addresses only Title IX's requirements for investigations. It does not address legal rights or requirements under the U.S. Constitution, the Clery Act, or other federal, state, or local laws.

to ensure that it: (1) complies with the prompt and equitable requirements of Title IX; (2) allows for appropriate interim measures to be taken to protect the complainant during the process; and (3) provides for remedies to the complainant and school community where appropriate. For more information about interim measures, see questions G-1 to G-3, and about remedies, see questions H-1 and H-2.

The investigation may include, but is not limited to, conducting interviews of the complainant, the alleged perpetrator, and any witnesses; reviewing law enforcement investigation documents, if applicable; reviewing student and personnel files; and gathering and examining other relevant documents or evidence. While a school has flexibility in how it structures the investigative process, for Title IX purposes, a school must give the complainant any rights that it gives to the alleged perpetrator. A balanced and fair process that provides the same opportunities to both parties will lead to sound and supportable decisions.<sup>29</sup> Specifically:

- Throughout the investigation, the parties must have an equal opportunity to present relevant witnesses and other evidence.
- The school must use a preponderance-of-the-evidence (*i.e.*, more likely than not) standard in any Title IX proceedings, including any fact-finding and hearings.
- If the school permits one party to have lawyers or other advisors at any stage of the proceedings, it must do so equally for both parties. Any school-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings must also apply equally.
- If the school permits one party to submit third-party expert testimony, it must do so equally for both parties.
- If the school provides for an appeal, it must do so equally for both parties.
- Both parties must be notified, in writing, of the outcome of both the complaint and any appeal (see question H-3).

---

<sup>29</sup> As explained in question C-5, the parties may have certain due process rights under the U.S. Constitution.

## Intersection with Criminal Investigations

### **F-2. What are the key differences between a school's Title IX investigation into allegations of sexual violence and a criminal investigation?**

**Answer:** A criminal investigation is intended to determine whether an individual violated criminal law; and, if at the conclusion of the investigation, the individual is tried and found guilty, the individual may be imprisoned or subject to criminal penalties. The U.S. Constitution affords criminal defendants who face the risk of incarceration numerous protections, including, but not limited to, the right to counsel, the right to a speedy trial, the right to a jury trial, the right against self-incrimination, and the right to confrontation. In addition, government officials responsible for criminal investigations (including police and prosecutors) normally have discretion as to which complaints from the public they will investigate.

By contrast, a Title IX investigation will never result in incarceration of an individual and, therefore, the same procedural protections and legal standards are not required. Further, while a criminal investigation is initiated at the discretion of law enforcement authorities, a Title IX investigation is not discretionary; a school has a duty under Title IX to resolve complaints promptly and equitably and to provide a safe and nondiscriminatory environment for all students, free from sexual harassment and sexual violence. Because the standards for pursuing and completing criminal investigations are different from those used for Title IX investigations, the termination of a criminal investigation without an arrest or conviction does not affect the school's Title IX obligations.

Of course, criminal investigations conducted by local or campus law enforcement may be useful for fact gathering if the criminal investigation occurs within the recommended timeframe for Title IX investigations; but, even if a criminal investigation is ongoing, a school must still conduct its own Title IX investigation.

A school should notify complainants of the right to file a criminal complaint and should not dissuade a complainant from doing so either during or after the school's internal Title IX investigation. Title IX does not require a school to report alleged incidents of sexual violence to law enforcement, but a school may have reporting obligations under state, local, or other federal laws.

**F-3. How should a school proceed when campus or local law enforcement agencies are conducting a criminal investigation while the school is conducting a parallel Title IX investigation?**

**Answer:** A school should not wait for the conclusion of a criminal investigation or criminal proceeding to begin its own Title IX investigation. Although a school may need to delay temporarily the fact-finding portion of a Title IX investigation while the police are gathering evidence, it is important for a school to understand that during this brief delay in the Title IX investigation, it must take interim measures to protect the complainant in the educational setting. The school should also continue to update the parties on the status of the investigation and inform the parties when the school resumes its Title IX investigation. For additional information on interim measures see questions G-1 to G-3.

If a school delays the fact-finding portion of a Title IX investigation, the school must promptly resume and complete its fact-finding for the Title IX investigation once it learns that the police department has completed its evidence gathering stage of the criminal investigation. The school should not delay its investigation until the ultimate outcome of the criminal investigation or the filing of any charges. OCR recommends that a school work with its campus police, local law enforcement, and local prosecutor's office to learn when the evidence gathering stage of the criminal investigation is complete. A school may also want to enter into a memorandum of understanding (MOU) or other agreement with these agencies regarding the protocols and procedures for referring allegations of sexual violence, sharing information, and conducting contemporaneous investigations. Any MOU or other agreement must allow the school to meet its Title IX obligation to resolve complaints promptly and equitably, and must comply with the Family Educational Rights and Privacy Act ("FERPA") and other applicable privacy laws.

The DCL states that in one instance a prosecutor's office informed OCR that the police department's evidence gathering stage typically takes three to ten calendar days, although the delay in the school's investigation may be longer in certain instances. OCR understands that this example may not be representative and that the law enforcement agency's process often takes more than ten days. OCR recognizes that the length of time for evidence gathering by criminal investigators will vary depending on the specific circumstances of each case.

## Off-Campus Conduct

### **F-4. Is a school required to process complaints of alleged sexual violence that occurred off campus?**

**Answer:** Yes. Under Title IX, a school must process all complaints of sexual violence, regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus education program or activity.

A school must determine whether the alleged off-campus sexual violence occurred in the context of an education program or activity of the school; if so, the school must treat the complaint in the same manner that it treats complaints regarding on-campus conduct. In other words, if a school determines that the alleged misconduct took place in the context of an education program or activity of the school, the fact that the alleged misconduct took place off campus does not relieve the school of its obligation to investigate the complaint as it would investigate a complaint of sexual violence that occurred on campus.

Whether the alleged misconduct occurred in this context may not always be apparent from the complaint, so a school may need to gather additional information in order to make such a determination. Off-campus education programs and activities are clearly covered and include, but are not limited to: activities that take place at houses of fraternities or sororities recognized by the school; school-sponsored field trips, including athletic team travel; and events for school clubs that occur off campus (*e.g.*, a debate team trip to another school or to a weekend competition).

Even if the misconduct did not occur in the context of an education program or activity, a school must consider the effects of the off-campus misconduct when evaluating whether there is a hostile environment on campus or in an off-campus education program or activity because students often experience the continuing effects of off-campus sexual violence while at school or in an off-campus education program or activity. The school cannot address the continuing effects of the off-campus sexual violence at school or in an off-campus education program or activity unless it processes the complaint and gathers appropriate additional information in accordance with its established procedures.

Once a school is on notice of off-campus sexual violence against a student, it must assess whether there are any continuing effects on campus or in an off-campus education program or activity that are creating or contributing to a hostile environment and, if so, address that hostile environment in the same manner in which it would address a hostile environment created by on-campus misconduct. The mere presence on campus or in an

off-campus education program or activity of the alleged perpetrator of off-campus sexual violence can have continuing effects that create a hostile environment. A school should also take steps to protect a student who alleges off-campus sexual violence from further harassment by the alleged perpetrator or his or her friends, and a school may have to take steps to protect other students from possible assault by the alleged perpetrator. In other words, the school should protect the school community in the same way it would had the sexual violence occurred on campus. Even if there are no continuing effects of the off-campus sexual violence experienced by the student on campus or in an off-campus education program or activity, the school still should handle these incidents as it would handle other off-campus incidents of misconduct or violence and consistent with any other applicable laws. For example, if a school, under its code of conduct, exercises jurisdiction over physical altercations between students that occur off campus outside of an education program or activity, it should also exercise jurisdiction over incidents of student-on-student sexual violence that occur off campus outside of an education program or activity.

### Hearings<sup>30</sup>

#### **F-5. Must a school allow or require the parties to be present during an entire hearing?**

**Answer:** If a school uses a hearing process to determine responsibility for acts of sexual violence, OCR does not require that the school allow a complainant to be present for the entire hearing; it is up to each school to make this determination. But if the school allows one party to be present for the entirety of a hearing, it must do so equally for both parties. At the same time, when requested, a school should make arrangements so that the complainant and the alleged perpetrator do not have to be present in the same room at the same time. These two objectives may be achieved by using closed circuit television or other means. Because a school has a Title IX obligation to investigate possible sexual violence, if a hearing is part of the school's Title IX investigation process, the school must not require a complainant to be present at the hearing as a prerequisite to proceed with the hearing.

---

<sup>30</sup> As noted in question F-1, the investigation may include a hearing to determine whether the conduct occurred, but Title IX does not necessarily require a hearing. Although Title IX does not dictate the membership of a hearing board, OCR discourages schools from allowing students to serve on hearing boards in cases involving allegations of sexual violence.

**F-6. May every witness at the hearing, including the parties, be cross-examined?**

**Answer:** OCR does not require that a school allow cross-examination of witnesses, including the parties, if they testify at the hearing. But if the school allows one party to cross-examine witnesses, it must do so equally for both parties.

OCR strongly discourages a school from allowing the parties to personally question or cross-examine each other during a hearing on alleged sexual violence. Allowing an alleged perpetrator to question a complainant directly may be traumatic or intimidating, and may perpetuate a hostile environment. A school may choose, instead, to allow the parties to submit questions to a trained third party (*e.g.*, the hearing panel) to ask the questions on their behalf. OCR recommends that the third party screen the questions submitted by the parties and only ask those it deems appropriate and relevant to the case.

**F-7. May the complainant’s sexual history be introduced at hearings?**

**Answer:** Questioning about the complainant’s sexual history with anyone other than the alleged perpetrator should not be permitted. Further, a school should recognize that the mere fact of a current or previous consensual dating or sexual relationship between the two parties does not itself imply consent or preclude a finding of sexual violence. The school should also ensure that hearings are conducted in a manner that does not inflict additional trauma on the complainant.

*Timeframes*

**F-8. What stages of the investigation are included in the 60-day timeframe referenced in the DCL as the length for a typical investigation?**

**Answer:** As noted in the DCL, the 60-calendar day timeframe for investigations is based on OCR’s experience in typical cases. The 60-calendar day timeframe refers to the entire investigation process, which includes conducting the fact-finding investigation, holding a hearing or engaging in another decision-making process to determine whether the alleged sexual violence occurred and created a hostile environment, and determining what actions the school will take to eliminate the hostile environment and prevent its recurrence, including imposing sanctions against the perpetrator and providing remedies for the complainant and school community, as appropriate. Although this timeframe does not include appeals, a school should be aware that an unduly long appeals process may impact whether the school’s response was prompt and equitable as required by Title IX.

OCR does not require a school to complete investigations within 60 days; rather OCR evaluates on a case-by-case basis whether the resolution of sexual violence complaints is prompt and equitable. Whether OCR considers an investigation to be prompt as required by Title IX will vary depending on the complexity of the investigation and the severity and extent of the alleged conduct. OCR recognizes that the investigation process may take longer if there is a parallel criminal investigation or if it occurs partially during school breaks. A school may need to stop an investigation during school breaks or between school years, although a school should make every effort to try to conduct an investigation during these breaks unless so doing would sacrifice witness availability or otherwise compromise the process.

Because timeframes for investigations vary and a school may need to depart from the timeframes designated in its grievance procedures, both parties should be given periodic status updates throughout the process.

## **G. Interim Measures**

### **G-1. Is a school required to take any interim measures before the completion of its investigation?**

**Answer:** Title IX requires a school to take steps to ensure equal access to its education programs and activities and protect the complainant as necessary, including taking interim measures before the final outcome of an investigation. The school should take these steps promptly once it has notice of a sexual violence allegation and should provide the complainant with periodic updates on the status of the investigation. The school should notify the complainant of his or her options to avoid contact with the alleged perpetrator and allow the complainant to change academic and extracurricular activities or his or her living, transportation, dining, and working situation as appropriate. The school should also ensure that the complainant is aware of his or her Title IX rights and any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance, and the right to report a crime to campus or local law enforcement. If a school does not offer these services on campus, it should enter into an MOU with a local victim services provider if possible.

Even when a school has determined that it can respect a complainant's request for confidentiality and therefore may not be able to respond fully to an allegation of sexual violence and initiate formal action against an alleged perpetrator, the school must take immediate action to protect the complainant while keeping the identity of the complainant confidential. These actions may include: providing support services to the

complainant; changing living arrangements or course schedules, assignments, or tests; and providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred.

**G-2. How should a school determine what interim measures to take?**

**Answer:** The specific interim measures implemented and the process for implementing those measures will vary depending on the facts of each case. A school should consider a number of factors in determining what interim measures to take, including, for example, the specific need expressed by the complainant; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether the complainant and alleged perpetrator share the same residence hall, dining hall, class, transportation, or job location; and whether other judicial measures have been taken to protect the complainant (*e.g.*, civil protection orders).

In general, when taking interim measures, schools should minimize the burden on the complainant. For example, if the complainant and alleged perpetrator share the same class or residence hall, the school should not, as a matter of course, remove the complainant from the class or housing while allowing the alleged perpetrator to remain without carefully considering the facts of the case.

**G-3. If a school provides all students with access to counseling on a fee basis, does that suffice for providing counseling as an interim measure?**

**Answer:** No. Interim measures are determined by a school on a case-by-case basis. If a school determines that it needs to offer counseling to the complainant as part of its Title IX obligation to take steps to protect the complainant while the investigation is ongoing, it must not require the complainant to pay for this service.

## H. Remedies and Notice of Outcome<sup>31</sup>

### H-1. What remedies should a school consider in a case of student-on-student sexual violence?

**Answer:** Effective remedial action may include disciplinary action against the perpetrator, providing counseling for the perpetrator, remedies for the complainant and others, as well as changes to the school's overall services or policies. All services needed to remedy the hostile environment should be offered to the complainant. These remedies are separate from, and in addition to, any interim measure that may have been provided prior to the conclusion of the school's investigation. In any instance in which the complainant did not take advantage of a specific service (*e.g.*, counseling) when offered as an interim measure, the complainant should still be offered, and is still entitled to, appropriate final remedies that may include services the complainant declined as an interim measure. A refusal at the interim stage does not mean the refused service or set of services should not be offered as a remedy.

If a school uses its student disciplinary procedures to meet its Title IX obligation to resolve complaints of sexual violence promptly and equitably, it should recognize that imposing sanctions against the perpetrator, without more, likely will not be sufficient to satisfy its Title IX obligation to eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects. Additional remedies for the complainant and the school community may be necessary. If the school's student disciplinary procedure does not include a process for determining and implementing these remedies for the complainant and school community, the school will need to use another process for this purpose.

Depending on the specific nature of the problem, remedies for the complainant may include, but are not limited to:

- Providing an effective escort to ensure that the complainant can move safely between classes and activities;

---

<sup>31</sup> As explained in question A-5, if a school delays responding to allegations of sexual violence or responds inappropriately, the school's own inaction may subject the student to be subjected to a hostile environment. In this case, in addition to the remedies discussed in this section, the school will also be required to remedy the effects of the sexual violence that could reasonably have been prevented had the school responded promptly and appropriately.

- Ensuring the complainant and perpetrator do not share classes or extracurricular activities;
- Moving the perpetrator or complainant (if the complainant requests to be moved) to a different residence hall or, in the case of an elementary or secondary school student, to another school within the district;
- Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring;
- Arranging for the complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty; and
- Reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the sexual violence and the misconduct that may have resulted in the complainant being disciplined.<sup>32</sup>

Remedies for the broader student population may include, but are not limited to:

- Designating an individual from the school's counseling center who is specifically trained in providing trauma-informed comprehensive services to victims of sexual violence to be on call to assist students whenever needed;
- Training or retraining school employees on the school's responsibilities to address allegations of sexual violence and how to conduct Title IX investigations;
- Developing materials on sexual violence, which should be distributed to all students;
- Conducting bystander intervention and sexual violence prevention programs with students;
- Issuing policy statements or taking other steps that clearly communicate that the school does not tolerate sexual violence and will respond to any incidents and to any student who reports such incidents;

---

<sup>32</sup> For example, if the complainant was disciplined for skipping a class in which the perpetrator was enrolled, the school should review the incident to determine if the complainant skipped class to avoid contact with the perpetrator.

- Conducting, in conjunction with student leaders, a campus climate check to assess the effectiveness of efforts to ensure that the school is free from sexual violence, and using that information to inform future proactive steps that the school will take;
- Targeted training for a group of students if, for example, the sexual violence created a hostile environment in a residence hall, fraternity or sorority, or on an athletic team; and
- Developing a protocol for working with local law enforcement as discussed in question F-3.

When a school is unable to conduct a full investigation into a particular incident (*i.e.*, when it received a general report of sexual violence without any personally identifying information), it should consider remedies for the broader student population in response.

**H-2. If, after an investigation, a school finds the alleged perpetrator responsible and determines that, as part of the remedies for the complainant, it must separate the complainant and perpetrator, how should the school accomplish this if both students share the same major and there are limited course options?**

**Answer:** If there are limited sections of required courses offered at a school and both the complainant and perpetrator are required to take those classes, the school may need to make alternate arrangements in a manner that minimizes the burden on the complainant. For example, the school may allow the complainant to take the regular sections of the courses while arranging for the perpetrator to take the same courses online or through independent study.

**H-3. What information must be provided to the complainant in the notice of the outcome?**

**Answer:** Title IX requires both parties to be notified, in writing, about the outcome of both the complaint and any appeal. OCR recommends that a school provide written notice of the outcome to the complainant and the alleged perpetrator concurrently.

For Title IX purposes, a school must inform the complainant as to whether or not it found that the alleged conduct occurred, any individual remedies offered or provided to the complainant or any sanctions imposed on the perpetrator that directly relate to the complainant, and other steps the school has taken to eliminate the hostile environment, if the school finds one to exist, and prevent recurrence. The perpetrator should not be notified of the individual remedies offered or provided to the complainant.

Sanctions that directly relate to the complainant (but that may also relate to eliminating the hostile environment and preventing recurrence) include, but are not limited to, requiring that the perpetrator stay away from the complainant until both parties graduate, prohibiting the perpetrator from attending school for a period of time, or transferring the perpetrator to another residence hall, other classes, or another school. Additional steps the school has taken to eliminate the hostile environment may include counseling and academic support services for the complainant and other affected students. Additional steps the school has taken to prevent recurrence may include sexual violence training for faculty and staff, revisions to the school's policies on sexual violence, and campus climate surveys. Further discussion of appropriate remedies is included in question H-1.

In addition to the Title IX requirements described above, the Clery Act requires, and FERPA permits, postsecondary institutions to inform the complainant of the institution's final determination and any disciplinary sanctions imposed on the perpetrator in sexual violence cases (as opposed to all harassment and misconduct covered by Title IX) not just those sanctions that directly relate to the complainant.<sup>33</sup>

## **I. Appeals**

### **I-1. What are the requirements for an appeals process?**

**Answer:** While Title IX does not require that a school provide an appeals process, OCR does recommend that the school do so where procedural error or previously unavailable relevant evidence could significantly impact the outcome of a case or where a sanction is substantially disproportionate to the findings. If a school chooses to provide for an appeal of the findings or remedy or both, it must do so equally for both parties. The specific design of the appeals process is up to the school, as long as the entire grievance process, including any appeals, provides prompt and equitable resolutions of sexual violence complaints, and the school takes steps to protect the complainant in the educational setting during the process. Any individual or body handling appeals should be trained in the dynamics of and trauma associated with sexual violence.

If a school chooses to offer an appeals process it has flexibility to determine the type of review it will apply to appeals, but the type of review the school applies must be the same regardless of which party files the appeal.

---

<sup>33</sup> 20 U.S.C. § 1092(f) and 20 U.S.C. § 1232g(b)(6)(A).

**I-2. Must an appeal be available to a complainant who receives a favorable finding but does not believe a sanction that directly relates to him or her was sufficient?**

**Answer:** The appeals process must be equal for both parties. For example, if a school allows a perpetrator to appeal a suspension on the grounds that it is too severe, the school must also allow a complainant to appeal a suspension on the grounds that it was not severe enough. See question H-3 for more information on what must be provided to the complainant in the notice of the outcome.

**J. Title IX Training, Education and Prevention**<sup>34</sup>

**J-1. What type of training on Title IX and sexual violence should a school provide to its employees?**

**Answer:** A school needs to ensure that responsible employees with the authority to address sexual violence know how to respond appropriately to reports of sexual violence, that other responsible employees know that they are obligated to report sexual violence to appropriate school officials, and that all other employees understand how to respond to reports of sexual violence. A school should ensure that professional counselors, pastoral counselors, and non-professional counselors or advocates also understand the extent to which they may keep a report confidential. A school should provide training to all employees likely to witness or receive reports of sexual violence, including teachers, professors, school law enforcement unit employees, school administrators, school counselors, general counsels, athletic coaches, health personnel, and resident advisors. Training for employees should include practical information about how to prevent and identify sexual violence, including same-sex sexual violence; the behaviors that may lead to and result in sexual violence; the attitudes of bystanders that may allow conduct to continue; the potential for revictimization by responders and its effect on students; appropriate methods for responding to a student who may have experienced sexual violence, including the use of nonjudgmental language; the impact of trauma on victims; and, as applicable, the person(s) to whom such misconduct must be reported. The training should also explain responsible employees' reporting obligation, including what should be included in a report and any consequences for the failure to report and the procedure for responding to students' requests for confidentiality, as well as provide the contact

---

<sup>34</sup> As explained earlier, although this document focuses on sexual violence, the legal principles apply to other forms of sexual harassment. Schools should ensure that any training they provide on Title IX and sexual violence also covers other forms of sexual harassment. Postsecondary institutions should also be aware of training requirements imposed under the Clery Act.

information for the school's Title IX coordinator. A school also should train responsible employees to inform students of: the reporting obligations of responsible employees; students' option to request confidentiality and available confidential advocacy, counseling, or other support services; and their right to file a Title IX complaint with the school and to report a crime to campus or local law enforcement. For additional information on the reporting obligations of responsible employees and others see questions D-1 to D-5.

There is no minimum number of hours required for Title IX and sexual violence training at every school, but this training should be provided on a regular basis. Each school should determine based on its particular circumstances how such training should be conducted, who has the relevant expertise required to conduct the training, and who should receive the training to ensure that the training adequately prepares employees, particularly responsible employees, to fulfill their duties under Title IX. A school should also have methods for verifying that the training was effective.

**J-2. How should a school train responsible employees to report incidents of possible sexual harassment or sexual violence?**

**Answer:** Title IX requires a school to take prompt and effective steps reasonably calculated to end sexual harassment and sexual violence that creates a hostile environment (*i.e.*, conduct that is sufficiently serious as to limit or deny a student's ability to participate in or benefit from the school's educational program and activity). But a school should not wait to take steps to protect its students until students have already been deprived of educational opportunities.

OCR therefore recommends that a school train responsible employees to report to the Title IX coordinator or other appropriate school official any incidents of sexual harassment or sexual violence that may violate the school's code of conduct or may create or contribute to the creation of a hostile environment. The school can then take steps to investigate and prevent any harassment or violence from recurring or escalating, as appropriate. For example, the school may separate the complainant and alleged perpetrator or conduct sexual harassment and sexual violence training for the school's students and employees. Responsible employees should understand that they do not need to determine whether the alleged sexual harassment or sexual violence actually occurred or that a hostile environment has been created before reporting an incident to the school's Title IX coordinator. Because the Title IX coordinator should have in-depth knowledge of Title IX and Title IX complaints at the school, he or she is likely to be in a better position than are other employees to evaluate whether an incident of sexual

harassment or sexual violence creates a hostile environment and how the school should respond. There may also be situations in which individual incidents of sexual harassment do not, by themselves, create a hostile environment; however when considered together, those incidents may create a hostile environment.

**J-3. What type of training should a school provide to employees who are involved in implementing the school's grievance procedures?**

**Answer:** All persons involved in implementing a school's grievance procedures (*e.g.*, Title IX coordinators, others who receive complaints, investigators, and adjudicators) must have training or experience in handling sexual violence complaints, and in the operation of the school's grievance procedures. The training should include information on working with and interviewing persons subjected to sexual violence; information on particular types of conduct that would constitute sexual violence, including same-sex sexual violence; the proper standard of review for sexual violence complaints (preponderance of the evidence); information on consent and the role drugs or alcohol can play in the ability to consent; the importance of accountability for individuals found to have committed sexual violence; the need for remedial actions for the perpetrator, complainant, and school community; how to determine credibility; how to evaluate evidence and weigh it in an impartial manner; how to conduct investigations; confidentiality; the effects of trauma, including neurobiological change; and cultural awareness training regarding how sexual violence may impact students differently depending on their cultural backgrounds.

In rare circumstances, employees involved in implementing a school's grievance procedures may be able to demonstrate that prior training and experience has provided them with competency in the areas covered in the school's training. For example, the combination of effective prior training and experience investigating complaints of sexual violence, together with training on the school's current grievance procedures may be sufficient preparation for an employee to resolve Title IX complaints consistent with the school's grievance procedures. In-depth knowledge regarding Title IX and sexual violence is particularly helpful. Because laws and school policies and procedures may change, the only way to ensure that all employees involved in implementing the school's grievance procedures have the requisite training or experience is for the school to provide regular training to all individuals involved in implementing the school's Title IX grievance procedures even if such individuals also have prior relevant experience.

**J-4. What type of training on sexual violence should a school provide to its students?**

**Answer:** To ensure that students understand their rights under Title IX, a school should provide age-appropriate training to its students regarding Title IX and sexual violence. At the elementary and secondary school level, schools should consider whether sexual violence training should also be offered to parents, particularly training on the school's process for handling complaints of sexual violence. Training may be provided separately or as part of the school's broader training on sex discrimination and sexual harassment. However, sexual violence is a unique topic that should not be assumed to be covered adequately in other educational programming or training provided to students. The school may want to include this training in its orientation programs for new students; training for student athletes and members of student organizations; and back-to-school nights. A school should consider educational methods that are most likely to help students retain information when designing its training, including repeating the training at regular intervals. OCR recommends that, at a minimum, the following topics (as appropriate) be covered in this training:

- Title IX and what constitutes sexual violence, including same-sex sexual violence, under the school's policies;
- the school's definition of consent applicable to sexual conduct, including examples;
- how the school analyzes whether conduct was unwelcome under Title IX;
- how the school analyzes whether unwelcome sexual conduct creates a hostile environment;
- reporting options, including formal reporting and confidential disclosure options and any timeframes set by the school for reporting;
- the school's grievance procedures used to process sexual violence complaints;
- disciplinary code provisions relating to sexual violence and the consequences of violating those provisions;
- effects of trauma, including neurobiological changes;
- the role alcohol and drugs often play in sexual violence incidents, including the deliberate use of alcohol and/or other drugs to perpetrate sexual violence;
- strategies and skills for bystanders to intervene to prevent possible sexual violence;
- how to report sexual violence to campus or local law enforcement and the ability to pursue law enforcement proceedings simultaneously with a Title IX grievance; and
- Title IX's protections against retaliation.

The training should also encourage students to report incidents of sexual violence. The training should explain that students (and their parents or friends) do not need to determine whether incidents of sexual violence or other sexual harassment created a

hostile environment before reporting the incident. A school also should be aware that persons may be deterred from reporting incidents if, for example, violations of school or campus rules regarding alcohol or drugs were involved. As a result, a school should review its disciplinary policy to ensure it does not have a chilling effect on students' reporting of sexual violence offenses or participating as witnesses. OCR recommends that a school inform students that the school's primary concern is student safety, and that use of alcohol or drugs never makes the survivor at fault for sexual violence.

It is also important for a school to educate students about the persons on campus to whom they can confidentially report incidents of sexual violence. A school's sexual violence education and prevention program should clearly identify the offices or individuals with whom students can speak confidentially and the offices or individuals who can provide resources such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance. It should also identify the school's responsible employees and explain that if students report incidents to responsible employees (except as noted in question E-3) these employees are required to report the incident to the Title IX coordinator or other appropriate official. This reporting includes the names of the alleged perpetrator and student involved in the sexual violence, as well as relevant facts including the date, time, and location, although efforts should be made to comply with requests for confidentiality from the complainant. For more detailed information regarding reporting and responsible employees and confidentiality, see questions D-1 to D-5 and E-1 to E-4.

## **K. Retaliation**

### **K-1. Does Title IX protect against retaliation?**

**Answer:** Yes. The Federal civil rights laws, including Title IX, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws. This means that if an individual brings concerns about possible civil rights problems to a school's attention, including publicly opposing sexual violence or filing a sexual violence complaint with the school or any State or Federal agency, it is unlawful for the school to retaliate against that individual for doing so. It is also unlawful to retaliate against an individual because he or she testified, or participated in any manner, in an OCR or school's investigation or proceeding. Therefore, if a student, parent, teacher, coach, or other individual complains formally or informally about sexual violence or participates in an OCR or school's investigation or proceedings related to sexual violence, the school is prohibited from retaliating (including intimidating, threatening, coercing, or in any way

discriminating against the individual) because of the individual’s complaint or participation.

A school should take steps to prevent retaliation against a student who filed a complaint either on his or her own behalf or on behalf of another student, or against those who provided information as witnesses.

Schools should be aware that complaints of sexual violence may be followed by retaliation against the complainant or witnesses by the alleged perpetrator or his or her associates. When a school knows or reasonably should know of possible retaliation by other students or third parties, it must take immediate and appropriate steps to investigate or otherwise determine what occurred. Title IX requires the school to protect the complainant and witnesses and ensure their safety as necessary. At a minimum, this includes making sure that the complainant and his or her parents, if the complainant is in elementary or secondary school, and witnesses know how to report retaliation by school officials, other students, or third parties by making follow-up inquiries to see if there have been any new incidents or acts of retaliation, and by responding promptly and appropriately to address continuing or new problems. A school should also tell complainants and witnesses that Title IX prohibits retaliation, and that school officials will not only take steps to prevent retaliation, but will also take strong responsive action if it occurs.

## **L. First Amendment**

### **L-1. How should a school handle its obligation to respond to sexual harassment and sexual violence while still respecting free-speech rights guaranteed by the Constitution?**

**Answer:** The DCL on sexual violence did not expressly address First Amendment issues because it focuses on unlawful physical sexual violence, which is not speech or expression protected by the First Amendment.

However, OCR’s previous guidance on the First Amendment, including the 2001 Guidance, OCR’s July 28, 2003, Dear Colleague Letter on the First Amendment,<sup>35</sup> and OCR’s October 26, 2010, Dear Colleague Letter on harassment and bullying,<sup>36</sup> remain fully in effect. OCR has made it clear that the laws and regulations it enforces protect students from prohibited discrimination and do not restrict the exercise of any expressive activities or speech protected under the U.S. Constitution. Therefore, when a school works to prevent

---

<sup>35</sup> Available at <http://www.ed.gov/ocr/firstamend.html>.

<sup>36</sup> Available at <http://www.ed.gov/ocr/letters/colleague-201010.html>.

and redress discrimination, it must respect the free-speech rights of students, faculty, and other speakers.

Title IX protects students from sex discrimination; it does not regulate the content of speech. OCR recognizes that the offensiveness of a particular expression as perceived by some students, standing alone, is not a legally sufficient basis to establish a hostile environment under Title IX. Title IX also does not require, prohibit, or abridge the use of particular textbooks or curricular materials.<sup>37</sup>

#### **M. The Clery Act and the Violence Against Women Reauthorization Act of 2013**

##### **M-1. How does the Clery Act affect the Title IX obligations of institutions of higher education that participate in the federal student financial aid programs?**

**Answer:** Institutions of higher education that participate in the federal student financial aid programs are subject to the requirements of the Clery Act as well as Title IX. The Clery Act requires institutions of higher education to provide current and prospective students and employees, the public, and the Department with crime statistics and information about campus crime prevention programs and policies. The Clery Act requirements apply to many crimes other than those addressed by Title IX. For those areas in which the Clery Act and Title IX both apply, the institution must comply with both laws. For additional information about the Clery Act and its regulations, please see <http://www2.ed.gov/admins/lead/safety/campus.html>.

##### **M-2. Were a school's obligations under Title IX and the DCL altered in any way by the Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, including Section 304 of that Act, which amends the Clery Act?**

**Answer:** No. The Violence Against Women Reauthorization Act has no effect on a school's obligations under Title IX or the DCL. The Violence Against Women Reauthorization Act amended the Violence Against Women Act and the Clery Act, which are separate statutes. Nothing in Section 304 or any other part of the Violence Against Women Reauthorization Act relieves a school of its obligation to comply with the requirements of Title IX, including those set forth in these Questions and Answers, the 2011 DCL, and the *2001 Guidance*. For additional information about the Department's negotiated rulemaking related to the Violence Against Women Reauthorization Act please see <http://www2.ed.gov/policy/highered/reg/hearulemaking/2012/vawa.html>.

---

<sup>37</sup> 34 C.F.R. § 106.42.

## **N. Further Federal Guidance**

### **N-1. Whom should I contact if I have additional questions about the DCL or OCR's other Title IX guidance?**

**Answer:** Anyone who has questions regarding this guidance, or Title IX should contact the OCR regional office that serves his or her state. Contact information for OCR regional offices can be found on OCR's webpage at <https://wdcrobcop01.ed.gov/CFAPPS/OCR/contactus.cfm>. If you wish to file a complaint of discrimination with OCR, you may use the online complaint form available at <http://www.ed.gov/ocr/complaintintro.html> or send a letter to the OCR enforcement office responsible for the state in which the school is located. You may also email general questions to OCR at [ocr@ed.gov](mailto:ocr@ed.gov).

### **N-2. Are there other resources available to assist a school in complying with Title IX and preventing and responding to sexual violence?**

**Answer:** Yes. OCR's policy guidance on Title IX is available on OCR's webpage at <http://www.ed.gov/ocr/publications.html#TitleIX>. In addition to the April 4, 2011, Dear Colleague Letter, OCR has issued the following resources that further discuss a school's obligation to respond to allegations of sexual harassment and sexual violence:

- Dear Colleague Letter: Harassment and Bullying (October 26, 2010), <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>
- *Sexual Harassment: It's Not Academic* (Revised September 2008), <http://www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.pdf>
- *Revised Sexual Harassment Guidance: Harassment of Students by Employees, Other Students, or Third Parties* (January 19, 2001), <http://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf>

In addition to guidance from OCR, a school may also find resources from the Departments of Education and Justice helpful in preventing and responding to sexual violence:

- Department of Education’s Letter to Chief State School Officers on Teen Dating Violence Awareness and Prevention (February 28, 2013)  
<https://www2.ed.gov/policy/gen/guid/secletter/130228.html>
- Department of Education’s National Center on Safe Supportive Learning Environments  
<http://safesupportivelearning.ed.gov/>
- Department of Justice, Office on Violence Against Women  
<http://www.ovw.usdoj.gov/>

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

**SUBJECT**

Board Policy III.P Student and I.T. Title IX– Second Reading

**REFERENCE**

April 2016	The Board approved the first reading of Board Policy I.T. Title IX and a second reading of III.P Students.
June 2016	The Board approved the second reading of Board Policy I.T. Title IX and discussed the institutions providing additional information regarding their compliance with the new policy requirements and their internal appeal processes at a future Board meeting.
December 2016	Board considered first reading of proposed changes to Board Policies I.T. and III.P.
June 2017	Board approved first reading of proposed changes to Board Policies I.T. and III.P.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section I.T. and III.P.  
Education Amendments of 1972, 10 USC §1681 Title IX, CFR §106.1

**BACKGROUND/DISCUSSION**

Board Policy III.P.18

The attached revision to Board Policy III.P.18 clarifies that students are allowed to request Board review of any final institutional decision regarding a student's attendance at the institution, except that for matters involving a violation of an institution's code of student conduct, the matter will only be heard if the basis for the request is that the institution "substantially failed to follow its procedures resulting in a failure to give the student reasonable notice of the violation and opportunity to be heard, or to present testimony."

Board Policy III.P.12

The attached policy revisions also include a revision to Board Policy III.P.12 which would require that an institution's code of conduct also provide students with "an opportunity to appeal any disciplinary action." Currently Board Policy III.P.12 requires that amendment to an institution's statement of student rights and code of conduct requires review and approval by the institution's chief executive officer. The Board may want to consider requiring institutional amendments to statements of student rights and codes of conduct be reviewed and approved by the Board, if the Board is concerned that future revisions might diminish existing student protections.

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

Board Policy I.T.

The attached policy revisions also include a revision to Policy I.T. to clarify that in cases involving allegations of sexual misconduct, an institution must provide both the complainant and respondent with an opportunity to review the institution's investigation report and an opportunity to provide a written response within a reasonable amount of time.

**IMPACT**

The proposed policy amendments will clarify that students may request Board review of any final institution action except that matters involving student misconduct will only be heard if there is an allegation that an institution failed to comply with the requirements for its review process. Institutions will ensure reasonable timeframes are provided for complainants and respondents to review and respond to a Title IX investigation report.

**ATTACHMENTS**

Attachment 1 – Board Policy, III.P Students.

Page 3

Attachment 2 – Board Policy, I.T. Title IX

Page 13

**STAFF COMMENTS AND RECOMMENDATIONS**

Prior to consideration of the proposed policy amendments each of the institutions provided a brief written summary to the Board at the June 2017 Board meeting of their procedures and status on appeals processes implementation of Board Policy I.T. Title IX. Institutions also addressed questions raised by the Board at the meeting. There were no changes between the first and second reading.

Staff recommends approval of the second reading of the proposed policy amendments.

**BOARD ACTION**

I move to approve the second reading of amendments to Board Policy III.P. Students and I.T. Title IX as submitted in Attachments 1 and 2.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

**Idaho State Board of Education  
GOVERNING POLICIES AND PROCEDURES  
SECTION: III. POSTSECONDARY AFFAIRS  
SUBSECTION: P. STUDENTS**

[April 2016](#) [August 2017](#)

The following policies and procedures are applicable to or for any person designated as a student at an institution under governance of the Board. A "student" means any person duly admitted and regularly enrolled at an institution under governance of the Board as an undergraduate, graduate, or professional student, on a full-time or part-time basis, or who is admitted as a non-matriculated student on or off an institutional campus.

**1. Nondiscrimination**

It is the policy of the Board that institutions under its governance must provide equal educational opportunities, services, and benefits to students without regard to race, color, religion, sex, national origin, age, handicap, or veterans status, including disabled veterans and veterans of the Vietnam era in accordance with:

- a. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d *et seq.*, which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.
- b. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance.
- c. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 *et seq.*, which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance.
- d. The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 *et seq.*, which prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.
- e. Chapter 59, Title 67, Idaho Code, and other applicable state and federal laws.

**2. Sexual Harassment**

Each institution must establish and maintain a positive learning environment for students that is fair, humane, and responsible. Sexual discrimination, including sexual harassment, is inimical to any institution.

Sexual harassment violates state and federal laws and the Governing Policies and Procedures of the Board. "Sexual harassment" means an un-welcomed sexual advance, request for sexual favors, or behavior, oral statements, or physical conduct of a sexual nature when:

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

- a. submission to such conduct is made either explicitly or implicitly a term or condition of a student's grade, receipt of a grade, or status as a student;
- b. an individual student's submission to or rejection of such conduct is used as a basis for a decision affecting the student; or
- c. such conduct has the purpose or effect of substantially interfering with a student's learning or learning performance, or creating an intimidating, hostile, or offensive learning environment.

Each institution must develop and make public procedures providing for the prompt, confidential, and equitable resolution of student complaints alleging an act of sex-based discrimination, including sexual harassment.

### 3. Academic Freedom and Responsibility

Institutions of postsecondary education are conducted for the common good and not to further the interests of either the individual student or the institution as a whole. Academic freedom is fundamental for the protection of the rights of students in learning and carries with it responsibilities as well as rights.

Membership in an academic community imposes on 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 free expression on and off the campus of an institution. Expression of dissent and attempts to produce change may not be carried out in ways which injure individuals, damage institutional facilities, disrupt classes, or interfere with institutional activities. Speakers on the campuses must not only be protected from violence but must also be given an opportunity to be heard. Those who seek to call attention to grievances must do so in ways that do not significantly impede the functioning of the institution.

Students are entitled to an atmosphere conducive to learning and to fair and even treatment in all aspects of student-teacher relationships. Teaching faculty may not refuse to enroll or teach a student because of the student's beliefs or the possible uses to which the student may put the knowledge gained from the course. Students must not be forced by the authority inherent in the instructional role to make personal or political choices.

### 4. Catalog and Representational Statements

Each institution will publish its official catalogue and admissions, academic, and other policies and procedures which affect students. (See *also* "Roles and Missions," Section III, Subsection I-2.)

Each institutional catalogue must include the following statement:

Catalogues, bulletins, and course or fee schedules shall not be considered as binding contracts between [institution] and students. The [institution] reserves the right at any time, without advance notice, to:

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

(a) withdraw or cancel classes, courses, and programs; (b) change fee schedules; (c) change the academic calendar; (d) change admission and registration requirements; (e) change the regulations and requirements governing instruction in and graduation from the institution and its various divisions; and (f) change any other regulations affecting students. Changes shall go into force whenever the proper authorities so determine and shall apply not only to prospective students but also to those who are matriculated at the time in [institution]. When economic and other conditions permit, the [institution] tries to provide advance notice of such changes. In particular, when an instructional program is to be withdrawn, the [institution] will make every reasonable effort to ensure that students who are within two (2) years of completing graduation requirements, and who are making normal progress toward completion of those requirements, will have the opportunity to complete the program which is to be withdrawn.

No employee, agent, or representative of an institution may make representations to, or enter into any agreement with, or act toward any student or person in a manner which is not in conformity with Board Governing Policies and Procedures or the approved policies and procedures of the institution.

5. Student Records

The collection, retention, use, and dissemination of student records is subject to the requirements of the Family Educational Rights and Privacy Act of 1974, as amended, and implementing regulations. Each institution will establish policies and procedures for maintenance of student records consistent with the act and implementing regulations and will establish and make public an appeals procedure which allows a student to contest or protest the content of any item contained in his or her institutional records.

6. Residency Status - Procedure for Determination

Rules and procedures for the determination of residency status for purposes of paying nonresident tuition are found in the State Board of Education Rule Manual IDAPA 08.01.04.

7. Full-Time Students

a. Undergraduate Student

For fee and tuition purposes, a "full-time" undergraduate student means any undergraduate student carrying twelve (12) or more credits (or equivalent in audit and zero-credit registrations).

i. Student Body Officers and Appointees

For fee and tuition purposes, the president, vice president, and senators of the associated student body government are considered full-time students when

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

carrying at least the following credit loads: (a) president, three (3) credits and (b) vice president and senators, six (6) credits.

ii. Editors

Editors of student published newspapers are recognized as full-time students when carrying a three credit load, and associate editors are recognized as full-time students when carrying a six credit load.

b. Graduate Student

For fee and tuition purposes, a “full-time” graduate student means any graduate student carrying nine (9) or more credits, or any graduate student on a full appointment as an instructional or graduate assistant, regardless of the number of credits for which such instructional or graduate assistant is registered.

8. Student Governance

The students at each institution may establish a student government constitution for their own duly constituted organization, which must be consistent with Board Governing Policies and Procedures. Each student constitution must be reviewed and approved by the Chief Executive Officer. Any amendments to the student constitution must also be reviewed and approved by the Chief Executive Officer.

9. Student Financial Aid

Each institution will establish policies and procedures necessary for the administration of student financial aid.

- a. Transfer of Delinquent National Direct Student Loans. (See Section V, Subsection P)
- b. Student Financial Aid Fraud

Each institution under governance of the Board should, as a matter of policy, initiate charges against individuals who fraudulently obtain or misrepresent themselves with respect to student financial aid.

10. Fees and Tuition

- a. Establishment  
Policies and procedures for establishment of fees, tuition, and other charges are found in Section V, Subsection R, of the Governing Policies and Procedures.
- b. Refund of Fees  
Each institution will develop and publish a schedule for refund of fees in the event a student withdraws in accordance with regulations governing withdrawal.

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

11. Student Employees

a. Restrictions

No student employee may be assigned to duties which are for the benefit of personal and private gain, require partisan or nonpartisan political activities, or involve the construction, operation, or maintenance of any part of any facility which is used for sectarian instruction or religious worship. No supervisor may solicit or permit to be solicited from any student any fees, dues, compensation, commission, or gift or gratuity of any kind as a condition of or prerequisite for the student's employment.

b. Policies and Procedures

Each institution will develop its own policies and procedures regarding student employment, including use of student employment as a part of financial assistance available to the student. Such policies and procedures must ensure that equal employment opportunity is offered without discrimination and that wage administration is conducted in a uniform manner. Such policies also must include a statement of benefits available to student employees, if appropriate.

c. Graduate Assistants

Each institution is delegated the authority to appoint within the limitations of available resources graduate assistants in a number consistent with the mission of the institution. Graduate assistantships are established to supplement a graduate student's course of study, with employment appropriate to the student's academic pursuits.

Each institution will establish its own procedures for appointment of graduate assistants which will include (a) qualifications, (b) clear and detailed responsibilities in writing, and (c) maximum number of hours expected and wages for meeting those requirements.

Matriculation, activity, and facility fees for graduate assistants will be paid either by the student or by the department or academic unit on behalf of the student. Graduate students will be covered by appropriate insurance in accordance with institutional procedures for work-related illness or injury.

d. Hourly or Contractual Employment

Each institution may employ students on an hourly or contractual basis in accordance with the needs of the various departments or units, available funds, and rules of the Division of Human Resources (or the University of Idaho classified employee system) or federal guidelines when work-study funds are used.

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

12. Student Conduct, Rights, and Responsibilities

Each institution will establish and publish a statement of student rights and a code of student conduct. The code of 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 present testimony in his or her defense, [and an opportunity to appeal any disciplinary action](#). Such statements of rights and codes of conduct, and any subsequent amendments, are subject to review and approval of the chief executive officer.

Sections 33-3715 and 33-3716, Idaho Code, establish criminal penalties for conduct declared to be unlawful.

13. Student Services

Each institution will develop and publish a listing of services available to students, eligibility for such services, and costs or conditions, if any, of obtaining such services.

14. Student Organizations

Each student government association is responsible, subject to the approval of the institution's chief executive officer, for establishing or terminating student organizations supported through allocation of revenues available to the association. Expenditures by or on behalf of such student organizations are subject to rules, policies, and procedures of the institution and the Board.

15. Student Publications and Broadcasts

Students are responsible for making arrangements for coverage of their medical needs while enrolled in a post-secondary institution on a part- or full-time basis. Accidents, injuries, illnesses, and other medical needs of students (with limited exceptions in the case of student employees of an institution who experience workplace injuries within the course and scope of their employment) typically are not covered by the institution's insurance policies. The types and levels of medical/clinical support services available to students varies among the institutions and among the local communities within which institutions conduct operations.

16. Student Health Insurance

The Board's student health insurance policy is a minimum requirement. Each institution, at its discretion, may adopt policies and procedures more stringent than those provided herein.

a. Health Insurance Coverage Offered through the Institution

Each institution, at the discretion of its chief executive officer, may provide the opportunity for students to purchase health insurance through an institution-offered

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

plan. Institutions are authorized to provide student health insurance plans through consortium arrangements, when this option serves the interests of students and administration. Institutions which elect to enter contractual arrangements to offer student health insurance plans (either singly or through consortium arrangements) should comply with applicable Board and State Division of Purchasing policies. Institutions which elect to offer health insurance plans to their students are authorized, at the chief executive officer's discretion, to make student participation in such plans either optional or mandatory.

b. Mandatory Student Health Insurance

Each institution, at the discretion of its chief executive officer, may require all or specified groups (for example, international students, intercollegiate athletes, health professions students engaged in clinical activities, student teachers, etc.) to carry health insurance that meets coverage types and levels specified by the institution. Administration and enforcement of any such health insurance requirements, and procedures for dealing with any exceptions thereto, lie within the authority of the institution presidents or their designees.

c. Other Medical Support Services and Fees

Institutions are authorized to support or supplement students' medical needs through services provided by college/university clinics, health centers, cooperative arrangements with community/regional health care providers, etc. In cases where such services are provided, institutions are authorized to establish optional or mandatory fees to cover the delivery cost of such services.

d. Financial aid considerations

Any medical insurance or health services-related fees which are mandated by an institution as a condition of participation in any institutional program are considered a bona fide component of the institution's cost of college and are a legitimate expenditure category for student financial aid.

17. Students Called to Active Military Duty

The Board strongly supports the men and women serving in the National Guard and in reserve components of the U.S. Armed Forces. The Board encourages its institutions to work with students who are called away to active military duty during the course of an academic term and provide solutions to best meet the student's current and future academic needs. The activated student, with the instructor's consent, may elect to have an instructor continue to work with them on an individual basis. Additionally, institutions are required to provide at least the following:

- a. The activated student may elect to completely withdraw. The standard withdrawal deadlines and limitations will not be applied. At the discretion of the institution, the

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

student will receive a "W" on his or her transcript, or no indication of enrollment in the course(s).

- b. One hundred percent (100%) of the paid tuition and/or fees for the current term will be refunded, as well as a pro-rated refund for paid student housing fees, meal-plans, or any other additional fees. Provided, however, that if a student received financial aid, the institution will process that portion of the refund in accordance with each financial aid program.

18. Student Complaints/Grievances.

The State Board of Education and Board of Regents of the University of Idaho, as the governing body of the state's postsecondary educational institutions, has established the following procedure for review of institution decisions regarding student complaints/grievances:

- a. The Board designates its Executive Director as the Board's representative for reviewing student complaints/grievances, and authorizes the Executive Director, after such review, to issue the decision of the Board based on such review. The Executive Director may, in his/her discretion, refer any matter to the Board for final action/decision.

b. A current or former student at a postsecondary educational institution under the governance of the Board may request that the Executive Director review any final institutional decision relating to a ~~complaint or grievance instituted by such student related to such individual's~~ student's attendance at the institution, except as set forth under paragraph (c). The student must have exhausted the complaint/grievance resolution procedures that have been established at the institution level. The Executive Director will not review complaints/grievances that have not been reported to the institution, or processed in accordance with the institution's complaint/grievance resolution procedures.

b.c. Requests for review of matters involving a violation of an institution's code of student conduct will may only be reviewed by the Board if the basis for the request for review is that the institution substantially failed to follow its procedures resulting in a failure to give the student reasonable notice of the violation and opportunity to be heard, or to present testimony. Sanctions imposed by the institution will remain in effect during the pendency of the review.

e.d. A request for review must be submitted in writing to the Board office to the attention of the Chief Academic Officer, and must contain a clear and concise statement of the reason(s) for Board review. Such request must be received in the Board office no later than thirty (30) calendar days after the student receives the institution's final decision on such matter. The student has the burden of establishing that the final decision made by the institution on the grievance/complaint was made in error. A request for review must include a copy of the original grievance and all proposed resolutions and recommended decisions

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

issued by the institution, as well as all other documentation necessary to demonstrate that the student has strictly followed the complaint/grievance resolution procedures of the institution. The institution may be asked to provide information to the Board office related to the student complaint/grievance.

d.e. The Chief Academic Officer will review the materials submitted by all parties and make a determination of recommended action, which will be forwarded to the Executive Director for a full determination. A review of a student complaint/grievance will occur as expeditiously as possible.

e.f. The Board office may request that the student and/or institution provide additional information in connection with such review. In such event, the student and/or institution must provide such additional information promptly.

f.g. The Board's Executive Director will issue a written decision as to whether the institution's decision with regard to the student's complaint/grievance was proper or was made in error. The Executive Director may uphold the institution's decision, overturn the institution's decision, or the Executive Director may remand the matter back to the institution with instructions for additional review. Unless referred by the Executive Director to the Board for final action/decision, the decision of the Executive Director is final.

The Board staff members do not act as negotiators, mediators, or advocates concerning student complaints or grievances.

THIS PAGE INTENTIONALLY LEFT BLANK

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS  
AUGUST 10, 2017**

---

**Idaho State Board of Education**

**GOVERNING POLICIES AND PROCEDURES**

**SECTION: I. GENERAL GOVERNING POLICIES AND PROCEDURES**

**SUBSECTION: T. Title IX**

June 2016 August 2017

1. This subsection shall apply to the University of Idaho, Boise State University, Idaho State University, Lewis-Clark State College, Eastern Idaho Technical College, College of Southern Idaho, College of Western Idaho, and North Idaho College (hereinafter "Institutions").

Title IX of the Education Amendments of 1972 and its implementing regulations, 34 C.F.R. Sec. 106 ("Title IX"), prohibit discrimination on the basis of sex in federally funded education programs and activities. Title IX protects students, employees, applicants for admission and employment, and campus visitors from all forms of sexual harassment, including sexual violence and gender-based harassment.

Sexual violence includes sexual intercourse without consent, sexual assault, and sexual coercion. Prohibited gender-based harassment may include 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.

This Policy is intended to supplement, not duplicate, Title IX guidance from the federal Department of Education's Office of Civil Rights ("OCR") for Institutions regarding their compliance with Title IX, specifically in regard to sexual harassment or sexual violence. Institutions should go beyond the requirements of this policy as necessary to address Title IX issues unique to individual campus populations so that students are able to fully receive the benefits of educational programs.

2. Institution Title IX policies.

Each institution shall publish its Title IX policies and procedures for students, staff and faculty. Such policies and procedures shall be updated as necessary and appropriate to comply with Title IX and guidance from OCR. Title IX coordinators shall be involved in the drafting and revision of such policies to ensure compliance with Title IX. If an institution is represented by legal counsel, its attorney also shall review the institution's policies for compliance with Title IX and OCR guidance. Policies shall clearly describe the process for resolving alleged violations of Title IX.

3. Notification of institution Title IX policy and resources.

Notification of institution Title IX policy and resources shall be readily accessible. Institutions shall ensure that the notices of nondiscrimination on the basis of sex required by Title IX are placed prominently on their website home pages, in addition to the placement of notices in offices where students receive services, and included in printed publications for general distribution. Webpage notices shall include easily

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

accessible links to all applicable institution policies as well as a clear and succinct direction regarding:

- reporting Title IX violations
- accommodations and services available for complainants
- the investigation and hearing process, including appeal rights, and all applicable time frames
- the institution's Title IX coordinator, including the Title IX coordinator's name and contact information

4. Title IX Coordinators.

Each institution shall designate a Title IX Coordinator who shall be an integral part of an institution's systematic approach to ensuring Title IX compliance. Title IX coordinators shall have the institutional authority and resources necessary to promote an educational environment that is free of discrimination, which includes stopping any harassment and preventing any reoccurring harassment, as well as the authority to implement accommodations during an investigation so that the complainant does not suffer additional effects of the sexual discrimination or violence.

Institutions are encouraged to facilitate regular communication between Title IX coordinators in order for them to share best practices and training resources.

5. Education of Students and Training to Prevent Sexual Violence.

Institutions shall implement evidence informed strategies that seek to prevent sexual harassment, sexual assault, gender based violence and high-risk activities, including alcohol education programming and other student outreach efforts (e.g. bystander education programming). Data shall be collected from an institution's constituency on a regular basis to evaluate and improve on the institution's efforts to prevent sexual discrimination.

6. Education of parties receiving or adjudicating Title IX complaints.

All employees shall receive training pertaining to Title IX and the institution's Title IX policy. Employees likely to witness or receive reports of sexual harassment and sexual violence shall receive enhanced training which, at a minimum, includes the requirements of Title IX, the proper method for reporting sexual harassment and sexual violence, and the institution's responsibilities for responding to reports of sexual harassment and sexual violence. Institution employees who will likely require enhanced training include: Title IX coordinators, campus law enforcement personnel, student conduct board members, student affairs personnel, academic advisors, residential housing advisors, and coaches. All employees who learn of an allegation of sexual harassment, including sexual violence and gender-based harassment, (and are not required by law to maintain the confidentiality of the disclosure, such as

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS**  
**AUGUST 10, 2017**

---

licensed medical professionals or counselors) are required to report it to the Title IX coordinator within 24 hours.

Fact finders and decision makers involving resolution of Title IX violations shall also have adequate training or knowledge regarding sexual assault, including the interpretation of relevant medical and forensic evidence.

7. Investigation and resolution of Title IX violations

An institution shall take immediate steps to protect a complainant in the educational setting. Individuals reporting being subjected to sexual violence shall be notified of counseling and medical resources, and provided with necessary accommodations such as academic adjustments and support services, and changes to housing arrangements. In some cases, a complainant may need extra time to complete or re-take a class or withdraw from a class without academic or financial penalty. Institutions shall not wait for the conclusion of a criminal investigation or proceeding before commencing a Title IX investigation.

Institution Title IX policies shall include a prompt and equitable process for resolution of complaints as early as possible in order to effectively correct individual or systemic problems. Both the complainant and the respondent shall be provided an opportunity to explain the event giving rise to the complaint. Once an institution has completed its investigation report, both the complainant and the respondent shall be given an opportunity to review the report and to provide a written response to it within a reasonable amount of time. All timeframes shall be clearly communicated with the parties and regular status updates shall be provided. Both parties to a complaint shall be notified in writing of the outcome of the complaint, including whether sexual harassment or violence was found based upon a preponderance of the evidence to have occurred and, in accordance with federal and state privacy laws, the sanction imposed. Both the complainant and respondent shall have the same rights of appeal.

In cases involving a student-respondent, withdrawal from the institution shall not be used as a method to avoid completion of the investigation. An institution may place a hold on a student-respondent's student account or otherwise temporarily restrict his or her ability to request an official transcript until completion of the investigation.

8. Disciplinary Actions

If a student is found to have violated an institution's Title IX policy, disciplinary action shall be imposed in accordance with the institution's student code of conduct. If the student is suspended or expelled, that action shall be noted in the student's education records and communicated to a subsequent institution at which the student seeks to enroll, provided that the subsequent institution or student has requested the student's education record from the prior institution. If an institution employee is found to have violated an institution's Title IX policy, disciplinary action will be imposed in accordance with the applicable institution's human resources policies and procedures.

THIS PAGE INTENTIONALLY LEFT BLANK

 KeyCite Yellow Flag - Negative Treatment  
Abrogation Recognized by [Doe v. Alger](#), W.D.Va., March 31, 2016

294 F.2d 150

United States Court of Appeals Fifth Circuit.

St. John DIXON et al., Appellants,

v.

ALABAMA STATE BOARD OF  
EDUCATION et al., Appellees.

No. 18641.

|

Aug. 4, 1961.

Action for former students at state supported college seeking preliminary and permanent injunction restraining State Board of Education and others from obstructing their right to attend college. From a judgment of the United States District Court for the Middle District of Alabama, Frank M. Johnson, Jr., J., [186 F.Supp. 945](#), upholding the dismissal and denying requested relief, the students appealed. The Court of Appeals, Rives, Circuit Judge, held that due process required notice and some opportunity for a hearing before the students at the tax-supported college could be expelled for misconduct.

Reversed and remanded.

Cameron, Circuit Judge, dissented.

West Headnotes (1)

[1] **Constitutional Law**

 **Disciplinary Proceedings**

Due process requires notice and some opportunity for hearing before a student at a tax-supported college can be expelled for misconduct.

[367 Cases that cite this headnote](#)

**Attorneys and Law Firms**

\*151 Jack Greenberg, Thurgood Marshall, New York City, Fred D. Gray, Montgomery, Ala., Derrick A. Bell, Jr., New York City, for appellants, James M. Nabrit, III, New York City, of Counsel.

Gordon Madison, Asst. Atty. Gen. of Ala., MacDonald Gallion, Atty. Gen. of Ala., Robt. P. Bradley, Governor's Office, Montgomery, Ala., for appellees.

Before RIVES, CAMERON and WISDOM, Circuit Judges.

**Opinion**

RIVES, Circuit Judge.

The question presented by the pleadings and evidence,<sup>1</sup> and decisive of this appeal, is whether due process requires notice and some opportunity for hearing before students at a tax-supported college are expelled for misconduct. We answer that question in the affirmative.

The misconduct for which the students were expelled has never been definitely specified. Defendant Trenholm, the President of the College, testified that he did not know why the plaintiffs and three additional students were expelled and twenty other students were placed on probation. The notice of expulsion<sup>2</sup> \*152 which Dr. Trenholm mailed to each of the plaintiffs assigned no specific ground for expulsion, but referred in general terms to 'this problem of Alabama State College.'

The acts of the students considered by the State Board of Education before it ordered their expulsion are described in the opinion of the district court reported in [186 F.Supp. 954, 947](#), from which we quote in the margin.<sup>3</sup>

As shown by the findings of the district court, just quoted in footnote 3, the only demonstration which the evidence showed that all of the expelled students took part in was that in the lunch grill located in the basement of the Montgomery County Courthouse. The other \*153 demonstrations were found to be attended 'by several if not all of the plaintiffs.' We have carefully read and studied the record, and agree with the district court that the evidence does not affirmatively show that all of the plaintiffs were present at any but the one demonstration.

Only one member of the State Board of Education assigned the demonstration attended by all of the plaintiffs as the sole basis for his vote to expel them. Mr. Harry Ayers testified:

‘Q. Mr. Ayers, did you vote to expel these negro students because they went to the Court House and asked to be served at the white lunch counter? A. No, I voted because they violated a law of Alabama.

‘Q. What law of Alabama had they violated? A. That separating of the races in public places of that kind.

‘Q. And the fact that they went up there and requested service, by violating the Alabama law, then you voted to have them expelled? A. Yes.

‘Q. And that is your reason why you voted? A. That is the reason.’

The most elaborate grounds for expulsion were assigned in the testimony of Governor Patterson:

‘Q. There is an allegation in the complaint, Governor, that- I believe it is paragraph six, the defendants' action of expulsion was taken without regard to any valid rule or regulation concerning student conduct and merely retaliated against, punished, and sought to intimidate plaintiffs for having lawfully sought service in a publicly owned lunch room with service; is that statement true or false?

‘A. Well, that is not true; the action taken by the State Board of Education was- was taken to prevent- to prevent incidents happening by students at the College that would bring- bring discredit upon- upon the School and be prejudicial to the School, and the State- as I said before, the State Board of Education took- considered at the time it expelled these students several incidents, one at the Court House at the lunch room demonstration, the one the next day at the trial of this student, the marching on the steps of the State Capitol, and also this rally held at the church, where- where it was reported that- that statements were made against the administration of the School. In addition to that, the- the feeling going around in the community here due to- due to the reports of these incidents of the students, by the students, and due to reports of incidents occurring involving violence in other States, which happened prior to these things starting here in Alabama, all of these things were discussed by

the State Board of Education prior to the taking of the action that they did on March 2 and as I was present and acting as Chairman, as a member of the Board, I voted to expel these students and to put these others on probation because I felt that that was what was in the best interest of the College. And the- I felt that the action should be- should be prompt and immediate, because if something- something had not been done, in my opinion, it would have resulted in violence and disorder, and that we wanted to prevent, and we felt that we had a duty to the- to the- to the parents of the students and to the State to require that the students behave themselves while they are attending a State College, and that is (sic) the reasons why we took the action that we did. That is all.’

Superintendent of Education Stewart testified that he voted for expulsion because the students had broken rules and regulations pertaining to all of the State institutions, and, when required to be more specific, testified:

‘The Court: What rule had been broken is the question, that justified \*154 the expulsion insofar as he is concerned?

‘A. I think demonstrations without the consent of the president of an institution.’

The testimony of other members of the Board assigned somewhat varying and differing grounds and reasons for their votes to expel the plaintiffs.

The district court found the general nature of the proceedings before the State Board of Education, the action of the Board, and the official notice of expulsion given to the students as follows:

‘Investigation into this conduct were made by Dr. Trenholm, as president of the Alabama State College, the Director of Public Safety for the State of Alabama under directions of the Governor, and by the investigative staff of the Attorney General for the State of Alabama.

‘On or about March 2, 1960, the State Board of Education met and received reports from the Governor of the State of Alabama, which reports embodied the investigations that had been made and which reports identified these six plaintiffs, together with several others, as the ‘ring leaders' for the group of students that had been participating in the above-recited activities. During this meeting, Dr. Trenholm, in his capacity as president of the college reported to the assembled members of

the State Board of Education that the action of these students in demonstrating on the college campus and in certain downtown areas was having a disruptive influence on the work of the other students at the college and upon the orderly operation of the college in general. Dr. Trenholm further reported to the Board that, in his opinion, he as president of the college could not control future disruptions and demonstrations. There were twenty-nine of the Negro students identified as the core of the organization that was responsible for these demonstrations. This group of twenty-nine included these six plaintiffs. After hearing these reports and recommendations and upon the recommendation of the Governor as chairman of the Board, the Board voted unanimously, expelling nine students, including these six plaintiffs, and placing twenty students on probation. This action was taken by Dr. Trenholm as president of the college, acting pursuant to the instructions of the State Board of Education. Each of these plaintiffs, together with the other students expelled, was officially notified of his expulsion on March 4th or 5th, 1960.<sup>4</sup> No formal charges were placed against these students and no hearing was granted any of them prior to their expulsion.'

Dixon v. Alabama State Board of Education, D.C.M.D.Ala.1960, 186 F.Supp. 945, 948, 949.

The evidence clearly shows that the question for decision does not concern the sufficiency of the notice or the adequacy of the hearing, but is whether the students had a right to any notice or hearing whatever before being expelled.<sup>4</sup> \*155 The district court wrote at some length on that question, as appears from its opinion. [Dixon v. Alabama State Board of Education, supra, 186 F.Supp. at pages 950-952](#). After careful study and consideration, we find ourselves unable to agree with the conclusion of the district court that no notice or opportunity for any kind of hearing was required before these students were expelled.

It is true, as the district court said, that '\* \* \* there is no statute or rule that requires formal charges and/or a hearing \* \* \*,' but the evidence is without dispute that the usual practice at Alabama State College had been to give a hearing and opportunity to offer defenses before expelling a student. Defendant Trenholm, the College President, testified:

'Q. The essence of the question was, will you relate to the Court the usual steps that are taken when a student's

conduct has developed to the point where it is necessary for the administration to punish him for the conduct?

'A. We normally would have conference with the student and notify him that he was being asked to withdraw, and we would indicate why he was being asked to withdraw. That would be applicable to academic reasons, academic deficiency, as well as to any conduct difficulty.

'Q. And at this hearing ordinarily that you would set, then the student would have a right to offer whatever defense he may have to the charges that have been brought against him?

'A. Yes.'

Whenever a governmental body acts so as to injure an individual, the Constitution requires that the act be consonant with due process of law. The minimum procedural requirements necessary to satisfy due process depend upon the circumstances and the interests of the parties involved. As stated by Mr. Justice Frankfurter concurring in [Joint Anti-Fascist Refugee Committee v. McGrath, 1951, 341 U.S. 123, 163, 71 S.Ct. 624, 644, 95 L.Ed. 817](#):

'Whether the ex parte procedure to which the petitioners were subjected duly observed 'the rudiments of fair play', \* \* \* cannot\* \* \* be tested by mere generalities or sentiments abstractly appealing. The precise nature or the interest that has been adversely affected, the manner in which this was done, the reasons for doing it, the available alternatives to the procedure that was followed, the protection implicit in the office of the functionary whose conduct is challenged, the balance of hurt complained of and good accomplished- these are some of the considerations that must enter into the judicial judgment.'

\*156 Just last month, a closely divided Supreme Court held in a case where the governmental power was almost absolute and the private interest was slight that no hearing was required. [Cafeteria and Restaurant Workers Union v. McElroy et al., 1961, 81 S.Ct. 1743](#). In that case, a short-order cook working for a privately operated cafeteria on the premises of the Naval Gun Factory in the City of Washington was excluded from the Gun Factory as a security risk. So, too, the due process clause does not require that an alien never admitted to this Country be granted a hearing before being excluded. [United States ex rel. Knauff v. Shaughnessy, 1950, 338 U.S. 537, 542](#),

543, 70 S.Ct. 309, 94 L.Ed. 317. In such case the executive power as implemented by Congress to exclude aliens is absolute and not subject to the review of any court, unless expressly authorized by Congress. On the other hand, once an alien has been admitted to lawful residence in the United States and remains physically present here it has been held that, 'although Congress may prescribe conditions for his expulsion and deportation, not even Congress may expel him without allowing him a fair opportunity to be heard.' *Kwong Hai Chew v. Colding*, 1953, 344 U.S. 590, 597, 598, 73 S.Ct. 472, 478, 97 L.Ed. 576.

It is not enough to say, as did the district court in the present case, 'The right to attend a public college or university is not in and of itself a constitutional right.' 186 F.Supp. at page 950. That argument was emphatically answered by the Supreme Court in the Cafeteria and Restaurant Workers Union case, supra, (81 S.Ct. 1748.) when it said that the question of whether '\*\*\* summarily denying Rachel Brawner access to the site of her former employment violated the requirements of the Due Process Clause of the Fifth Amendment \*\*\* cannot be answered by easy assertion that, because she had no constitutional right to be there in the first place, she was not deprived of liberty or property by the Superintendent's action. 'One may not have a constitutional right to go to Bagdad, but the Government may not prohibit one from going there unless by means consonant with due process of law.' As in that case, so here, it is necessary to consider 'the nature both of the private interest which has been impaired and the governmental power which has been exercised.'

The appellees urge upon us the under a provision of the Board of Education's regulations the appellants waived any right to notice and a hearing before being expelled for misconduct.

'Attendance at any college is on the basis of a mutual decision of the student's parents and of the college. Attendance at a particular college is voluntary and is different from attendance at a public school where the pupil may be required to attend a particular school which is located in the neighborhood or district in which the pupil's family may live. Just as a student may choose to withdraw from a particular college at any time for any personally-determined reason, the college may also at any time decline to continue to accept responsibility for the supervision and service to any student with whom the relationship becomes unpleasant and difficult.'

We do not read this provision to clearly indicate an intent on the part of the student to waive notice and a hearing before expulsion. If, however, we should so assume, it nonetheless remains true that the State cannot condition the granting of even a privilege upon the renunciation of the constitutional right to procedural due process. See *Slochower v. Board of Education*, 1956, 350 U.S. 551, 555, 76 S.Ct. 637, 100 L.Ed. 692; *Wieman v. Updegraff*, 1952, 344 U.S. 183, 191, 192, 73 S.Ct. 215, 97 L.Ed. 216; *United Public Workers of America (C.I.O.) v. Mitchell*, 1947, 330 U.S. 75, 100, 67 S.Ct. 556, 91 L.Ed. 754; *Shelton v. Tucker*, 1960, 364 U.S. 479, 81 S.Ct. 247, 5 L.Ed.2d 231. Only private associations have the right to obtain a waiver of notice and hearing before depriving \*157 a member of a valuable right. And even here, the right to notice and a hearing is so fundamental to the conduct of our society that the waiver must be clear and explicit. *Medical and Surgical Society of Montgomery County v. Weatherly*, 75 Ala. 248, 256-259. In the absence of such an explicit waiver, Alabama has required that even private associations must provide notice and a hearing before expulsion. In *Medical and Surgical Society of Montgomery County v. Weatherly*, supra, it was held that a physician could not be expelled from a medical society without notice and a hearing. In *Local Union No. 57, etc. v. Boyd*, 1944, 245 Ala. 227, 16 So.2d 705, 711, a local union was ordered to reinstate one of its members expelled after a hearing of which he had insufficient notice.

The precise nature of the private interest involved in this case is the right to remain at a public institution of higher learning in which the plaintiffs were students in good standing. It requires no argument to demonstrate that education is vital and, indeed, basic to civilized society. Without sufficient education the plaintiffs would not be able to earn an adequate livelihood, to enjoy life to the fullest, or to fulfill as completely as possible the duties and responsibilities of good citizens.

There was no offer to prove that other colleges are open to the plaintiffs. If so, the plaintiffs would nonetheless be injured by the interruption of their course of studies in mid-term. It is most unlikely that a public college would accept a student expelled from another public college of the same state. Indeed, expulsion may well prejudice the student in completing his education at any other institution. Surely no one can question that the right to remain at the college in which the plaintiffs were students in good standing is an interest of extremely great value.

Turning then to the nature of the governmental power to expel the plaintiffs, it must be conceded, as was held by the district court, that that power is not unlimited and cannot be arbitrarily exercised. Admittedly, there must be some reasonable and constitutional ground for expulsion or the courts would have a duty to require reinstatement. The possibility of arbitrary action is not excluded by the existence of reasonable regulations. There may be arbitrary application of the rule to the facts of a particular case. Indeed, that result is well nigh inevitable when the Board hears only one side of the issue. In the disciplining of college students there are no considerations of immediate danger to the public, or of peril to the national security, which should prevent the Board from exercising at least the fundamental principles of fairness by giving the accused students notice of the charges and an opportunity to be heard in their own defense. Indeed, the example set by the Board in failing so to do, if not corrected by the courts, can well break the spirits of the expelled students and of others familiar with the injustice, and do inestimable harm to their education.

The district court, however, felt that it was governed by precedent, and stated that, ‘the courts have consistently upheld the validity of regulations that have the effect of reserving to the college the right to dismiss students at any time for any reason without divulging its reason other than its being for the general benefit of the institution.’ (186 F.Supp. 951.) With deference, we must hold that the district court has simply misinterpreted the precedents.

The language above quoted from the district court is based upon language found in [14 C.J.S. Colleges and Universities § 26, p. 1360](#), which, in turn, is paraphrased from [Anthony v. Syracuse University, 224 App.Div. 487, 231 N.Y.S. 435, reversing 130 Misc.2d 249, 223 N.Y.S. 796, 797. \(14 C.J.S. Colleges and Universities § 26, pp. 1360, 1363 note 70.\)](#) This case, however, concerns a private university and follows the wellsettled rule that the relations between a student and a private university are a matter of contract. The Anthony case held that the plaintiffs had specifically \*158 waived their rights to notice and hearing. See also [Barker v. Bryn Mawr, 1923, 278 Pa. 121, 122 A. 220](#). The precedents for public colleges are collected in a recent annotation cited by the district court. [58 A.L.R.2d 903-920](#). We have read all of the cases cited to the point, and we agree with what the annotator himself says: ‘The cases involving suspension or expulsion of a student from a public college or university

all involve the question whether the hearing given to the student was adequate. In every instance the sufficiency of the hearing was upheld.’ [58 A.L.R.2d at page 909](#). None held that no hearing whatsoever was required. Two cases not found in the annotation have held that some form of hearing is required. In [Commonwealth ex rel. Hill v. McCauley, 1886, 3 Pa.Co.Ct.R. 77](#), the court went so far as to say that an informal presentation of the charges was insufficient and that a state-supported college must grant a student a full hearing on the charges before expulsion for misconduct. In [Gleason v. University of Minnesota, 1908, 104 Minn. 359, 116 N.W. 650](#), on reviewing the overruling of the state's demurrer to a petition for mandamus for reinstatement, the court held that the plaintiff stated a prima facie case upon showing that he had been expelled without a hearing for alleged insufficiency in work and acts of insubordination against the faculty.

The appellees rely also upon [Lucy v. Adams, D.C.N.D.Ala.1957, 134 F.Supp. 235](#), where Aurtherine Lucy was expelled from the University of Alabama without notice or hearing. That case, however, is not in point. Aurtherine Lucy did not raise the issue of an absence of notice or hearing.

It was not a case denying any hearing whatsoever but one passing upon the adequacy of the hearing,<sup>5</sup> which provoked from Professor Warren A. Seavey of Harvard the eloquent comment:

‘At this time when many are worried about dismissal from public service, when only because of the overriding need to protect the public safety is the identity of informers kept secret, when we proudly contrast the full hearings before our courts with those in the benighted countries which have no due process protection, when many of our courts are so careful in the protection of those charged with crimes that they will not permit the use of evidence illegally obtained, our sense of justice should be outraged by denial to students of the normal safeguards. It is shocking that the officials of a state educational institution, which can function properly only if our freedoms are preserved, should not understand the elementary principles of fair play. It is equally shocking to find that a court supports them in denying to a student the protection given to a pickpocket.’ *Dismissal of Students: ‘Due Process,’ Warren A. Seavey, 70 Harvard Law Review 1406, 1407*. We are confident that precedent as well as a most fundamental constitutional principle support our holding that due process requires notice and some opportunity for hearing

before a student at a tax-supported college is expelled for misconduct.

For the guidance of the parties in the event of further proceedings, we state our views on the nature of the notice and hearing required by due process prior to expulsion from a state college or university. They should, we think, comply with the following standards. The notice should contain a statement of the specific charges and grounds which, if proven, would justify expulsion under the regulations of the Board of Education. The nature of the hearing should vary depending upon the circumstances of the particular case. The case before us requires something more than an informal interview with an administrative authority of the college. By its nature, a charge of misconduct, as opposed \*159 to a failure to meet the scholastic standards of the college, depends upon a collection of the facts concerning the charged misconduct, easily colored by the point of view of the witnesses. In such circumstances, a hearing which gives the Board or the administrative authorities of the college an opportunity to hear both sides in considerable detail is best suited to protect the rights of all involved. This is not to imply that a full-dress judicial hearing, with the right to cross-examine witnesses, is required. Such a hearing, with the attending publicity and disturbance of college activities, might be detrimental to the college's educational atmosphere and impractical to carry out. Nevertheless, the rudiments of an adversary proceeding may be preserved without encroaching upon the interests of the college. In the instant case, the student should be given the names of the witnesses against him and an oral or written report on the facts to which each witness testifies. He should also be given the opportunity to present to the Board, or at least to an administrative official of the college, his own defense against the charges and to produce either oral testimony or written affidavits of witnesses in his behalf. If the hearing is not before the Board directly, the results and findings of the hearing should be presented in a report open to the student's inspection. If these rudimentary elements of fair play are followed in a case of misconduct of this particular type, we feel that the requirements of due process of law will have been fulfilled.

The judgment of the district court is reversed and the cause is remanded for further proceedings consistent with this opinion.

Reversed and remanded.

CAMERON, Circuit Judge (dissenting).

The opinion of the district court in this case<sup>1</sup> is so lucid, literate and moderate that I cannot forego expressing surprise that my brethren of the majority can find fault with it. In this dissent I shall try to avoid repeating what the lower court has so well said and to confine myself to an effort to refute the holdings of the majority where they do attack and reject the lower court's opinion.

A good place to start is the quotation made by the majority from the recent case of [Cafeteria and Restaurant Workers Union v. McElroy, 1961, 81 S.Ct. 1743](#), wherein the discussion is made of one's right to 'go to Bagdad.' I would add to the language quoted by the majority from that case the sentences which follow it:

'It is the petitioner's claim that due process in this case required that Rachel Brawner be advised of the specific grounds for her exclusion and be accorded a hearing at which she might refute them. We are satisfied, however, that under the circumstances of this case such a procedure was not constitutionally required.

'The Fifth Amendment does not require a trial-type hearing in every conceivable case of government impairment of private interests. \* \* \* The very nature of due process negates any concept of inflexible procedures universally applicable to every imaginable situation. \* \* \* 'Due process,' unlike some legal rules, is not a technical conception with a fixed content unrelated to time, place and circumstances.' It is 'compounded of history, reason, the past course of decisions \* \* \*' [Joint Anti-Fascist \(Refugee\) Comm \(ittee\) v. McGrath, 341 U.S. 123, 162-163 \(71 S.Ct. 624, 643, 95 L.Ed. 817\)](#) (concurring opinion).

'As these and other cases make clear, consideration of what procedure due process may require under any given set of circumstances must begin with a determination of the precise nature of the government \*160 function involved as well as of the private interest that has been affected by governmental action. Where it has been possible to characterize that private interest (perhaps in over-simplification) as a mere privilege subject to the Executive's plenary power, it has traditionally been held that notice and hearing are not constitutionally required.

\* \* \*<sup>2</sup>

The failure of the majority to follow the reasoning of *McElroy*, supra, results, in my opinion, from a basic failure to understand the nature and mission of schools. The problem presented is *sui generis*.

Everyone who has dealt with schools knows that it is necessary to make many rules governing the conduct of those who attend them, which do not reach the concept of criminality but which are designed to regulate the relationship between school management and the student based upon practical and ethical considerations which the courts know very little about and with which they are not equipped to deal. To extend the injunctive power of federal courts to the problems of day to day dealings between school authority and student discipline and morale is to add to the now crushing responsibilities of federal functionaries, the necessity of qualifying as a Gargantuan aggregation of wet nurses or baby sitters. I do not believe that a balanced consideration of the problem with which we are dealing contemplates any such extreme attitude. Indeed, I think that the majority has had to adopt the minority view of the courts in order to reach the determination it has here announced.

Nor do I find of favorable (to the majority) significance the introductory sentence quoted by it from the annotation in 58 A.L.R. at page 909.<sup>3</sup> The quoted statement implies, rather, that there is no case where a student at a public college or university has taken the position that he was entitled to a hearing before being expelled. More in point, it seems to me, is the addition to the text found on page 4 of the July 1961 pocket part of *American Jurisprudence*, Vol. 55, § 22, page 16, of the article on *Universities and Colleges*. I quote the closing sentences of 55 Am.Jur., § 22, pp. 15-16 of that article, adding the paragraph appearing in the pocket part:

\* \* \* Where the conduct of a student is such that his continued presence in the school will be disastrous to its proper discipline and to the morals of the other pupils, his expulsion is justifiable. Only where it is clear that such an action with respect to a student has not been an honest exercise of discretion, or has \*161 arisen from some motive extraneous to the purposes committed to that discretion, may the courts be called upon for relief.

‘There is a conflict of authority as to whether notice of the charges and hearing are required before suspensions or expulsion of a student. Assuming that a student is entitled

to a hearing prior to his expulsion from an institution of learning, the authorities are not in agreement as to what kind of hearing must be given to him. A few cases hold that he is entitled to a formal hearing clothed with all the attributes of a judicial hearing. However, the weight of authority is to the effect that no formal hearing is required.’

The general rule covering the subtitle ‘Government and Discipline’ in the general treatise on *Colleges and Universities* is thus stated in the black-typed summary of the law in Vol. 14 C.J.S. *Colleges and Universities*, § 26, page 1360:

‘Broadly speaking, the right of a student to attend a public or private college or university is subject to the condition that he comply with its scholastic and disciplinary requirements, and the proper college authorities may in the exercise of a broad discretion formulate and enforce reasonable rules and regulations in both respects. The courts will not interfere in the absence of an abuse of such discretion.’

All of these expressions of the general rule seem to me to justify and require our adherence to that rule under the facts of this case. The majority opinion sets out many of them, but I think its statement should be supplemented and set forth in chronological order.

Appellants and other members of the student body of Alabama State College had, for a period prior to the happenings outlined, been attending meetings at Negro churches and other places where outsiders, including professional agitators, had been counseling that the students of that institution engage in ‘demonstrations.’ Appellants, along with a total of between twenty-nine and thirty-five students of the college, proceeded en masse into a snack bar in the basement of the county court house at Montgomery, Alabama, seating themselves in the privately owned facility so as to occupy nine tables. The lady in charge of the eating place asked them to depart and they refused. Officers were called and, upon their arrival, they first asked that all white patrons leave the premises, which was promptly done. The Negroes refused their request to leave until the lights were put out, whereupon they proceeded to the hall of the court house. Inasmuch as they were blocking ingress and egress therefrom, they were ordered by the officers to take their stands against the walls, which they did. They remained in the court house about one and one-half hours following

their entrance about 11:00 A.M. They refused to give their names to reporters who interviewed them. The occurrence took place on February 25, 1960.

The president of the college, H. Councill Trenholm, investigated the occurrence at the direction of the governor of Alabama and made his report and recommendation to the State Board of Education. About five o'clock on the afternoon of the occurrence he had released a mimeographed statement making an appeal to the students and staff that they 'refrain from any activities which may have a damaging effect upon the reputation and relationships of college and \* \* \* have concern that there not be any type of further involvement of any identified student of Alabama State College.' He reported that, from his investigation conducted on the campus, it was his opinion that twenty-nine students who were the leaders in the activities he had investigated were subject to expulsion.<sup>4</sup>

**\*162** On February 26, 1960, several hundred students, including appellants, staged another demonstration at the Montgomery Court House by attending a trial where a fellow student was charged with perjury to which he pled guilty. The several hundred demonstrators marched around the court house and then walked, two by two, back to the college about two miles away. A snapshot received in evidence depicted a mob-like gathering, on the college campus on the same day, of a large number of students ganged about the college president of thirty-five years tenure. The expressions on the faces of the participants, including at least some of appellants, portrayed a group in the grip of anger, exhibiting a threatening and menacing attitude. The scene spoke more eloquently to the trial court of the spirit and attitude of the appellants and the followers they had gathered than many reams of oral testimony could have.

February 27, several hundred Negro college students, including appellants, staged mass demonstrations in Montgomery and Tuskegee, some of which were attended by violence. On the same day a large group of students from the college, including appellants, gathered at a Negro church and one of appellants, Bernard Lee, filed a petition with the governor in which it was stated, among other things: 'We strongly feel that our conduct was not of such that we should owe our college or state an apology. If our conduct has disturbed you or President Trenholm, we regret this. But we have no sense of shame or regret for our conduct \* \* \*'

On the same day the governor was advised by the college president that he had called upon members of the student body to behave themselves and return to classes and had urged the students not to engage in conduct which might cause racial disturbances. A like plea was made by the Attorney General of Alabama both to white and colored people. March 1, 1960, at about 8:00 A.M., approximately six hundred students of the college marched to the steps of the state capitol, where student leaders, including appellants, made addresses calling on all the students to boycott and strike against the college if any students were expelled. The gathering was policed by a number of the state officials to prevent untoward incidents.

March 2, 1960, the States Board of Education met and heard Dr. Trenholm's report, ordering the nine students mentioned above to be expelled and twenty to be placed on probation. The Board had the benefit of reports made by agents of the Department of Public Safety, which revealed the names of the demonstrators and of their leaders, as well as that of college president and of the governor who had witnessed portions of the demonstrations.

March 3, 1960, the date of the expulsion order, about two thousand Negro students staged a demonstration at a church near the college campus at which appellants were the leaders. They urged the students to refrain from returning to classes and from registration for the new term, and publicly denounced the State Board and the college administration. The students stayed away from classes and milled about the campus in general disorder.

These events all transpired before the expulsion of appellants. But the 'demonstrations' did not cease. March 4, a wildly cheering crowd of Negro students gathered at a church and were addressed by one or more agitators of national prominence, and an appeal was made for a meeting the following Sunday on the steps of the state capitol. At the meeting, one or more of appellants and a number of other students were very critical of the governor and the college administration.

**\*163** March 5, 1960, appellant Bernard Lee, representing the demonstrators, sent a telegram to the president of the student body at Tuskegee urging them to join in the demonstrations.

March 6, 1960, several thousand Negroes, including appellants and hundreds of the students of the college assembled near the steps of the capitol and approximately

ten thousand white people gathered in the same vicinity. A large gathering of city and county officers and the use of fire hose finally avoided an open clash between the two groups. For a number of days following, there were demonstrations on the campus of the college accompanied by some violence and some arrests were made by the police.

March 11, the entire group which had initiated the demonstrations were convicted and fined. Several months later, appellants and several other students were still engaged in constant efforts to stir up trouble and dissension among the students and faculty of the college.

After appellants were expelled a document signed by one of them, on behalf of the executive committee of the student body, issued a public call to the student body of every school in Alabama, in the South and in the nation to support the appellants, and the same document called upon parents, teachers and the people of the nation to give them support.

Each of the appellants had, in his application for admission to the college, agreed in writing to abide by college policies and regulations relating to admission, attendance, conduct, withdrawal or dismissal.

A part of the foregoing recital is taken from the affidavit of Governor Patterson of Alabama. It was attached to and offered as a portion of the answer of appellees to the complaint and the motion for preliminary injunction. This motion was considered along with all of the other motions filed and with the hearing of witnesses and was included in the order from which this appeal was taken. The affidavit was competent evidence even in a court. [Rule 43\(e\) F.R.Civ.P., 28 U.S.C.A.](#)

The opinion of the majority stresses that definite proof was not made of the attendance of all of the appellants at all of the 'demonstrations' (the work is taken from the testimony of the only appellant who testified in the court below). I think that ample showing was made to establish that the appellants were at all of the demonstrations and were the ringleaders of them. They participated in the enterprise as joint venturers from the start and every document emanating from them showed the adhesiveness of the group.

It is interesting to find what the majority considers to be the significance of an assumed absence of proof in the light of the fact that only one of the appellants took the witness

stand in the court below, although they all announced at the outset that they were ready for trial and manifestly were present in court. Their presence and participation in all which transpired was shown by believable evidence and circumstances and stand wholly undenied. In a recent case charging a fraudulent civil conspiracy against a defendant<sup>5</sup> where the proof was very slim, this Court speaking through Judge Rives, stated the rule as follows:

'Certainly, the proof was sufficient to make out a prima facie case of appellant's involvement in each of the transactions and liability to respond civilly in liquidated damages under the statute; \* \* \* his failure either to take the stand, or show that he was unable to testify, or even to offer any excuse whatever for his failure to testify in explanation of suspicious facts and circumstances peculiarly within his knowledge, fairly warrants the inference that his testimony, if produced, would have been adverse.' See to the same effect these additional cases from this Circuit: [United States v. Leveson, 1959, 262 F.2d 659](#); \*164 [United States v. Marlowe, 1956, 235 F.2d 366](#); [Williams v. United States, 1952, 199 F.2d 921](#); [Paudler v. Paudler, 1950, 185 F.2d 901](#), certiorari denied 341 U.S. 920, 71 S.Ct. 742, 95 L.Ed. 1354; and [United States v. Priola, 1959, 272 F.2d 589](#).

A fortiori, in an equity case where parties are seeking the extreme remedy of injunction against state officers, it does not lie in the mouths of appellants to decry the weakness of the opposition proof when they, having all the facts in their possession, sit silently by when challenged by assertions which it behooved them to refute if they would support their case. They were accused and convicted by competent proof, including a picture and writings authored by them, of public boorishness, of defying the authority of the officials of their school and state, of blatant insubordination, of endeavoring to disrupt the school they had agreed to support with loyalty, as well as to break up other schools, and had openly incited to riot; and when their time came to speak, they stood mute, offering only one of their group along with the college president and two newspaper reporters as witnesses.

Before they were notified of their expulsion they had issued public statements admitting everything which was the basis of their expulsion, and had disclosed everything they could have brought forward in any hearing which might have been given them before they were notified that their conduct required their separation from connection with the college. It is difficult to perceive the validity of the

argument that they were not given a hearing when, called upon to refute proof offered against them and themselves carrying the burden of proof throughout, they failed to say a word in their defense.

We are trying here the actions of State officials, which actions we are bound to invest with every presumption of fairness and correctness. Certainly the Board had before it a responsible and credible showing which justified their finding that these appellants were guilty of wilful disobedience of the rules and directives of the head of the college they were attending and of conduct prejudicial to the school and unbecoming a student or future teacher in the schools of Alabama, as well as of insubordination and insurrection and inciting other peoples to like conduct. It is undisputed that the Board made a leisurely and careful investigation and passed its judgment in entire good faith. The State of Alabama had no statute and the school had no rule or regulation requiring any other hearing than that which was had, and the Board was entirely justified in declining 'to continue to accept responsibility for the supervision and service to any student with whom the relationship becomes unpleasant and difficult.' It is worth noting, too, that President Trenholm, testifying as a witness for appellants, stated that the rules of the school had been in effect more than thirty years; and that there was no requirement in them for notice or hearing and that prior practices did not include such as a precedent.

It is undisputed that failure to act as the Board did act would have resulted in a complete disruption of discipline and probable breaking up of a school whose history ran back many years, and whose president had held the position for thirty-five years. If he and the School Board had done less, they would, in my opinion, have been recreant to their duties. The moderate action they took did bring order out of chaos and enable the school to continue operation.

I do not feel that we are called upon here to volunteer our ideas of procedure in separating students from state colleges and universities. I think each college should make its own rules and should apply them to the facts of the case before it, and that the function of a court would be to test their validity if challenged in a proper court proceeding.

A sane approach to a problem whose facts are closely related to the one before us was made by the United States Court of Appeals for the Second Circuit in [Steier v. New](#)

[York State Education Commission et al.](#), 1959, 271 F.2d 13. Its attitude is thus epitomized on page 18:

'Education is a field of life reserved to the individual states. The \*165 only restriction the Federal Government imposes is that in their educational program no state may discriminate against an individual because of race, color or creed.

'As so well stated by Judge Wyzanski in [Cranney v. Trustees of Boston University, D.C.](#), 139 F.Supp. 130, to expand the Civil Rights Statute so as to embrace every constitutional claim such as here made would in fact bring within the initial jurisdiction of the United States District Courts that vast array of controversies which have heretofore been raised in state tribunals by challenges founded upon the 14th Amendment to the United States Constitution. It would be arrogating to (the) United States District Courts that which is purely a State Court function. Conceivably every State College student, upon dismissal from such college, could rush to a Federal Judge seeking review of the dismissal.

'It is contrary to the Federal nature of our system-contrary to the concept of the relative places of States and Federal Courts.

'Whether or not we would have acted as did the Administrator of Brooklyn College in dismissing the plaintiff matters not. For a Federal District Court to take jurisdiction of a case such as this would lead to confusion and chaos in the entire field of jurisprudence in the states and in the United States.'

Certainly I think that the filing of charges, the disclosure of names of proposed witnesses, and such procedures as the majority discusses are wholly unrealistic and impractical and would result in a major blow to our institutions of learning. Every attempt at discipline would probably lead to a cause celebre, in connection with which federal functionaries would be rushed in to investigate whether a federal law had been violated. I think we would do well to bear in mind the words of Mr. Justice Jackson:<sup>6</sup>

'\* \* \* no local agency which is subject to federal investigation, inspection, and discipline is a free agency. I cannot say that our country could have no central police without becoming totalitarian, but I can say with great conviction that it cannot become totalitarian without a centralized national police.'

I think, moreover, that, in these troublous times, those in positions of responsibility in the federal government should bear in mind that the maintenance of the safety, health and morals of the people is committed under our system of government to the states. More than a hundred year ago Chief Justice Marshall<sup>7</sup> stated the principle in these words:

‘The power to direct the removal of gunpowder is a branch of the police power, which unquestionably remains, and ought to remain, with the states.’

I dissent.

**All Citations**

294 F.2d 150

**Footnotes**

- 1 The complaint alleges that ‘Defendant Trenholm on March 4, 1960, notified plaintiffs of their expulsion effective March 5, 1960, without any notice, hearing, or appeal,’ and further avers:  
‘Expulsion from Alabama State College came without warning, notice of charges, opportunity to appear before defendants or at any other hearing, opportunity to offer testimony in defense, cross-examination of accusers, appeal, or other opportunity to defend plaintiff’s right not to be arbitrarily expelled from defendant College. Defendants’ expulsion order, issued by the defendants functioning under the statutes, laws and regulations of the State of Alabama, thereby deprived plaintiffs of rights protected by the due process clause of the Fourteenth Amendment to the United States Constitution.’  
To this averment the defendants respond:  
\* \* \* that the facts set forth in plaintiffs’ complaint show no violation of the due process clause of the Fourteenth Amendment to the Constitution of the United States; that plaintiffs have no constitutional right to attend Alabama State College; that the facts stated by plaintiffs in their complaint show that this Court is without jurisdiction for no arbitrary action is alleged except as conclusions unsupported by the facts alleged; that the defendants determined in good faith and within their authority as the governing authorities of Alabama State College that the expulsions of the plaintiffs were for the best interests of the college and based upon undisputed conduct of plaintiffs while students at said college.’  
As will appear later in this opinion, the issue thus squarely presented by the pleadings was fully developed in the evidence.
- 2 Letter from Alabama State College, Montgomery, Alabama, dated March 4, 1960, signed by H. Council Trenholm, President:  
‘Dear Sir:  
‘This communication is the official notification of your expulsion from Alabama State College as of the end of the 1960 Winter Quarter.  
‘As reported through the various news media, The State Board of Education considered this problem of Alabama State College at its meeting on this past Wednesday afternoon. You were one of the students involved in this expulsion-directive by the State Board of Education. I was directed to proceed accordingly.  
‘On Friday of last week, I had made the recommendation that any subsequently-confirmed action would not be effective until the close of this 1960 Winter Quarter so that each student could thus have the opportunity to take this quarter’s examinations and to qualify for as much OH-Pt credit as possible for the 1960 Winter Quarter.  
‘The State Board of Education, which is made responsible for the supervision of the six higher institutions at Montgomery, Normal, Florence, Jacksonville, Livingston, and Troy (each of the other three institutions at Tuscaloosa, Auburn and Montevallo having separate boards) includes the following in its regulations (as carried in page 32 of The 1958-59 Registration-Announcement of Alabama State College):  
‘Pupils may be expelled from any of the Colleges:  
“a. For willful disobedience to the rules and regulations established for the conduct of the schools.  
“b. For willful and continued neglect of studies and continued failure to maintain the standards of efficiency required by the rules and regulations.  
“c. For Conduct Prejudicial to the School and for Conduct Unbecoming a Student or Future Teacher in Schools of Alabama, for Insubordination and Insurrection, or for Inciting Other Pupils to Like Conduct.  
“d. For any conduct involving moral turpitude.”  
In the notice received by each of the students paragraph ‘c,’ just quoted, was capitalized.
- 3 ‘On the 25th day of February, 1960, the six plaintiffs in this case were students in good standing at the Alabama State College for Negroes in Montgomery, Alabama \* \* \* On this date, approximately twenty-nine Negro students,

including these six plaintiffs, according to a prearranged plan, entered as a group a publicly owned lunch grill located in the basement of the county courthouse in Montgomery, Alabama, and asked to be served. Service was refused; the lunchroom was closed; the Negroes refused to leave; police authorities were summoned; and the Negroes were ordered outside where they remained in the corridor of the courthouse for approximately one hour. On the same date, John Patterson, as Governor of the State of Alabama and as chairman of the State Board of Education, conferred with Dr. Trenholm, a Negro educator and president of the Alabama State College, concerning this activity on the part of some of the students. Dr. Trenholm was advised by the Governor that the incident should be investigated, and that if he were in the president's position he would consider expulsion and/or other appropriate disciplinary action. On February 26, 1960, several hundred Negro students from the Alabama State College, including several if not all of these plaintiffs, staged a mass attendance at a trial being held in the Montgomery County Courthouse, involving the perjury prosecution of a fellow student. After the trial these students filed two by two from the courthouse and marched through the city approximately two miles back to the college. On February 27, 1960, several hundred Negro students from this school, including several if not all of the plaintiffs in this case, staged mass demonstrations in Montgomery and Tuskegee, Alabama. On this same date, Dr. Trenholm advised all of the student body that these demonstrations and meetings were disrupting the orderly conduct of the business at the college and were affecting the work of other students, as well as work of the participating students. Dr. Trenholm personally warned plaintiffs Bernard Lee, Joseph Peterson and Elroy Embry, to cease these disruptive demonstrations immediately, and advised the members of the student body at the Alabama State College to behave themselves and return to their classes. \* \* \*

'On or about March 1, 1960, approximately six hundred students of the Alabama State College engaged in hymn singing and speech making on the steps of the State Capitol. Plaintiff Bernard Lee addressed students at this demonstration, and the demonstration was attended by several if not all of the plaintiffs. Plaintiff Bernard Lee at this time called on the students to strike and boycott the college if any students were expelled because of these demonstrations.'

FN'4 (Same as footnote 2, supra, of this opinion.)'

4 The plaintiff Dixon testified:

'Q. Now on the day- from February 25 until the date that you received your letter of expulsion, which you have already identified, will you tell the Court whether any person at the College gave you any official notice that your conduct was unbecoming as a student of Alabama State College? A. No.

'Q. Did the president or any other person at the College arrange for any type of hearing where you had an opportunity to present your side prior to the time you were expelled? A. No.

'Q. Your answer was no? A. No.'

The testimony of Governor Patterson, Chairman of the State Board of Education, was in accord:

'Q. Did the State Board of Education, prior to the time it expelled the plaintiffs, give them an opportunity to appear either before the College or before the Board in order to present their sides of this pic- of this incident? A. No, other than receiving the report from Dr. Trenholm about it.

'Q. Did the Board direct Dr. Trenholm to give the students formal notice of why they were expelled? A. No, the Board- the Board passed a resolution instructing Dr. Trenholm to expel the students and put twenty on probation, and Dr. Trenholm carried that out.'

State Superintendent of Education Stewart testified:

'Q. Were these students given any type of hearing, or were formal charges filed against them before they were expelled? A. They were- Dr. Trenholm expelled the students; they weren't given any hearing.

'Q. No hearing? A. I don't think they would be given a hearing in any of our schools in this State; if they couldn't behave themselves, I think they should go home.

'Q. Do you- were they warned at all prior to expulsion? A. Not as I know of; I can't answer that question. Dr. Trenholm was in the meeting, and that afternoon after the Board meeting, he was given the- the decision, and he was the one who took action.

'Q. When the State Board of Education expels a student, is there any possibility of appeal or any opportunity for him to present his side of the story? A. I never have heard of it.'

5 [People ex rel. Bluett v. Board of Trustees of University of Illinois](#), 10 Ill.App.2d 207, 134 N.E.2d 635, 58 A.L.R.2d 899.  
1 1960, 186 F.Supp. 945.

2 The dissenting opinion in that case contains language which further illuminates the problem before us:

\* \* \* But the Court goes beyond that. It holds that the mere assertion by government that exclusion is for a valid reason forecloses further inquiry. That is, unless the government official is foolish enough to admit what he is doing- and few

will be so foolish after today's decision- he may employ 'security requirements' as a blind behind which to dismiss at will for the most discriminatory of causes.

'Such a result in effect nullifies the substantive right- not to be arbitrarily injured by Government- which the Court purports to recognize. \* \* \* For under today's holding petitioner is entitled to no process at all. She is not told what she did wrong; she is not given a chance to defend herself. She may be the victim of the basest calumny, perhaps even the caprice of the government officials in whose power her status rested completely. In such a case, I cannot believe that she is no entitled to some procedures.

"The right to be heard before being condemned to suffer grievous loss of any kind, even though it may not involve the stigma and hardships of a criminal conviction, is a principle basic to our society." (Citing McGrath, supra.)

3 'The cases involving suspension or expulsion of a student from a public college or university all involve the question whether the hearing given to the student was adequate. In every instance the sufficiency of the hearing was upheld.'

4 The governor recommended, however, that only Bernard Lee, Norfolk, Va.; St. John Dixon, National City, Cal.; Edward E. Jones, Pittsburg, Pa.; Leon Rice, Chicago, Ill.; Howard Shipman, New York, N.Y.; Elroy Emory, Ragland, Ala.; James McFadden, Prichard, Ala.; Joseph Peterson, Newcastle, Ala.; Marzette Watts, Montgomery, Ala., be expelled at the end of the current term and that the remainder be placed on probation and allowed to remain in school pending good behavior.

5 [Daniel v. United States](#), 5 Cir., 1956, 234 F.2d 102, 106, certiorari denied 352 U.S. 971, 77 S.Ct. 362, 1 L.Ed.2d 324.

6 'The Supreme Court in the American System of Government,' p. 70.

7 [Brown v. Maryland](#), 1827, 12 Wheat. 419, 6 L.Ed. 678.

---

End of Document

© 2016 Thomson Reuters. No claim to original U.S. Government Works.



Questioned

As of: September 1, 2017 4:19 PM Z

## Goss v. Lopez

Supreme Court of the United States

October 16, 1974, Argued ; January 22, 1975, Decided

No. 73-898

### Reporter

419 U.S. 565 \*; 95 S. Ct. 729 \*\*; 42 L. Ed. 2d 725 \*\*\*; 1975 U.S. LEXIS 23 \*\*\*\*

GOSS ET AL. v. LOPEZ ET AL.

**Prior History:** [\*\*\*\*1] APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO.

**Disposition:** [372 F.Supp. 1279](#), affirmed.

### Core Terms

---

suspension, suspended, pupil, days, teacher, notice, procedures, discipline, requires, schools, public school, due process, misconduct, decisions, rights, school authorities, deprivation, high school, disciplinary, appellees, cases, expulsion, informal, routine, attend, public education, school official, infringement, entitlement, disruption

### Case Summary

---

#### Procedural Posture

Defendant school officials appealed from the judgment of a three-judge panel of the United States District Court for the Southern District of Ohio granting declaratory and injunctive relief upon ruling that they violated the procedural due process rights of plaintiff students under U.S. Const. amend. XIV by suspending them for alleged wrongdoing without notice or an opportunity to be heard, pursuant to Ohio Rev. Code Ann. § 3313.66 (1972).

#### Overview

Ohio law provided for a free education and compulsory school attendance of youngsters. Although § 3313.66 gave certain procedural rights to those students facing expulsion, no such procedures were provided for students facing suspensions of up to 10 days in cases of misconduct. After each of them were suspended without a prior hearing, plaintiff students brought a class action seeking injunctive and declaratory relief. The district court determined that the statutory scheme violated the students' procedural due process rights and defendant school officials appealed directly to the Supreme Court. In affirming, the Court ruled that the students had protected liberty interests in a public education that could not be taken away by suspension without the minimal procedural safeguards of notice and an opportunity to be heard, flexibly applied to the given situation. Students did not shed their constitutional rights at the schoolhouse door and the Fourteenth Amendment forbid such arbitrary deprivations of liberty as unilateral suspensions

of up to 10 days without notice and hearing. Rudimentary due process was required to ensure fairness in disciplinary truth-seeking determinations.

### **Outcome**

The judgment of the district court was affirmed.

## **LexisNexis® Headnotes**

---

Education Law > ... > Student Discipline > Misconduct > Disruptive Behavior

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Education Law > ... > Student Discipline > Disciplinary Proceedings > General Overview

Education Law > ... > Student Discipline > Disciplinary Proceedings > Appeals & Reviews

Education Law > ... > Student Discipline > Disciplinary Proceedings > Notice

Education Law > ... > Student Discipline > Methods of Discipline > Expulsions

Education Law > ... > Student Discipline > Methods of Discipline > Suspensions of Students

Education Law > ... > Student Records > Family Educational Rights & Privacy Act > Amendments & Challenges

### **[HN1](#) [↓] Misconduct, Disruptive Behavior**

Under Ohio Rev. Code Ann. § 3313.66 (1972), the principal of an Ohio public school is empowered to suspend a pupil for misconduct for up to 10 days or to expel him. In either case, he must notify the student's parents within 24 hours and state the reasons for his action. A pupil who is expelled, or his parents, may appeal the decision to the board of education and in connection therewith shall be permitted to be heard at the board meeting. The board may reinstate the pupil following the hearing. No similar procedure is provided in § 3313.66 or any other provision of state law for a suspended student.

Constitutional Law > Substantive Due Process > Scope

Governments > State & Territorial Governments > Employees & Officials

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Governments > Legislation > Statutory Remedies & Rights

### **[HN2](#) [↓] Constitutional Law, Substantive Due Process**

The Fourteenth Amendment forbids the state to deprive any person of life, liberty, or property without due process of law. Protected interests in property are normally not created by the Constitution. Rather, they are created and their dimensions are defined by an independent source such as state statutes or rules entitling the citizen to certain benefits. Accordingly, a state employee who under state law, or rules promulgated by state officials, has a legitimate claim of entitlement to continued employment absent sufficient cause for discharge may demand the procedural protections of due process. So many welfare recipients who have statutory rights to welfare as long as they maintain the specified qualifications. The limitations of the Due Process Clause also apply to governmental decisions to revoke parole, although a parolee has no constitutional right to that status, and to official cancellation of a prisoner's good-time credits accumulated under state law, although those benefits are not mandated by the Constitution.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Education Law > ... > Student Discipline > Misconduct > General Overview

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Education Law > ... > Student Discipline > Methods of Discipline > Suspensions of Students

### [HN3](#) **Procedural Due Process, Scope of Protection**

[Ohio Rev. Code Ann. §§ 3313.48](#) and 3313.64 (1972 and Supp. 1973) direct local authorities to provide a free education to all residents between five and 21 years of age, and a compulsory-attendance law, [Ohio Rev. Code Ann. § 3321.04](#) (1972), requires attendance for a school year of not less than 32 weeks. It is true that Ohio Rev. Code Ann. § 3313.66 permits school principals to suspend students for up to 10 days; but suspensions may not be imposed without any grounds whatsoever. Having chosen to extend the right to an education to certain persons generally, Ohio may not withdraw that right on grounds of misconduct, absent fundamentally fair procedures to determine whether the misconduct has occurred.

Constitutional Law > Substantive Due Process > Scope

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

### [HN4](#) **Constitutional Law, Substantive Due Process**

Young people required by compulsory attendance laws to attend school do not shed their constitutional rights at the schoolhouse door. The Fourteenth Amendment, as now applied to the states, protects the citizen against the state itself and all of its creatures -- boards of education not excepted. The authority possessed by the state to prescribe and enforce standards of conduct in its schools although very broad,

must be exercised consistently with constitutional safeguards. Among other things, the state is constrained to recognize a student's legitimate entitlement to a public education as a property interest which is protected by the Due Process Clause and which may not be taken away for misconduct without adherence to the minimum procedures required by that clause.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > General Overview

### [HN5](#) **Procedural Due Process, Scope of Protection**

The Due Process Clause, U.S. Const. amend. XIV, forbids arbitrary deprivations of liberty. Where a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him, the minimal requirements of the clause must be satisfied, including in the case of school suspensions. If sustained and recorded, charges could seriously damage the students' standing with their fellow pupils and their teachers as well as interfere with later opportunities for higher education and employment.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Education Law > ... > Student Records > Family Educational Rights & Privacy Act > Access & Inspection

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > General Overview

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Education Law > ... > Student Discipline > Disciplinary Proceedings > Due Process

### [HN6](#) **Procedural Due Process, Scope of Protection**

It is apparent that any claimed right of the state to determine unilaterally and without process whether misconduct by a public school student has occurred immediately collides with the requirements of the Due Process Clause, U.S. Const. amend. XIV, which is not limited to cases of severe detriment or grievous loss. In determining whether due process requirements apply in the first place, courts must look not to the weight but to the nature of the interest at stake. The length and consequent severity of a deprivation, while another factor to weigh in determining the appropriate form of hearing, is not decisive of the basic right to a hearing of some kind. as long as a property deprivation is not de minimis, its gravity is irrelevant to the question whether account must be taken of the Due Process Clause. A 10-day

suspension from school is not de minimis and may not be imposed in complete disregard of the Due Process Clause.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > General Overview

### [HN7](#) **Procedural Due Process, Scope of Protection**

Once it is determined that due process applies, the question remains what process is due, recognizing that the interpretation and application of the Due Process Clause, U.S. Const. amend. XIV, are intensely practical matters and that the very nature of due process negates any concept of inflexible procedures universally applicable to every imaginable situation. For instance, judicial interposition in the operation of the public school system of the nation raises problems requiring care and restraint. By and large, public education is committed to the control of state and local authorities, but there can be no doubt that at a minimum due process requires that deprivation of life, liberty or property by adjudication be preceded by notice and opportunity for hearing appropriate to the nature of the case.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Education Law > ... > Student Discipline > Disciplinary Proceedings > General Overview

Education Law > ... > Student Discipline > Disciplinary Proceedings > Time Limitations

### [HN8](#) **Procedural Due Process, Scope of Protection**

The fundamental requisite of due process is the opportunity to be heard, a right that has little reality or worth unless one is informed that the matter is pending and can choose for himself whether to contest. At the very minimum, students facing suspension and the consequent interference with a protected property interest must be given some kind of notice and afforded some kind of hearing. The timing and content of the notice and the nature of the hearing will depend on appropriate accommodation of the competing interests involved. The student's interest is to avoid unfair or mistaken exclusion from the educational process, with all of its unfortunate consequences. Disciplinarians, although proceeding in utmost good faith, frequently act on the reports and advice of others; and the controlling facts and the nature of the conduct under challenge are often disputed. The risk of error is not at all trivial, and it should be guarded against if that may be done without prohibitive cost or interference with the educational process.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Education Law > ... > Student Discipline > Disciplinary Proceedings > General Overview

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Education Law > ... > Student Discipline > Disciplinary Proceedings > Due Process

Education Law > ... > Student Discipline > Disciplinary Proceedings > Admissibility of Evidence

Education Law > ... > Student Discipline > Disciplinary Proceedings > Notice

Education Law > ... > Student Discipline > Disciplinary Proceedings > Time Limitations

Education Law > ... > Student Discipline > Methods of Discipline > General Overview

Education Law > ... > Student Discipline > Methods of Discipline > Suspensions of Students

### [HN9](#) [↓] **Procedural Due Process, Scope of Protection**

Students facing temporary suspension have interests qualifying for protection due process, which requires, in connection with a suspension of 10 days or less, that the student be given oral or written notice of the charges against him and, if he denies them, an explanation of the evidence the authorities have and an opportunity to present his side of the story. There need be no delay between the time notice is given and the time of the hearing. In the great majority of cases the disciplinarian may informally discuss the alleged misconduct with the student minutes after it has occurred. Since the hearing may occur almost immediately following the misconduct, it follows that as a general rule notice and hearing should precede removal of the student from school. However, students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from school and the necessary notice and rudimentary hearing should follow as soon as practicable.

Education Law > ... > Student Discipline > Disciplinary Proceedings > Due Process

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Education Law > Administration & Operation > Elementary & Secondary School Boards > Authority of School Boards

Education Law > ... > Student Discipline > Disciplinary Proceedings > General Overview

Education Law > ... > Student Discipline > Disciplinary Proceedings > Right to Counsel

Education Law > ... > Student Discipline > Disciplinary Proceedings > Witnesses

### [HN10](#) [↓] **Disciplinary Proceedings, Due Process**

Brief disciplinary suspensions are almost countless. To impose in each case even truncated trial-type procedures might well overwhelm administrative facilities and, by diverting resources, cost more than it would save in educational effectiveness. Moreover, further formalizing the suspension process and escalating its formality and adversary nature may not only make it too costly as a regular disciplinary tool but also destroy its effectiveness as part of the teaching process. On the other hand, requiring effective notice and informal hearing permitting the student to give his version of events will provide a meaningful hedge against erroneous action. At least the disciplinarian will be alerted to the existence of disputes about facts and arguments about cause and effect. He may then decide to summon the accuser, permit cross-examination, and allow the student to present his own witnesses. In more difficult cases, he may permit counsel. In any event, his discretion will be more informed and the risk of error substantially reduced.

## Lawyers' Edition Display

---

### Summary

An Ohio statute empowered the principal of an Ohio public school to suspend a pupil for misconduct for up to 10 days or to expel him; in either case the principal must notify the student's parents within 24 hours and state the reasons for his action. In the instant class action brought by Ohio public high school students in the United States District Court for the Southern District of Ohio, the named plaintiffs alleged that they had been suspended from public high school in Columbus, Ohio, for up to 10 days without a hearing; the action was brought against the Columbus Board of Education and various administrators of the school system under 42 USCS 1983 for deprivation of constitutional rights. The complaint sought a declaration that the statute was unconstitutional in that it permitted public school administrators to deprive plaintiffs of their right to an education without a hearing of any kind, in violation of the procedural due process clause of the Fourteenth Amendment, and also sought to enjoin the public school officials from issuing future suspensions pursuant to the statute and to require them to remove references to the past suspensions from the records of the students in question. A three-judge District Court granted the relief sought by plaintiffs ([372 F Supp 1279](#)).

On direct appeal, the United States Supreme Court affirmed. In an opinion by White, J., expressing the view of five members of the court, it was held that the Ohio statute, insofar as it permitted up to 10 days' suspension without notice or hearing, either before or after the suspension, violated the due process clause and that each suspension was therefore invalid.

Powell, J., joined by Burger, Ch.J., Blackmun and Rehnquist, JJ., dissented, expressing the view that (1) the majority decision unnecessarily opened avenues for judicial intervention in the operation of the public schools that may affect adversely the quality of education; and (2) a student's interest in education is not infringed by a suspension within the limited period prescribed by Ohio law.

## Headnotes

---

JUDGMENT §65 > construction -- opinion -- > Headnote:

[LEdHN\[1A\]](#) [1A] [LEdHN\[1B\]](#) [1B]

A judgment stating that a state statute is unconstitutional in that it provides for the suspension of a student without first affording him a hearing as required by due process of law must be read in the light of the language in the opinion which expressly contemplates that under some circumstances students may properly be removed from school before a hearing is held, so long as the hearing follows promptly.

ERROR §327 > from three-judge court -- injunctions -- > Headnote:

[LEdHN\[2\]](#) [2]

The Supreme Court has jurisdiction, under [28 USCS 1253](#), of a direct appeal from an order of a three-judge district court which, in addition to declaratory relief, granted plaintiffs' request for an injunction ordering defendant public school officials to expunge their records.

LAW §527 > due process -- public schools -- suspension of students -- > Headnote:

[LEdHN\[3A\]](#) [3A] [LEdHN\[3B\]](#) [3B] [LEdHN\[3C\]](#) [3C]

The due process clause protects students against expulsion from the public school system, since expulsion deprives them of protected interests in property and liberty.

RIGHTS §1 > creation -- > Headnote:

[LEdHN\[4\]](#) [4]

Protected interests in property are normally not created by the Federal Constitution; rather, they are created and their dimensions are defined by an independent source such as state statutes or rules entitling the citizen to certain benefits.

LAW §759 > due process -- state officials -- discharge -- > Headnote:

[LEdHN\[5\]](#) [5]

A state employee who under state law, or rules promulgated by state officials, has a legitimate claim of entitlement to continued employment absent sufficient cause for discharge may demand the procedural protections of due process.

LAW §751 > due process -- welfare benefits -- termination -- > Headnote:

[LEdHN\[6\]](#) [6]

The protection of procedural due process may be demanded, prior to the administrative termination of public assistance payments, by welfare recipients who have statutory rights to welfare as long as they maintain the specified qualifications.

SCHOOLS §1 > students' misconduct -- fair procedures -- > Headnote:

[LEdHN\[7\]](#) [7]

Having chosen to extend the right to an education to public school students, a state may not withdraw that right on grounds of misconduct absent fundamentally fair procedures to determine whether the misconduct has occurred.

LAW §314 > SCHOOLS §1 > children -- protection -- > Headnote:

[LEdHN\[8\]](#) [8]

Children do not shed their constitutional rights at the schoolhouse door; the Fourteenth Amendment, as applied to the states, protects the citizen against the state itself and all of its creatures, boards of education not excepted.

LAW §538 > SCHOOLS §1 > state's authority -- due process -- > Headnote:

[LEdHN\[9\]](#) [9]

The authority possessed by a state to prescribe and enforce standards of conduct in its schools, although very broad, must be exercised consistently with constitutional safeguards; among other things, the state is constrained to recognize a student's legitimate entitlement to a public education as a property interest which is protected by the due process clause and which may not be taken away for misconduct without adherence to the minimum procedures required by that clause.

LAW §525 > due process -- deprivation of liberty -- > Headnote:

[LEdHN\[10\]](#) [10]

The due process clause forbids arbitrary deprivations of liberty; where a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him, the minimal requirements of the clause must be satisfied.

SCHOOLS §1 > students' suspension -- without process -- > Headnote:

[LEdHN\[11\]](#) [11]

A state's claimed right to determine unilaterally and without process whether misconduct justifying a public school student's 10-days' suspension has occurred immediately collides with the requirements of the Federal Constitution, since if sustained and recorded, the charges of misconduct could seriously damage the students' standing with their fellow pupils and their teachers as well as interfere with later opportunities for higher education and employment.

LAW §514 > due process -- interest at stake -- > Headnote:

[LEdHN\[12\]](#) [12]

To determine whether due process requirements apply, courts must not look to the "weight," but to the nature, of the interest at stake.

LAW §787 > due process -- property deprivation -- hearing -- > Headnote:

[LEdHN\[13\]](#) [13]

While the length and consequent severity of the deprivation of a property right may be a factor to weigh in determining the appropriate form of hearing required by due process, it is not decisive of the basic right to a hearing of some kind.

LAW §529 > due process -- property deprivation -- de minimis -- > Headnote:

[LEdHN\[14\]](#) [14]

As long as a property deprivation is not de minimis, its gravity is irrelevant to the question whether account must be taken of the due process clause.

LAW §538 > due process -- pupil's 10-day suspension -- > Headnote:

[LEdHN\[15\]](#) [15]

A student's 10-day suspension from a public school is not a de minimis property deprivation and may not be imposed in complete disregard of the due process clause.

SCHOOLS §1 > public -- students' suspension -- > Headnote:

[LEdHN\[16\]](#) [16]

Neither the property interest in educational benefits temporarily denied nor the liberty interest in reputation is so insubstantial that a student's suspension from a public school may constitutionally be imposed by any procedure the school chooses, no matter how arbitrary.

LAW §514 > due process -- meaning -- > Headnote:

[LEdHN\[17\]](#) [17]

The interpretation and application of the due process clause are intensely practical matters and the very nature of due process negates any concept of inflexible procedures universally applicable to every imaginable situation.

SCHOOLS §1 > judicial interposition -- > Headnote:

[LEdHN\[18\]](#) [18]

Judicial interposition in the operation of the public school system of the nation raises problems requiring care and restraint; by and large, public education is committed to the control of state and local authorities.

LAW §786 > due process -- notice and hearing -- > Headnote:

[LEdHN\[19\]](#) [19]

The due process clause requires at a minimum that deprivation of life, liberty or property by adjudication be preceded by notice and opportunity for hearing appropriate to the nature of the case.

LAW §786 > due process -- hearing -- notice -- sufficiency -- > Headnote:

[LEdHN\[20\]](#) [20]

The fundamental requisite of due process of law is the opportunity to be heard, a right that has little reality or worth unless one is informed that the matter is pending and can choose for himself whether to contest.

LAW §818 > due process -- public schools -- students' suspension -- > Headnote:

[LEdHN\[21\]](#) [21]

As a matter of due process, students facing suspension and the consequent interference with a protected property interest must, at the very minimum, be given some kind of notice, and afforded some kind of hearing, by the school authorities.

LAW §786 > notice -- hearing -- > Headnote:

[LEdHN\[22\]](#) [22]

As a matter of due process, parties whose rights are to be affected are entitled to be heard; and in order that they may enjoy that right they must first be notified.

LAW §787 > notice -- content -- hearing -- > Headnote:

[LEdHN\[23\]](#) [23]

The timing and content of the notice, and the nature of the hearing, required by due process depends on appropriate accommodation of the competing interests involved.

SCHOOLS §1 > student's suspension -- hearing -- > Headnote:

[LEdHN\[24A\]](#)[\[↓\]](#) [24A] [LEdHN\[24B\]](#)[\[↓\]](#) [24B]

Even though the suspension of students was imposed during a time of great difficulty for the school administrations involved, and at least in the case of one student there may have been an immediate need to send home every one in the lunchroom in order to preserve school order and property, and even though the administrative burden of providing hearings of any kind for a great number of students is considerable, nevertheless neither factor justifies a disciplinary suspension without at any time gathering facts relating to the one student specifically, confronting him with them, and giving him an opportunity to explain.

LAW §527 > students -- temporary suspension -- > Headnote:

[LEdHN\[25\]](#)[\[↓\]](#) [25]

Students facing temporary suspension have interests qualifying for protection of the due process clause.

LAW §818 > due process -- public school students -- temporary suspension -- > Headnote:

[LEdHN\[26\]](#)[\[↓\]](#) [26]

In connection with public school students' suspension of 10 days or less, the due process clause requires that the student be given oral or written notice of the charges against him and, if he denies them, an explanation of the evidence the school authorities have and an opportunity to present his side of the story; the due process clause requires at least these rudimentary precautions against unfair or mistaken findings of misconduct and arbitrary exclusion from school, under the following rules: (1) there need be no delay between the time "notice" is given and the time of the hearing; (2) in the great majority of cases the disciplinarian may informally discuss the alleged misconduct with the student minutes after it has occurred; (3) in being given an opportunity to explain his version of the facts at this discussion, the student first must be told what he is accused of doing and what the basis of the accusation is; (4) since the hearing may occur almost immediately following the misconduct, notice and hearing should, as a general rule, precede the removal of the student from the school; (5) however, there are recurring situations in which prior notice and hearing cannot be insisted upon; (6) students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from school; and (7) in such cases, the necessary notice and rudimentary hearing should follow as soon as practicable.

LAW §818 > due process -- public schools -- student's suspension -- notice and hearing -- > Headnote:

[LEdHN\[27\]](#)[\[↓\]](#) [27]

Due process is violated by a state statute insofar as it, by empowering the principal of a public school to suspend a pupil for misconduct for up to 10 days and requiring notification of only his parents, permits suspensions for not more than 10 days without notice or hearing either before or after the suspension, and such a suspension is invalid.

## **Syllabus**

---

Appellee Ohio public high school students, who had been suspended from school for misconduct for up to 10 days without a hearing, brought a class action against appellant school officials seeking a declaration that the Ohio statute permitting such suspensions was unconstitutional and an order enjoining the officials to remove the references to the suspensions from the students' records. A three-judge District Court declared that appellees were denied due process of law in violation of the Fourteenth Amendment because they were "suspended without hearing prior to suspension or within a reasonable time thereafter," and that the statute and implementing regulations were unconstitutional, and granted the requested injunction.

*Held:*

1. Students facing temporary suspension from a public school have property and liberty interests that qualify for protection under the Due Process Clause of the Fourteenth Amendment. Pp. 572-576.

(a) Having chosen to extend the right to an education to people of appellees' class generally, Ohio may not withdraw that right on grounds [\*\*\*\*2] of misconduct, absent fundamentally fair procedures to determine whether the misconduct has occurred, and must recognize a student's legitimate entitlement to a public education as a property interest that is protected by the Due Process Clause, and that may not be taken away for misconduct without observing minimum procedures required by that Clause. Pp. 573-574.

(b) Since misconduct charges if sustained and recorded could seriously damage the students' reputation as well as interfere with later educational and employment opportunities, the State's claimed right to determine unilaterally and without process whether that misconduct has occurred immediately collides with the Due Process Clause's prohibition against arbitrary deprivation of liberty. Pp. 574-575.

(c) A 10-day suspension from school is not *de minimis* and may not be imposed in complete disregard of the Due Process Clause. Neither the property interest in educational benefits temporarily denied nor the liberty interest in reputation is so insubstantial that suspensions may constitutionally be imposed by any procedure the school chooses, no matter how arbitrary. Pp. 575-576.

2. Due process requires, in connection [\*\*\*\*3] with a suspension of 10 days or less, that the student be given oral or written notice of the charges against him and, if he denies them, an explanation of the evidence the authorities have and an opportunity to present his version. Generally, notice and hearing should precede the student's removal from school, since the hearing may almost immediately follow the misconduct, but if prior notice and hearing are not feasible, as where the student's presence endangers persons or property or threatens disruption of the academic process, thus justifying immediate removal from school, the necessary notice and hearing should follow as soon as practicable. Pp. 577-584.

**Counsel:** Thomas A. Bustin argued the cause for appellants. With him on the briefs were James J. Hughes, Jr., Robert A. Bell, and Patrick M. McGrath.

Peter D. Roos argued the cause for appellees. With him on the brief were Denis Murphy and Kenneth C. Curtin.\*

[\*\*\*\*4]

**Judges:** WHITE, J., delivered the opinion of the Court, in which DOUGLAS, BRENNAN, STEWART, and MARSHALL, JJ., joined. POWELL, J., filed a dissenting opinion, in which BURGER, C. J., and BLACKMUN and REHNQUIST, JJ., joined, post, p. 584.

**Opinion by:** WHITE

## Opinion

---

[\*567] [\*\*\*730] [\*\*732] MR. JUSTICE WHITE delivered the opinion of the Court.

This appeal by various administrators of the Columbus, Ohio, Public School System (CPSS) challenges the judgment of a three-judge federal court, declaring that appellees -- various high school students in the CPSS -- were denied due process of law contrary to the command of the Fourteenth Amendment in that they were temporarily suspended from their high schools without a hearing either prior to suspension or within a reasonable time thereafter, and enjoining the administrators to remove all references to such suspensions from the students' records.

I

Ohio law, Rev. Code Ann. § 3313.64 (1972), provides for free education to all children between the ages of six and 21. [HN1](#)<sup>[↑]</sup> Section 3313.66 of the Code empowers the principal of an Ohio public school to suspend a pupil for misconduct for up to 10 days or to expel him. In either case, he must notify the student's parents within [\*\*\*\*5] 24 hours and state the reasons for his action. A pupil who is expelled, or his parents, may appeal the decision to the Board of Education and in connection therewith shall be permitted to be heard at the board meeting. The Board may reinstate the pupil following the hearing. No similar procedure is provided in § 3313.66 or any other provision of state law for a suspended student. Aside from a regulation tracking the statute, at the time of the imposition of the suspensions in this case the [\*\*\*731] CPSS [\*\*733] itself had not issued any written procedure applicable to suspensions.

<sup>1</sup> [\*\*\*\*6] Nor, so far as the record reflects, had any of [\*568] the individual high schools involved in this

---

\* John F. Lewis filed a brief for the Buckeye Association of School Administrators et al. as amici curiae urging reversal.

Briefs of amici curiae urging affirmance were filed by David Bonderman, Peter Van N. Lockwood, Paul L. Tractenberg, David Rubin, and W. William Hodes for the National Committee for Citizens in Education et al.; by Alan H. Levine, Melvin L. Wulf, and Joel M. Gora for the American Civil Liberties Union; by Robert H. Kapp, R. Stephen Browning, and Nathaniel R. Jones for the National Association for the Advancement of Colored People et al.; and by Marian Wright Edelman for the Children's Defense Fund of the Washington Research Project, Inc., et al.

<sup>1</sup> At the time of the events involved in this case, the only administrative regulation on this subject was § 1010.04 of the Administrative Guide of the Columbus Public Schools which provided: "Pupils may be suspended or expelled from school in accordance with the provisions of **Section 3313.66** of the Revised Code." Subsequent to the events involved in this lawsuit, the Department of Pupil Personnel of the CPSS issued three memoranda relating to suspension procedures, dated August 16, 1971, February 21, 1973, and July 10, 1973, respectively. The first two are substantially similar to each other and require no factfinding hearing at any time in connection with a suspension. The third, which was apparently in effect when this case was argued, places upon the principal the obligation to "investigate" "before commencing suspension procedures"; and provides as part of the procedures that the principal shall discuss the case with the pupil, so that the pupil may

case.<sup>2</sup> Each, however, had formally or informally described the conduct for which suspension could be imposed.

The nine named appellees, each of whom alleged that he or she had been suspended from public high school in Columbus for up to 10 days without a hearing pursuant to § 3313.66, filed an action under 42 U. S. C. § 1983 against the Columbus Board of Education and various [\*\*\*\*7] administrators of the CPSS. The complaint sought a [\*569] declaration that § 3313.66 was unconstitutional in that it permitted public school administrators to deprive plaintiffs of their rights to an education without a hearing of any kind, in violation of the procedural due process component of the Fourteenth Amendment. It also sought to enjoin the public school officials from issuing future suspensions pursuant to § 3313.66 and to require them to remove references to the past suspensions from the records of the students in question.<sup>3</sup>

[\*\*\*\*8] The proof below established that the suspensions arose out of a period of widespread student unrest in the CPSS during February and March 1971. Six of the named [\*\*\*732] plaintiffs, Rudolph Sutton, Tyrone Washington, Susan Cooper, Deborah Fox, Clarence Byars, and Bruce Harris, were students at the Marion-Franklin High School and were each suspended for 10 days<sup>4</sup> on account [\*\*734] of disruptive or disobedient conduct committed in the presence of the school administrator who ordered the suspension. One of these, Tyrone Washington, was among a group of students demonstrating in the school auditorium while a class was being conducted there. He was ordered by the school principal to leave, refused [\*570] to do so, and was suspended. Rudolph Sutton, in the presence of the principal, physically attacked a police officer who was attempting to remove Tyrone Washington from the auditorium. He was immediately suspended. The other four Marion-Franklin students were suspended for similar conduct. None was given a hearing to determine the operative facts underlying the suspension, but each, together with his or her parents, was offered the opportunity to attend a conference, subsequent [\*\*\*\*9] to the effective date of the suspension, to discuss the student's future.

Two named plaintiffs, Dwight Lopez and Betty Crome, were students at the Central High School and McGuffey Junior High School, respectively. The former was suspended in connection with a disturbance

---

"be heard with respect to the alleged offense," unless the pupil is "unavailable" for such a discussion or "unwilling" to participate in it. The suspensions involved in this case occurred, and records thereof were made, prior to the effective date of these memoranda. The District Court's judgment, including its expunction order, turns on the propriety of the procedures existing at the time the suspensions were ordered and by which they were imposed.

<sup>2</sup> According to the testimony of Phillip Fulton, the principal of one of the high schools involved in this case, there was an informal procedure applicable at the Marion-Franklin High School. It provided that in the routine case of misconduct, occurring in the presence of a teacher, the teacher would describe the misconduct on a form provided for that purpose and would send the student, with the form, to the principal's office. There, the principal would obtain the student's version of the story, and, if it conflicted with the teacher's written version, would send for the teacher to obtain the teacher's oral version -- apparently in the presence of the student. Mr. Fulton testified that, if a discrepancy still existed, the teacher's version would be believed and the principal would arrive at a disciplinary decision based on it.

<sup>3</sup> The plaintiffs sought to bring the action on behalf of all students of the Columbus Public Schools suspended on or after February 1971, and a class action was declared accordingly. Since the complaint sought to restrain the "enforcement" and "operation" of a state statute "by restraining the action of any officer of such state in the enforcement or execution of such statute," a three-judge court was requested pursuant to [28 U. S. C. § 2281](#) and convened. The students also alleged that the conduct for which they could be suspended was not adequately defined by Ohio law. This vagueness and overbreadth argument was rejected by the court below and the students have not appealed from this part of the court's decision.

<sup>4</sup> Fox was given two separate 10-day suspensions for misconduct occurring on two separate occasions -- the second following immediately upon her return to school. In addition to his suspension, Sutton was transferred to another school.

in the lunchroom which involved some physical damage to school property.<sup>5</sup> Lopez testified that at least 75 other students were suspended from his school on the same day. He also testified below that he was not a party to the destructive conduct but was instead an innocent bystander. Because no one from the school testified with regard to this incident, there is no evidence in the record indicating the official basis for concluding otherwise. Lopez never had a hearing.

[\*\*\*\*10] Betty Crome was present at a demonstration at a high school other than the one she was attending. There she was arrested together with others, taken to the police station, and released without being formally charged. Before she went to school on the following day, she was [\*571] notified that she had been suspended for a 10-day period. Because no one from the school testified with respect to this incident, the record does not disclose how the McGuffey Junior High School principal went about making the decision to suspend Crome, nor does it disclose on what information the decision was based. It is clear from the record that no hearing was ever held.

There was no testimony with respect to the suspension of the ninth named plaintiff, Carl Smith. The school files were also silent as to his suspension, although as to some, but not all, of the other named plaintiffs the files contained either direct references to their suspensions or copies of letters sent to their parents advising them of the suspension.

[\*\*\*733] [LEdHN\[1A\]](#)[↑] [1A]On the basis of this evidence, the three-judge court declared that plaintiffs were denied due process of law because they were "suspended without hearing prior to [\*\*\*\*11] suspension or within a reasonable time thereafter," and that Ohio Rev. Code Ann. § 3313.66 (1972) and regulations issued pursuant thereto were unconstitutional in permitting such suspensions.<sup>6</sup> It was ordered that all references to plaintiffs' suspensions be removed from school files.

[LEdHN\[1B\]](#)[↑] [1B]

Although not imposing upon the Ohio school administrators any particular disciplinary procedures and leaving them "free to adopt regulations providing for fair suspension procedures which are consonant with the educational goals of their schools and reflective of the characteristics [\*\*\*\*12] [\*\*735] of their school and locality," the District Court declared [\*572] that there were "minimum requirements of notice and a hearing prior to suspension, except in emergency situations." In explication, the court stated that relevant case authority would: (1) permit "[immediate] removal of a student whose conduct disrupts the academic atmosphere of the school, endangers fellow students, teachers or school officials, or damages property"; (2) require notice of suspension proceedings to be sent to the student's parents within 24 hours of the decision to conduct them; and (3) require a hearing to be held, with the student present, within 72 hours of his removal. Finally, the court stated that, with respect to the nature of the hearing, the relevant cases required that statements in support of the charge be produced, that the student and others be permitted to make statements in defense or mitigation, and that the school need not permit attendance by counsel.

---

<sup>5</sup>Lopez was actually absent from school, following his suspension, for over 20 days. This seems to have occurred because of a misunderstanding as to the length of the suspension. A letter sent to Lopez after he had been out for over 10 days purports to assume that, being over compulsory school age, he was voluntarily staying away. Upon asserting that this was not the case, Lopez was transferred to another school.

<sup>6</sup>In its judgment, the court stated that the statute is unconstitutional in that it provides "for suspension . . . without *first* affording the student due process of law." (Emphasis supplied.) However, the language of the judgment must be read in light of the language in the opinion which expressly contemplates that under some circumstances students may properly be removed from school before a hearing is held, so long as the hearing follows promptly.

[LEdHN\[2\]](#)[\[↑\]](#) [2]The defendant school administrators have appealed the three-judge court's decision. Because the order below granted plaintiffs' request for an injunction -- ordering defendants to expunge their records -- this Court has [\[\\*\\*\\*\\*13\]](#) jurisdiction of the appeal pursuant to [28 U. S. C. § 1253](#). We affirm.

## II

[LEdHN\[3A\]](#)[\[↑\]](#) [3A] [LEdHN\[4\]](#)[\[↑\]](#) [4]At the outset, appellants contend that because there is no constitutional right to an education at public expense, the Due Process Clause does not protect against expulsions from the public school system. This position misconceives the nature of the issue and is refuted by prior decisions. [HN2](#)[\[↑\]](#) The Fourteenth Amendment forbids the State to deprive any person of life, liberty, or property without due process of law. Protected interests in property are normally "not created by the Constitution. Rather, they are created and their dimensions are defined" by an independent source such as state statutes or rules [\[\\*573\]](#) entitling the citizen to certain benefits. [Board of Regents v. Roth](#), 408 U.S. 564, 577 (1972).

[LEdHN\[5\]](#)[\[↑\]](#) [5][LEdHN\[6\]](#)[\[↑\]](#) [6]Accordingly, a state employee [\[\\*\\*\\*734\]](#) who under state law, or rules promulgated by state officials, has a legitimate claim of entitlement to continued employment absent sufficient cause for discharge may demand the procedural protections of due process. [Connell v. Higginbotham](#), 403 U.S. 207 (1971); [Wieman v. Updegraff](#), 344 U.S. 183, 191-192 (1952); [\[\\*\\*\\*\\*14\]](#) [Arnett v. Kennedy](#), 416 U.S. 134, 164 (POWELL, J., concurring), 171 (WHITE, J., concurring and dissenting) (1974). So many welfare recipients who have statutory rights to welfare as long as they maintain the specified qualifications. [Goldberg v. Kelly](#), 397 U.S. 254 (1970). [Morrissey v. Brewer](#), 408 U.S. 471 (1972), applied the limitations of the Due Process Clause to governmental decisions to revoke parole, although a parolee has no constitutional right to that status. In like vein was [Wolff v. McDonnell](#), 418 U.S. 539 (1974), where the procedural protections of the Due Process Clause were triggered by official cancellation of a prisoner's good-time credits accumulated under state law, although those benefits were not mandated by the Constitution.

[LEdHN\[7\]](#)[\[↑\]](#) [7]Here, on the basis of state law, appellees plainly had legitimate claims of entitlement to a public education. [HN3](#)[\[↑\]](#) [Ohio Rev. Code Ann. §§ 3313.48](#) and 3313.64 (1972 and Supp. 1973) direct local authorities to provide a free education to all residents between five and 21 years of age, and a compulsory-attendance law requires attendance for a school [\[\\*\\*\\*\\*15\]](#) year of not less than 32 weeks. [Ohio Rev. Code Ann. § 3321.04](#) (1972). It is true that § 3313.66 of the Code permits school principals to suspend students for up to 10 days; but suspensions may not be imposed without any grounds whatsoever. All [\[\\*\\*736\]](#) of the schools had their own rules specifying the [\[\\*574\]](#) grounds for expulsion or suspension. Having chosen to extend the right to an education to people of appellees' class generally, Ohio may not withdraw that right on grounds of misconduct, absent fundamentally fair procedures to determine whether the misconduct has occurred. [Arnett v. Kennedy, supra, at 164](#) (POWELL, J., concurring), 171 (WHITE, J., concurring and dissenting), 206 (MARSHALL, J., dissenting).

[LEdHN\[3B\]](#)[\[↑\]](#) [3B][LEdHN\[8\]](#)[\[↑\]](#) [8][LEdHN\[9\]](#)[\[↑\]](#) [9]Although Ohio may not be constitutionally obligated to establish and maintain a public school system, it has nevertheless done so and has required its children to attend. [HN4](#)[\[↑\]](#) Those young people do not "shed their constitutional rights" at the schoolhouse door. [Tinker v. Des Moines School Dist.](#), 393 U.S. 503, 506 (1969). "The Fourteenth Amendment, as now applied to the States, protects the citizen against the State itself [\[\\*\\*\\*\\*16\]](#) and all of its creatures -- Boards of Education not excepted." [West Virginia Board of Education v. Barnette](#), 319

[U.S. 624, 637 \(1943\)](#). The authority possessed by the State to prescribe and enforce standards of conduct in its schools although concededly very broad, must be exercised consistently with constitutional safeguards. Among other things, the State is constrained to recognize a student's legitimate entitlement to a public education as a property interest which is protected by the Due Process Clause and which may not be taken away for misconduct without [\*\*\*735] adherence to the minimum procedures required by that Clause.

[LEdHN\[3C\]\[↑\]](#) [3C][LEdHN\[10\]\[↑\]](#) [10][LEdHN\[11\]\[↑\]](#) [11][HNS\[↑\]](#) The Due Process Clause also forbids arbitrary deprivations of liberty. "Where a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him," the minimal requirements of the Clause must be satisfied. [Wisconsin v. Constantineau, 400 U.S. 433, 437 \(1971\)](#); [Board of Regents v. Roth, supra, at 573](#). School authorities here suspended appellees from school for periods of up to 10 days [\*575] based on charges of misconduct. If sustained [\*\*\*\*17] and recorded, those charges could seriously damage the students' standing with their fellow pupils and their teachers as well as interfere with later opportunities for higher education and employment. <sup>7</sup> [HN6\[↑\]](#) It is apparent that the claimed right of the State to determine unilaterally and without process whether that misconduct has occurred immediately collides with the requirements of the Constitution.

[\*\*\*\*18] [LEdHN\[12\]\[↑\]](#) [12][LEdHN\[13\]\[↑\]](#) [13][LEdHN\[14\]\[↑\]](#) [14][LEdHN\[15\]\[↑\]](#) [15] Appellants proceed to argue that even if there is a right to a public education protected by the Due Process Clause generally, the Clause comes into play only when the State subjects a student to a "severe detriment or grievous loss." The loss of 10 days, it is said, is neither severe nor grievous and the Due [\*\*737] Process Clause is therefore of no relevance. Appellants' argument is again refuted by our prior decisions; for in determining "whether due process requirements apply in the first place, we must look not to the 'weight' but to the *nature* of the interest [\*576] at stake." [Board of Regents v. Roth, supra, at 570-571](#). Appellees were excluded from school only temporarily, it is true, but the length and consequent severity of a deprivation, while another factor to weigh in determining the appropriate form of hearing, "is not decisive of the basic right" to a hearing of some kind. [Fuentes v. Shevin, 407 U.S. 67, 86 \(1972\)](#). The Court's view has been that as long as a property deprivation is not *de minimis*, its gravity is irrelevant to the question whether account must be taken of the Due Process Clause. [Sniadach v. Family Finance Corp., 395 U.S. 337, 342 \(1969\)](#) [\*\*\*\*19] (Harlan, J., concurring); [Boddie v. Connecticut, 401 U.S. 371, 378-379 \(1971\)](#); [Board of Regents v. Roth, supra, at 570 n. 8](#). A 10-day suspension from school is not *de* [\*\*\*736] *minimis* in our view and may not be imposed in complete disregard of the Due Process Clause.

---

<sup>7</sup> Appellees assert in their brief that four of 12 randomly selected Ohio colleges specifically inquire of the high school of every applicant for admission whether the applicant has ever been suspended. Brief for Appellees 34-35 and n. 40. Appellees also contend that many employers request similar information. *Ibid*.

Congress has recently enacted legislation limiting access to information contained in the files of a school receiving federal funds. Section 513 of the Education Amendments of 1974, Pub. L. 93-380, 88 Stat. 571, [20 U. S. C. § 1232g \(1970 ed., Supp. IV\)](#), adding § 438 to the General Education Provisions Act. That section would preclude release of "verified reports of serious or recurrent behavior patterns" to employers without written consent of the student's parents. While subsection (b)(1)(B) permits release of such information to "other schools . . . in which the student intends to enroll," it does so only upon condition that the parent be advised of the release of the information and be given an opportunity at a hearing to challenge the content of the information to insure against inclusion of inaccurate or misleading information. The statute does not expressly state whether the parent can contest the underlying basis for a suspension, the fact of which is contained in the student's school record.

[LEdHN\[16\]](#)<sup>[↑]</sup> [16]A short suspension is, of course, a far milder deprivation than expulsion. But, "education is perhaps the most important function of state and local governments," [Brown v. Board of Education](#), 347 U.S. 483, 493 (1954), and the total exclusion from the educational process for more than a trivial period, and certainly if the suspension is for 10 days, is a serious event in the life of the suspended child. Neither the property interest in educational benefits temporarily denied nor the liberty interest in reputation, which is also implicated, is so insubstantial that suspensions may constitutionally be imposed by any procedure the school chooses, no matter how arbitrary.<sup>8</sup>

[\*\*\*\*20] [\*577] III

[LEdHN\[17\]](#)<sup>[↑]</sup> [17][LEdHN\[18\]](#)<sup>[↑]</sup> [18][HN7](#)<sup>[↑]</sup> "Once it is determined that due process applies, the question remains what process is due." [Morrissey v. Brewer](#), 408 U.S., at 481. We turn to that question, fully [\*578] realizing as our cases regularly do that the interpretation and application of the Due Process Clause are intensely practical matters and that "[the] very nature of due process negates any concept of inflexible procedures universally applicable to every imaginable situation." [Cafeteria Workers v. McElroy](#), 367 U.S. 886, 895 (1961). We are also mindful of our own admonition:

---

<sup>8</sup>Since the landmark decision of the Court of Appeals for the Fifth Circuit in [Dixon v. Alabama State Board of Education](#), 294 F.2d 150, cert. denied, 368 U.S. 930 (1961), the lower federal courts have uniformly held the Due Process Clause applicable to decisions made by tax-supported educational institutions to remove a student from the institution long enough for the removal to be classified as an expulsion. [Hagopian v. Knowlton](#), 470 F.2d 201, 211 (CA2 1972); [Wasson v. Trowbridge](#), 382 F.2d 807, 812 (CA2 1967); [Esteban v. Central Missouri State College](#), 415 F.2d 1077, 1089 (CA8 1969), cert. denied, 398 U.S. 965 (1970); [Vought v. Van Buren Public Schools](#), 306 F.Supp. 1388 (ED Mich. 1969); [Whitfield v. Simpson](#), 312 F.Supp. 889 (ED Ill. 1970); [Felder v. Board of Education of School District of Winnebago, Neb.](#), 346 F.Supp. 722, 729 (Neb. 1972); [DeJesus v. Penberthy](#), 344 F.Supp. 70, 74 (Conn. 1972); [Soglin v. Kauffman](#), 295 F.Supp. 978, 994 (WD Wis. 1968), aff'd, 418 F.2d 163 (CA7 1969); [Stricklin v. Regents of University of Wisconsin](#), 297 F.Supp. 416, 420 (WD Wis. 1969), appeal dismissed, 420 F.2d 1257 (CA7 1970); [Buck v. Carter](#), 308 F.Supp. 1246 (WD Wis. 1970); General Order on Judicial Standards of Procedure and Substance in Review of Student Discipline in [Tax Supported Institutions of Higher Education](#), 45 F.R.D. 133, 147-148 (WD Mo. 1968) (en banc). The lower courts have been less uniform, however, on the question whether removal from school for some shorter period may ever be so trivial a deprivation as to require no process, and, if so, how short the removal must be to qualify. Courts of Appeals have held or assumed the Due Process Clause applicable to long suspensions, [Pervis v. LaMarque Ind. School Dist.](#), 466 F.2d 1054 (CA5 1972); to indefinite suspensions, [Sullivan v. Houston Ind. School Dist.](#), 475 F.2d 1071 (CA5), cert. denied, 414 U.S. 1032 (1973); to the addition of a 30-day suspension to a 10-day suspension, [Williams v. Dade County School Board](#), 441 F.2d 299 (CA5 1971); to a 10-day suspension, [Black Students of North Fort Myers Jr.-Sr. High School v. Williams](#), 470 F.2d 957 (CA5 1972); to "mild" suspensions, [Farrell v. Joel](#), 437 F.2d 160 (CA2 1971), and [Tate v. Board of Education](#), 453 F.2d 975 (CA8 1972); and to a three-day suspension, [Shanley v. Northeast Ind. School Dist., Bexar County, Texas](#), 462 F.2d 960, 967 n. 4 (CA5 1972); but inapplicable to a seven-day suspension, [Linwood v. Board of Ed. of City of Peoria](#), 463 F.2d 763 (CA7), cert. denied, 409 U.S. 1027 (1972); to a three-day suspension, [Dunn v. Tyler Ind. School Dist.](#), 460 F.2d 137 (CA5 1972); to a suspension for not "more than a few days," [Murray v. West Baton Rouge Parish School Board](#), 472 F.2d 438 (CA5 1973); and to all suspensions no matter how short, [Black Coalition v. Portland School District No. 1](#), 484 F.2d 1040 (CA9 1973). The Federal District Courts have held the Due Process Clause applicable to an interim suspension pending expulsion proceedings in [Stricklin v. Regents of University of Wisconsin](#), *supra*, and [Buck v. Carter](#), *supra*; to a 10-day suspension, [Banks v. Board of Public Instruction of Dade County](#), 314 F.Supp. 285 (SD Fla. 1970), vacated, 401 U.S. 988 (1971) (for entry of a fresh decree so that a timely appeal might be taken to the Court of Appeals), aff'd, 450 F.2d 1103 (CA5 1971); to suspensions of under five days, [Vail v. Board of Education of Portsmouth School Dist.](#), 354 F.Supp. 592 (NH 1973); and to all suspensions, [Mills v. Board of Education of the Dist. of Columbia](#), 348 F.Supp. 866 (DC 1972), and [Givens v. Poe](#), 346 F.Supp. 202 (WDNC 1972); but inapplicable to suspensions of 25 days, [Hernandez v. School District Number One, Denver, Colorado](#), 315 F.Supp. 289 (Colo. 1970); to suspensions of 10 days, [Baker v. Downey City Board of Education](#), 307 F.Supp. 517 (CD Cal. 1969); and to suspensions of eight days, [Hatter v. Los Angeles City High School District](#), 310 F.Supp. 1309 (CD Cal. 1970), rev'd on other grounds, 452 F.2d 673 (CA9 1971). In the cases holding no process necessary in connection with short suspensions, it is not always clear whether the court viewed the Due Process Clause as inapplicable, or simply felt that the process received was "due" even in the absence of some kind of hearing procedure.

"Judicial interposition in the operation of the public school system of the Nation raises problems requiring care and restraint. . . . By and large, public education in our Nation is committed to the control of state and local authorities." Epperson v. Arkansas, 393 U.S. 97, 104 (1968).

[LEdHN\[19\]](#)<sup>[↑]</sup> [19][LEdHN\[20\]](#)<sup>[↑]</sup> [20][LEdHN\[21\]](#)<sup>[↑]</sup> [21][LEdHN\[22\]](#)<sup>[↑]</sup> [22]There are certain bench marks to guide us, however. Mullane v. Central Hanover Trust Co., 339 U.S. 306 [\*579] (1950), a case often invoked by later opinions, said that "[many] controversies have raged about the cryptic and abstract words of the [\*\*\*\*21] Due Process Clause but there can be no doubt that at a minimum they require that deprivation of life, liberty or property by adjudication be preceded by notice and opportunity for hearing appropriate to the nature of the case." *Id.*, at 313. [HN8](#)<sup>[↑]</sup> "The fundamental requisite of due process of law is the opportunity to be heard," Grannis v. Ordean, 234 U.S. 385, 394 (1914), a right that "has little reality or worth unless one is informed that the matter is pending and can choose for himself whether to . . . contest." Mullane v. Central Hanover Trust Co., *supra*, at 314. See also Armstrong v. Manzo, 380 U.S. 545, 550 (1965); Anti-Fascist Committee v. McGrath, 341 U.S. 123, 168-169 (1951) (Frankfurter, J., concurring). At the very minimum, therefore, students facing suspension and the consequent interference with a protected property interest must be given *some* kind of notice and afforded *some* kind of hearing. "Parties whose rights are to be affected are entitled to be heard; and in order that they may enjoy that right they must first be notified." Baldwin v. Hale, 1 Wall. 223, 233 (1864).

[\*\*\*\*22] [LEdHN\[23\]](#)<sup>[↑]</sup> [23]It also appears from our cases that the timing and content of the notice and the nature of the hearing will depend on appropriate accommodation of the competing interests involved. Cafeteria Workers v. McElroy, *supra*, at 895; Morrissey v. Brewer, *supra*, at 481. The student's interest is to avoid unfair or mistaken exclusion from the educational process, with all of its unfortunate consequences. The Due Process Clause will not shield him from suspensions properly imposed, but it disserves both his interest and the interest of the State if his suspension is in fact unwarranted. The concern would be mostly academic if the disciplinary process were a totally accurate, unerring process, never mistaken and never [\*580] unfair. Unfortunately, that is not the case, and no one suggests that it is. Disciplinarians, although proceeding in utmost good faith, frequently act on the reports and advice of others; and the controlling facts and the nature of the conduct under challenge are often disputed. The risk of error is not at all trivial, and it should be guarded against if that may be done without prohibitive cost or interference with [\*\*\*\*23] the educational process.

[LEdHN\[24A\]](#)<sup>[↑]</sup> [24A]The difficulty is that our schools are vast and complex. Some modicum of discipline and order is essential if the educational function is to be performed. Events calling for discipline are frequent occurrences and sometimes require immediate, effective action. Suspension is considered not only to be a necessary tool to maintain order but a valuable educational device. The prospect of imposing elaborate hearing requirements in every suspension case is viewed with great concern, and many school authorities may well prefer the untrammled power to act unilaterally, unhampered by rules about notice and hearing. But it would be a strange disciplinary system in an educational institution if no communication was sought by the disciplinarian with the student in an effort to inform him of his dereliction and to let him tell his side of the story in order to make sure that an injustice is not done. "[Fairness] can rarely be obtained by secret, one-sided determination of facts decisive of rights. . . ." "Secrecy is not congenial to truth-seeking and self-righteousness gives too slender an assurance of rightness. No better instrument has been devised for arriving [\*\*\*\*24] at truth than to

give a person in jeopardy of serious loss notice of the case against him and opportunity to meet it." [Anti-Fascist Committee v. McGrath, supra, at 170, 171-172](#) (Frankfurter, J., concurring).<sup>9</sup>

[LEdHN\[24B\]](#)[↑] [24B]

[\*\*\*\*25]

[\*581] [\*\*\*737] [\*\*738] [\*\*739] [\*\*\*738] [LEdHN\[25\]](#)[↑] [25] [LEdHN\[26\]](#)[↑] [26] We do not believe that [\*\*\*739] school authorities must be totally free from notice and hearing requirements if their schools are to operate with acceptable [\*\*740] efficiency. [HN9](#)[↑] Students facing temporary suspension have interests qualifying for protection of the Due Process Clause, and due process requires, in connection with a suspension of 10 days or less, that the student be given oral or written notice of the charges against him and, if he denies them, an explanation of the evidence the authorities have and an opportunity to present his side of the story. The Clause requires at least these rudimentary precautions against unfair or mistaken findings of misconduct and arbitrary exclusion from school.<sup>10</sup>

[\*\*\*\*26] [\*582] There need be no delay between the time "notice" is given and the time of the hearing. In the great majority of cases the disciplinarian may informally discuss the alleged misconduct with the student minutes after it has occurred. We hold only that, in being given an opportunity to explain his version of the facts at this discussion, the student first be told what he is accused of doing and what the basis of the accusation is. Lower courts which have addressed the question of the *nature* of the procedures required in short suspension cases have reached the same conclusion. [Tate v. Board of Education, 453 F.2d 975, 979 \(CA8 1972\)](#); [Vail v. Board of Education, 354 F.Supp. 592, 603 \(NH 1973\)](#). Since the hearing may occur almost immediately following the misconduct, it follows that as a general rule notice and hearing should precede removal of the student from school. We agree with the District Court, however, that there are recurring situations in which prior notice and hearing cannot be insisted upon. Students whose presence poses a continuing danger to persons or property or an ongoing threat of

---

<sup>9</sup>The facts involved in this case illustrate the point. Betty Crome was suspended for conduct which did not occur on school grounds, and for which mass arrests were made -- hardly guaranteeing careful individualized factfinding by the police or by the school principal. She claims to have been involved in no misconduct. However, she was suspended for 10 days without ever being told what she was accused of doing or being given an opportunity to explain her presence among those arrested. Similarly, Dwight Lopez was suspended, along with many others, in connection with a disturbance in the lunchroom. Lopez says he was not one of those in the lunchroom who was involved. However, he was never told the basis for the principal's belief that he was involved, nor was he ever given an opportunity to explain his presence in the lunchroom. The school principals who suspended Crome and Lopez may have been correct on the merits, but it is inconsistent with the Due Process Clause to have made the decision that misconduct had occurred without at some meaningful time giving Crome or Lopez an opportunity to persuade the principals otherwise.

We recognize that both suspensions were imposed during a time of great difficulty for the school administrations involved. At least in Lopez' case there may have been an immediate need to send home everyone in the lunchroom in order to preserve school order and property; and the administrative burden of providing 75 "hearings" of any kind is considerable. However, neither factor justifies a disciplinary suspension without *at any time* gathering facts relating to Lopez specifically, confronting him with them, and giving him an opportunity to explain.

<sup>10</sup>Appellants point to the fact that some process is provided under Ohio law by way of judicial review. [Ohio Rev. Code Ann. § 2506.01](#) (Supp. 1973). Appellants do not cite any case in which this general administrative review statute has been used to appeal from a disciplinary decision by a school official. If it be assumed that it could be so used, it is for two reasons insufficient to save inadequate procedures at the school level. First, although new proof may be offered in a § 2501.06 proceeding, [Shaker Coventry Corp. v. Shaker Heights Planning Comm'n, 18 Ohio Op. 2d 272, 176 N. E. 2d 332 \(1961\)](#), the proceeding is not *de novo*. [In re Locke, 33 Ohio App. 2d 177, 294 N. E. 2d 230 \(1972\)](#). Thus the decision by the school -- even if made upon inadequate procedures -- is entitled to weight in the court proceeding. Second, without a demonstration to the contrary, we must assume that delay will attend any § 2501.06 proceeding, that the suspension will not be stayed pending hearing, and that the student meanwhile will irreparably lose his educational benefits.

disrupting the academic [\*\*\*\*27] process may be immediately removed from school. In such cases, the necessary notice and rudimentary hearing should follow [\*583] as soon as practicable, as the District Court indicated.

In holding as we do, we do not believe that we have imposed procedures on school disciplinarians which are inappropriate in a classroom setting. Instead we have imposed requirements which are, if anything, less than a fair-minded school principal would impose upon himself in order to avoid unfair suspensions. Indeed, according to the testimony of the principal of Marion-Franklin High School, that school had an informal procedure, remarkably similar to that which we now require, applicable to suspensions generally but which was not followed in this case. Similarly, according to the most recent memorandum applicable to the entire CPSS, see n. [\*\*\*740] 1, *supra*, school principals in the CPSS are now required by local rule to provide at least as much as the constitutional minimum which we have described.

We stop short of construing the Due Process Clause to require, countrywide, that hearings in connection with short suspensions must afford the student the opportunity to secure counsel, to [\*\*\*\*28] confront and cross-examine witnesses supporting the charge, or to call his own witnesses to verify his version of the incident. [HN10](#)[↑] Brief disciplinary suspensions are almost countless. To impose in each such case even truncated trial-type procedures might well overwhelm administrative facilities in many places and, by [\*\*741] diverting resources, cost more than it would save in educational effectiveness. Moreover, further formalizing the suspension process and escalating its formality and adversary nature may not only make it too costly as a regular disciplinary tool but also destroy its effectiveness as part of the teaching process.

On the other hand, requiring effective notice and informal hearing permitting the student to give his version of the events will provide a meaningful hedge against erroneous action. At least the disciplinarian will be alerted to the existence of disputes about facts and arguments [\*584] about cause and effect. He may then determine himself to summon the accuser, permit cross-examination, and allow the student to present his own witnesses. In more difficult cases, he may permit counsel. In any event, his discretion will be more informed and we [\*\*\*\*29] think the risk of error substantially reduced.

Requiring that there be at least an informal give-and-take between student and disciplinarian, preferably prior to the suspension, will add little to the factfinding function where the disciplinarian himself has witnessed the conduct forming the basis for the charge. But things are not always as they seem to be, and the student will at least have the opportunity to characterize his conduct and put it in what he deems the proper context.

We should also make it clear that we have addressed ourselves solely to the short suspension, not exceeding 10 days. Longer suspensions or expulsions for the remainder of the school term, or permanently, may require more formal procedures. Nor do we put aside the possibility that in unusual situations, although involving only a short suspension, something more than the rudimentary procedures will be required.

#### IV

[LEdHN](#)[27][↑] [27]The District Court found each of the suspensions involved here to have occurred without a hearing, either before or after the suspension, and that each suspension was therefore invalid and the statute unconstitutional insofar as it permits such suspensions without notice or hearing. Accordingly, [\*\*\*\*30] the judgment is

*Affirmed.*

**Dissent by: POWELL**

## **Dissent**

---

MR. JUSTICE POWELL, with whom THE CHIEF JUSTICE, MR. JUSTICE BLACKMUN, and MR. JUSTICE REHNQUIST join, dissenting.

The Court today invalidates an [\*\*\*741] Ohio statute that permits student suspensions from school without a hearing [\*585] "for not more than ten days." <sup>1</sup> [\*\*\*\*31] The decision unnecessarily opens avenues for judicial intervention in the operation of our public schools that may affect adversely the quality of education. The Court holds for the first time that the federal courts, rather than educational officials and state legislatures, have the authority to determine the rules applicable to routine classroom discipline of children and teenagers in the public schools. It justifies this unprecedented intrusion into the process of elementary and secondary education by identifying a new constitutional right: the right of a student not to be suspended for as much as a single day without notice and a due process hearing either before or promptly following the suspension. <sup>2</sup>

[\*\*742] The Court's decision rests on the premise that, under Ohio law, education is a property interest protected by the Fourteenth Amendment's Due Process Clause and therefore that any suspension requires notice and a hearing. <sup>3</sup> In my view, a student's interest in education is [\*586] not infringed by a suspension within the limited period prescribed by Ohio law. Moreover, to the extent that there may be some arguable infringement, it is too speculative, transitory, and insubstantial to justify imposition [\*\*\*\*32] of a *constitutional* rule.

I

Although we held in *San Antonio Independent School Dist. v. Rodriguez*, 411 U.S. 1, 35 (1973), that education is not a right protected by the Constitution, Ohio has elected by statute to provide free education for all youths age six to 21, [Ohio Rev. Code Ann. §§ 3313.48](#), 3313.64 (1972 and Supp. 1973), with children under 18 years of age being compelled to attend school. § 3321.01 *et seq.* State law, therefore, extends the right of free public school education to Ohio students in accordance with the education laws of that State. The right or entitlement to education so created is protected in a proper case by the Due

---

<sup>1</sup>The Ohio statute, [Ohio Rev. Code Ann. § 3313.66](#) (1972), actually is a limitation on the time-honored practice of school authorities themselves determining the appropriate duration of suspensions. The statute allows the superintendent or principal of a public school to suspend a pupil "for *not more than ten days* . . ." (italics supplied); and requires notification to the parent or guardian in writing within 24 hours of any suspension.

<sup>2</sup>[Section 3313.66](#) also provides authority for the expulsion of pupils, but requires a hearing thereon by the school board upon request of a parent or guardian. The rights of pupils expelled are not involved in this case, which concerns only the limited discretion of school authorities to suspend for not more than 10 days. Expulsion, usually resulting at least in loss of a school year or semester, is an incomparably more serious matter than the brief suspension, traditionally used as the principal sanction for enforcing routine discipline. The Ohio statute recognizes this distinction.

<sup>3</sup>The Court speaks of "exclusion from the educational process for more than a trivial period . . .," *ante*, at 576, but its opinion makes clear that even one day's suspension invokes the constitutional procedure mandated today.

Process Clause. See, e. g., [Board of Regents v. Roth](#), 408 U.S. 564 (1972); [Arnett v. Kennedy](#), 416 U.S. 134, 164 (1974) [\*\*\*\*33] (POWELL, J., concurring). In my view, this is not such a case.

[\*\*742] In identifying property interests subject to due process protections, the Court's past opinions make clear that these interests "are created and their *dimensions are defined* by existing rules or understandings that stem from an independent source such as state law." [Board of Regents v. Roth](#), *supra*, at 577 (emphasis supplied). The Ohio statute that creates the right to a "free" education also explicitly authorizes a principal to suspend a student for as much as 10 days. [Ohio Rev. Code Ann. §§ 3313.48, 3313.64, 3313.66](#) (1972 and Supp. 1973). Thus the very legislation which "defines" the "dimension" of the student's entitlement, while providing a right to education generally, does not establish this right free of discipline imposed in accord with Ohio law. Rather, the right is [\*587] encompassed in the entire package of statutory provisions governing education in Ohio -- of which the power to suspend is one.

The Court thus disregards the basic structure of Ohio law in posturing this case as if Ohio had conferred an unqualified right to education, thereby compelling the school [\*\*\*\*34] authorities to conform to due process procedures in imposing the most routine discipline. <sup>4</sup>

[\*\*\*\*35] [\*\*743] But however one may define the entitlement to education provided by Ohio law, I would conclude that a deprivation of not more than 10 days' suspension from school, imposed as a routine disciplinary measure, does not assume constitutional dimensions. Contrary to the Court's assertion, our cases support rather than "refute" appellants' [\*588] argument that "the Due Process Clause . . . comes into play only when the State subjects a student to a 'severe detriment or grievous loss.'" *Ante*, at 575. Recently, the Court reiterated precisely this standard for analyzing due process claims:

"Whether *any* procedural protections are due depends on the extent to which an individual will be 'condemned to suffer *grievous loss*.' [Joint Anti-Fascist Refugee Committee v. McGrath](#), 341 U.S. 123, 168 (1951) (Frankfurter, J., concurring), quoted in [Goldberg v. Kelly](#), 397 U.S. 254, 263 (1970)." [Morrissey v. Brewer](#), 408 U.S. 471, 481 [\*\*\*\*743] (1972) (emphasis supplied).

In *Morrissey* we applied that standard to require due process procedures for parole revocation on the ground that revocation "inflicts [\*\*\*\*36] a 'grievous loss' on the parolee and often on others." *Id.*, at 482. See also [Board of Regents v. Roth](#), 408 U.S., at 573 ("seriously damage" reputation and standing); [Bell v.](#)

---

<sup>4</sup>The Court apparently reads into Ohio law by implication a qualification that suspensions may be imposed only for "cause," thereby analogizing this case to the civil service laws considered in [Arnett v. Kennedy](#), 416 U.S. 134 (1974). To be sure, one may assume that pupils are not suspended at the whim or caprice of the school official, and the statute does provide for notice of the suspension with the "reasons therefor." But the same statute draws a sharp distinction between suspension and the far more drastic sanction of expulsion. A hearing is required only for the latter. To follow the Court's analysis, one must conclude that the legislature nevertheless intended -- without saying so -- that suspension also is of such consequence that it may be imposed only for causes which can be justified at a hearing. The unsoundness of reading this sort of requirement into the statute is apparent from a comparison with *Arnett*. In that case, Congress *expressly* provided that nonprobationary federal employees should be discharged only for "cause." This requirement reflected congressional recognition of the seriousness of discharging such employees. There simply is no analogy between *termination* of nonprobationary employment of a civil service employee and the *suspension* of a public school pupil for not more than 10 days. Even if the Court is correct in implying some concept of justifiable cause in the Ohio procedure, it could hardly be stretched to the constitutional proportions found present in *Arnett*.

[Burson](#), 402 U.S. 535, 539 (1971) ("important interests of the licensees"); [Boddie v. Connecticut](#), 401 U.S. 371, 379 (1971) ("significant property interest").<sup>5</sup>

[\*\*\*\*37] The Ohio suspension statute allows no serious or significant [\*589] infringement of education. It authorizes only a maximum suspension of eight school days, less than 5% of the normal 180-day school year. Absences of such limited duration will rarely affect a pupil's opportunity to learn or his scholastic performance. Indeed, the record in this case reflects no educational injury to appellees. Each completed the semester in which the suspension occurred and performed at least as well as he or she had in previous years.<sup>6</sup> Despite the Court's unsupported speculation that a suspended student could be "seriously [damaged]" (*ante*, at 575), there is no factual showing of any such damage to appellees.

The Court also relies on a perceived deprivation of "liberty" resulting from any suspension, arguing -- again without factual support in the record [\*\*\*\*38] pertaining to these appellees -- that a suspension harms a student's reputation. In view of the Court's decision in [Board of Regents v. Roth](#), *supra*, I would have [\*\*744] thought that this argument was plainly untenable. Underscoring the need for "serious damage" to reputation, the *Roth* Court held that a nontenured teacher who is not rehired by a public university could not claim to suffer sufficient reputational injury to require constitutional protections.<sup>7</sup> Surely a brief suspension is of less serious consequence to the reputation of a teenage student.

## II

In prior decisions, this Court has explicitly recognized that school authorities must have broad discretionary authority [\*590] in the daily operation of public schools. This includes wide latitude with respect to [\*\*\*\*39] maintaining [\*\*\*\*744] discipline and good order. Addressing this point specifically, the Court stated in [Tinker v. Des Moines School Dist.](#), 393 U.S. 503, 507 (1969):

"[The] Court has repeatedly emphasized the need for affirming the comprehensive authority of the States and of school officials, consistent with fundamental constitutional safeguards, to prescribe and control conduct in the schools."<sup>8</sup>

---

<sup>5</sup> Indeed, the Court itself quotes from a portion of Mr. Justice Frankfurter's concurrence in [Anti-Fascist Refugee Committee v. McGrath](#), 341 U.S. 123, 171 (1951), which explicitly refers to "a person in jeopardy of *serious loss*." See *ante*, at 580 (emphasis supplied).

Nor is the "*de minimis*" standard referred to by the Court relevant in this case. That standard was first stated by Mr. Justice Harlan in a concurring opinion in [Sniadach v. Family Finance Corp.](#), 395 U.S. 337, 342 (1969), and then quoted in a footnote to the Court's opinion in [Fuentes v. Shevin](#), 407 U.S. 67, 90 n. 21 (1972). Both *Sniadach* and *Fuentes*, however, involved resolution of property disputes between two private parties claiming an interest in the same property. Neither case pertained to an interest conferred by the State.

<sup>6</sup> 2 App. 163-171 (testimony of Norval Goss, Director of Pupil Personnel). See opinion of the three-judge court, [372 F.Supp. 1279, 1291 \(SD Ohio 1973\)](#).

<sup>7</sup> See also [Wisconsin v. Constantineau](#), 400 U.S. 433, 437 (1971), quoting the "grievous loss" standard first articulated in [Anti-Fascist Committee v. McGrath](#), *supra*.

<sup>8</sup> In dissent on the **First Amendment** issue, Mr. Justice Harlan recognized the Court's basic agreement on the limited role of the judiciary in overseeing school disciplinary decisions:

"I am reluctant to believe that there is any disagreement between the majority and myself on the proposition that school officials should be accorded the widest authority in maintaining discipline and good order in their institutions." [393 U.S.](#), at 526.

Such an approach properly recognizes the unique nature of public education and the correspondingly limited role of the judiciary in its supervision. In [Epperson v. Arkansas, 393 U.S. 97, 104 \(1968\)](#), the Court stated:

"By and large, public education in our Nation is committed to the control of state and local authorities. Courts do not and cannot intervene in the resolution of conflicts which arise in the daily operation of school systems and which do not directly and sharply implicate basic constitutional values."

[\*\*\*\*40] The Court today turns its back on these precedents. It can hardly seriously be claimed that a school principal's decision to suspend a pupil for a single day would "directly and sharply implicate basic constitutional values." *Ibid.*

Moreover, the Court ignores the experience of mankind, as well as the long history of our law, recognizing [\*591] that there *are* differences which must be accommodated in determining the rights and duties of children as compared with those of adults. Examples of this distinction abound in our law: in contracts, in torts, in criminal law and procedure, in criminal sanctions and rehabilitation, and in the right to vote and to hold office. Until today, and except in the special context of the First Amendment issue in *Tinker*, the educational rights of children and teenagers in the elementary and secondary schools have not been analogized to the rights of adults or to those accorded college students. Even with respect to the First Amendment, the rights of children have not been regarded as "co-extensive with those of adults." [Tinker, supra, at 515](#) (STEWART, J., concurring).

A

I turn now to some of the considerations which [\*\*\*\*41] support the Court's former view regarding the comprehensive authority of the States and school officials "to prescribe and control conduct in the schools." [Id., at 507](#). Unlike the divergent and even sharp conflict of interests usually [\*\*745] present where due process rights are asserted, the interests here implicated -- of the State through its schools and of the pupils -- are essentially congruent.

The State's interest, broadly put, [\*\*\*745] is in the proper functioning of its public school system for the benefit of *all* pupils and the public generally. Few rulings would interfere more extensively in the daily functioning of schools than subjecting routine discipline to the formalities and judicial oversight of due process. Suspensions are one of the traditional means -- ranging from keeping a student after class to permanent expulsion -- used to maintain discipline in the schools. It is common knowledge that maintaining order and reasonable decorum [\*592] in school buildings and classrooms is a major educational problem, and one which has increased significantly in magnitude in recent years.<sup>9</sup> Often the teacher, in protecting the rights of [\*\*\*\*42] other children to an education (if not his or their safety), is compelled to rely on the power to suspend.

The facts set forth in the margin<sup>10</sup> leave little room for doubt as to the magnitude of the disciplinary problem in the public schools, or as to the extent of reliance upon the right to suspend. They also

---

<sup>9</sup> See generally S. Bailey, *Disruption in Urban Secondary Schools* (1970), which summarizes some of the recent surveys on school disruption. A Syracuse University study, for example, found that 85% of the schools responding reported some type of significant disruption in the years 1967-1970.

<sup>10</sup> An *amicus* brief filed by the Children's Defense Fund states that *at least 10%* of the junior and senior high school students in the States sampled were suspended *one or more* times in the 1972-1973 school year. The data on which this conclusion rests were obtained from an

demonstrate that if hearings were required for a substantial percentage of short-term suspensions, school authorities would have time to do little else.

[\*\*\*\*43] B

The State's generalized interest in maintaining an orderly school system is not incompatible with the individual [\*593] interest of the student. Education in any meaningful sense includes the inculcation of an understanding in each pupil of the necessity of rules and obedience thereto. This understanding is no less important than learning to read and write. One who does not comprehend the meaning and necessity of discipline is handicapped not merely in his education but throughout his subsequent life. In an age when the home and church play a diminishing role in shaping the character and value judgments of the young, a heavier responsibility falls upon the schools. When an immature student merits censure for his conduct, he is rendered a disservice if appropriate sanctions are not applied or if procedures for their application are so formalized as to invite a challenge to the teacher's authority <sup>11</sup> -- an invitation which rebellious or even merely [\*\*\*746] spirited teenagers are likely to accept.

[\*\*\*\*44] The lesson of discipline is not merely a matter of the student's self-interest in the shaping of his own character and personality; it provides an early understanding [\*\*746] of the relevance to the social compact of respect for the rights of others. The classroom is the laboratory in which this lesson of life is best learned. Mr. Justice Black summed it up:

"School discipline, like parental discipline, is an integral and important part of training our children to be good citizens -- to be better citizens." [Tinker, 393 U.S., at 524](#) (dissenting opinion).

In assessing in constitutional terms the need to protect pupils from unfair minor discipline by school authorities, the Court ignores the commonality of interest of the State and pupils in the public school system. Rather, it thinks in traditional judicial terms of an adversary [\*594] situation. To be sure, there will be the occasional pupil innocent of any rule infringement who is mistakenly suspended or whose infraction is too minor to justify suspension. But, while there is no evidence indicating the frequency of unjust suspensions, common sense suggests that they will not be numerous in relation [\*\*\*\*45] to the total number, and that mistakes or injustices will usually be righted by informal means.

C

One of the more disturbing aspects of today's decision is its indiscriminate reliance upon the judiciary, and the adversary process, as the means of resolving many of the most routine problems arising in the classroom. In mandating due process procedures the Court misapprehends the reality of the normal teacher-pupil relationship. There is an ongoing relationship, one in which the teacher must occupy many

---

extensive survey prepared by the Office for Civil Rights of the Department of Health, Education, and Welfare. The Children's Defense Fund reviewed the suspension data for five States -- Arkansas, Maryland, New Jersey, Ohio, and South Carolina.

Likewise, an *amicus* brief submitted by several school associations in Ohio indicates that the number of suspensions is significant: in 1972-1973, 4,054 students out of a school enrollment of 81,007 were suspended in Cincinnati; 7,352 of 57,000 students were suspended in Akron; and 14,598 of 142,053 students were suspended in Cleveland. See also the Office of Civil Rights Survey, *supra*, finding that approximately 20,000 students in New York City, 12,000 in Cleveland, 9,000 in Houston, and 9,000 in Memphis were suspended at least once during the 1972-1973 school year. Even these figures are probably somewhat conservative since some schools did not reply to the survey.

<sup>11</sup> See generally J. Dobson, *Dare to Discipline* (1970).

roles -- educator, adviser, friend, and, at times, parent-substitute.<sup>12</sup> It is rarely adversary in nature except with respect to the chronically disruptive or insubordinate pupil whom the teacher must be free to discipline without frustrating formalities.<sup>13</sup>

[\*\*\*\*46] [\*595] The [\*\*\*747] Ohio statute, providing as it does for due notice both to parents and the Board, is compatible with the teacher-pupil relationship and the informal resolution of mistaken disciplinary action. We have relied for generations upon the experience, good faith and dedication of those who staff our public schools,<sup>14</sup> and [\*\*747] the nonadversary means of airing grievances that always have been available to pupils and their parents. One would have thought before today's opinion that this informal method of resolving differences was more compatible with the interests of all concerned than resort to any constitutionalized procedure, however blandly it may be defined by the Court.

[\*\*\*\*47] D

In my view, the constitutionalizing of routine classroom decisions not only represents a significant and unwise extension of the Due Process Clause, but it also was quite unnecessary in view of the safeguards prescribed by the Ohio statute. This is demonstrable from a comparison [\*596] of what the Court mandates as required by due process with the protective procedures it finds constitutionally insufficient.

The Ohio statute, limiting suspensions to not more than eight school days, requires *written* notice including the "reasons therefor" to the student's parents and to the Board of Education within 24 hours of any suspension. The Court only requires oral *or* written notice to the pupil, with no notice being required to the parents or the Board of Education. The mere fact of the statutory requirement is a deterrent against arbitrary action by the principal. The Board, usually elected by the people and sensitive to constituent relations, may be expected to identify a principal whose record of suspensions merits inquiry. In any event, parents placed on written notice may exercise their rights as constituents by going directly to the Board or a member thereof if dissatisfied [\*\*\*\*48] with the principal's decision.

Nor does the Court's due process "hearing" appear to provide significantly more protection than that already available. The Court holds only that the principal must listen to the student's "version of the events," either before suspension or thereafter -- depending upon the circumstances. *Ante*, at 583. Such a

---

<sup>12</sup>The role of the teacher in our society historically has been an honored and respected one, rooted in the experience of decades that has left for most of us warm memories of our teachers, especially those of the formative years of primary and secondary education.

<sup>13</sup>In this regard, the relationship between a student and teacher is manifestly different from that between a welfare administrator and a recipient (see *Goldberg v. Kelly*, 397 U.S. 254 (1970)), a motor vehicle department and a driver (see *Bell v. Burson*, 402 U.S. 535 (1971)), a debtor and a creditor (see *Sniadach v. Family Finance Corp.*, *supra*; *Fuentes v. Shevin*, *supra*; *Mitchell v. W. T. Grant Co.*, 416 U.S. 600 (1974)), a parole officer and a parolee (see *Morrissey v. Brewer*, 408 U.S. 471 (1972)), or even an employer and an employee (see *Arnett v. Kennedy*, 416 U.S. 134 (1974)). In many of these noneducation settings there is -- for purposes of this analysis -- a "faceless" administrator dealing with an equally "faceless" recipient of some form of government benefit or license; in others, such as the garnishment and repossession cases, there is a conflict-of-interest relationship. Our public school system, however, is premised on the belief that teachers and pupils should not be "faceless" to each other. Nor does the educational relationship present a typical "conflict of interest." Rather, the relationship traditionally is marked by a coincidence of interests.

Yet the Court, relying on cases such as *Sniadach* and *Fuentes*, apparently views the classroom of teenagers as comparable to the competitive and adversary environment of the adult, commercial world.

<sup>14</sup>A traditional factor in any due process analysis is "the protection implicit in the office of the functionary whose conduct is challenged . . ." *Anti-Fascist Committee v. McGrath*, 341 U.S., at 163 (Frankfurter, J., concurring). In the public school setting there is a high degree of such protection since a teacher has responsibility for, and a commitment to, his pupils that is absent in other due process contexts.

truncated "hearing" is likely to be considerably less meaningful than the opportunities for correcting mistakes already available to students and parents. Indeed, in this case all of the students and parents were offered an opportunity to attend a conference with school officials.

In its rush to mandate a constitutional rule, the Court appears to give no weight to the practical manner in which suspension problems normally would be worked out under [\*\*\*748] Ohio law.<sup>15</sup> One must doubt, then, whether [\*597] the constitutionalization of the student-teacher relationship, with all of its attendant doctrinal and practical difficulties, will assure in any meaningful sense greater protection than that already afforded under Ohio law.

### [\*\*\*\*49] III

No one can foresee the ultimate frontiers of the new "thicket" the Court now enters. Today's ruling appears to sweep within the protected interest in education a multitude of discretionary decisions in the educational process. Teachers and other school authorities are required to make many decisions that may have serious consequences for the pupil. They must decide, for example, how to grade the student's work, whether a student passes or fails a course,<sup>16</sup> whether he is to be promoted, whether he is required to take certain subjects, whether he may be excluded from interscholastic athletics<sup>17</sup> or other extracurricular activities, [\*\*748] whether he may be removed from one school and sent to another, whether he may be bused long distances when available schools are nearby, and whether he should be placed in a "general," "vocational," or "college-preparatory" track.

[\*\*\*\*50] In these and many similar situations claims of impairment of one's educational entitlement identical in principle to those before the Court today can be asserted with equal or greater justification. Likewise, in many of these situations, the pupil can advance the same types of speculative and subjective injury given critical weight in this case. The District Court, relying upon generalized opinion evidence, concluded that a suspended student may suffer psychological injury in one or more of [\*598] the ways set forth in the margin below.<sup>18</sup> The Court appears to adopt this rationale. See *ante*, at 575.

[\*\*\*\*51] It hardly need be said that if a student, as a result of a day's suspension, suffers "a blow" to his "self esteem," "feels powerless," views "teachers with resentment," or feels "stigmatized by his teachers,"

---

<sup>15</sup> The Court itself recognizes that the requirements it imposes are, "if anything, less than a fair-minded school principal would impose upon himself in order to avoid unfair suspensions." *Ante*, at 583.

<sup>16</sup> See [Connelly v. University of Vermont](#), 244 F.Supp. 156 (Vt. 1956).

<sup>17</sup> See [Kelley v. Metropolitan County Board of Education of Nashville](#), 293 F.Supp. 485 (MD Tenn. 1968).

<sup>18</sup> The psychological injuries so perceived were as follows:

"1. The suspension is a blow to the student's self-esteem.

"2. The student feels powerless and helpless.

"3. The student views school authorities and teachers with resentment, suspicion and fear.

"4. The student learns withdrawal as a mode of problem solving.

"5. The student has little perception of the reasons for the suspension. He does not know what offending acts he committed.

"6. The student is stigmatized by his teachers and school administrators as a deviant. They expect the student to be a troublemaker in the future." [372 F.Supp., at 1292](#).

identical psychological harms will flow from many other routine and necessary school decisions. The student who is given a failing grade, who is not promoted, who is excluded from [\*\*\*749] certain extracurricular activities, who is assigned to a school reserved for children of less than average ability, or who is placed in the "vocational" rather than the "college preparatory" track, is unlikely to suffer any less psychological injury than if he were suspended for a day for a relatively minor infraction.<sup>19</sup>

[\*\*\*\*52] [\*599] If, as seems apparent, the Court will now require due process procedures whenever such routine school decisions are challenged, the impact upon public education will be serious indeed. The discretion and judgment of federal courts across the land often will be substituted for that of the 50 state legislatures, the 14,000 school boards,<sup>20</sup> and the 2,000,000<sup>21</sup> teachers who heretofore have been responsible for the administration of the American public school system. If the Court perceives a rational and analytically sound distinction between the discretionary decision by school authorities to suspend a pupil for a brief period, and the types of discretionary [\*\*749] school decisions described above, it would be prudent to articulate it in today's opinion. Otherwise, the federal courts should prepare themselves for a vast new role in society.

#### [\*\*\*\*53] IV

Not so long ago, state deprivations of the most significant forms of state largesse were not thought to require due process protection on the ground that the deprivation resulted only in the loss of a state-provided "benefit." *E. g.*, [Bailey v. Richardson, 86 U. S. App. D. C. 248, 182 F.2d 46 \(1950\)](#), *aff'd* by an equally divided Court, 341 U.S. 918 (1951). In recent years the Court, wisely in my view, has rejected the "wooden distinction between 'rights' and 'privileges,'" [Board of Regents v. Roth, 408 U.S., at 571](#), and looked instead to the significance of the state-created or state-enforced right and to [\*600] the substantiality of the alleged deprivation. Today's opinion appears to abandon this reasonable approach by holding in effect that government infringement of any interest to which a person is entitled, no matter what the interest or how inconsequential the infringement, requires *constitutional* protection. As it is difficult to think of any less consequential infringement than suspension of a junior [\*\*\*750] high school student for a single day, it is equally difficult to perceive any [\*\*\*\*54] principled limit to the new reach of procedural due process.<sup>22</sup>

---

<sup>19</sup> There is, no doubt, a school of modern psychological or psychiatric persuasion that maintains that *any* discipline of the young is detrimental. Whatever one may think of the wisdom of this unproved theory, it hardly affords dependable support for a *constitutional* decision. Moreover, even the theory's proponents would concede that the magnitude of injury depends primarily upon the individual child or teenager. A classroom reprimand by the teacher may be more traumatic to the shy, timid introvert than expulsion would be to the aggressive, rebellious extrovert. In my view we tend to lose our sense of perspective and proportion in a case of this kind. For average, normal children - the vast majority -- suspension for a few days is simply *not* a detriment; it is a commonplace occurrence, with some 10% of all students being suspended; it leaves no scars; affects no reputations; indeed, it often may be viewed by the young as a badge of some distinction and a welcome holiday.

<sup>20</sup> This estimate was supplied by the National School Board Association, Washington, D. C.

<sup>21</sup> See U.S. Office of Education, Elementary and Secondary Public School Statistics, 1972-1973.

<sup>22</sup> Some half dozen years ago, the Court extended **First Amendment** rights under limited circumstances to public school pupils. Mr. Justice Black, dissenting, viewed the decision as ushering in "an entirely new era in which the power to control pupils by the elected 'officials of state supported public schools' . . . is in ultimate effect transferred to the Supreme Court." [Tinker v. Des Moines School Dist., 393 U.S. 503, 515 \(1969\)](#). There were some who thought Mr. Justice Black was unduly concerned. But his prophecy is now being fulfilled. In the few years since *Tinker* there have been literally hundreds of cases by schoolchildren alleging violation of their constitutional rights. This flood of litigation, between pupils and school authorities, was triggered by a narrowly written **First Amendment** opinion which I could well have

[\*\*\*\*55]

## References

---

16 Am Jur 2d, Constitutional Law 544-546, 549, 560, 561; 68 Am Jur 2d, Schools 269-274

22 Am Jur Pl & Pr Forms (Rev ed), Schools, Form 161

[28 USCS, 1253](#); Constitution, 14th Amend

US L Ed Digest, Constitutional Law 527, 538, 818

ALR Digests, Constitutional Law 467; Schools 62

L Ed Index to Annos, Schools

ALR Quick Index, Due Process of Law; Schools

Federal Quick Index, Schools and School Districts

### Annotation References:

Construction and application of [28 USCS 1253](#) permitting direct appeal to Supreme Court from order of three-judge District Court granting or denying injunction. [26 L Ed 2d 947](#).

Right of student to hearing on charges before suspension or expulsion from educational institution. 58 ALR2d 903. [\*\*\*\*56]

---

End of Document

---

joined on its facts. One can only speculate as to the extent to which public education will be disrupted by giving every schoolchild the power to contest *in court* any decision made by his teacher which arguably infringes the state-conferred right to education.

James Craig



Caution

As of: September 1, 2017 4:23 PM Z

## Gorman v. University of Rhode Island

United States Court of Appeals for the First Circuit

January 19, 1988

No. 86-2101

### **Reporter**

837 F.2d 7 \*; 1988 U.S. App. LEXIS 402 \*\*

Raymond J. Gorman, III, Plaintiff, Appellee, v. University of Rhode Island, et al., Defendants, Appellants

**Prior History:** [\*\*1] Appeal from the United States District Court for the District of Rhode Island, Hon. Raymond J. Pettine, Senior U.S. District Judge.

### **Core Terms**

---

district court, hearings, due process, suspension, Manual, procedures, charges, notice, University's, deprivation, bias, cross-examination, sanctions, requires, fourteenth amendment, due process clause, due process of law, disciplinary, courts, due process requirement, opportunity to be heard, disciplinary action, circumstances, proceedings, procedural due process, disciplinary hearing, tape recording, participated, expulsion, Handbook

### **Case Summary**

---

#### **Procedural Posture**

Appellant state university sought review of the decision of the United States District Court for the District of Rhode Island, which held that it was liable to appellee student, pursuant to 42 U.S.C.S. §§ 1983 & 1988, for deprivation, under color of state law, of his constitutionally protected civil rights.

#### **Overview**

Appellee student contested sanctions imposed upon him by appellant state university following disciplinary hearings. Appellee asserted and the district court found that appellant deprived appellee of his constitutionally protected civil rights. The court agreed with the district court on two findings: that appellee was not deprived of procedural due process as a result of any limitation upon his right of cross-examination and was not deprived of his constitutional right to retain counsel. The court reversed the remaining of the district court's findings and held that although the extensive hearings did not mirror common law trials, the hearings were fair and comported with requirements of due process. The court found that the right to tape record the hearings was not so essential that its denial rendered the hearing unfair, and was a violation of due process. The court also found that there was no evidence of bias or prejudice which would show that the board's independence was compromised to such an extent that the hearings were unfair and that due process was violated. The court affirmed in part and reversed in part.

#### **Outcome**

The court affirmed in part and reversed in part the decision of the district court, finding that the procedures employed in the disciplinary actions taken by appellant state university against appellee student did not violate the due process clause of Fourteenth Amendment.

## LexisNexis® Headnotes

---

Constitutional Law > Substantive Due Process > Scope

### [HN1](#) [↓] **Constitutional Law, Substantive Due Process**

U.S. Const. amend. XIV provides that no state shall deprive any person of life, liberty, or property without due process of law.

Constitutional Law > Substantive Due Process > Scope

### [HN2](#) [↓] **Constitutional Law, Substantive Due Process**

There is no doubt that due process is required when a decision of the state implicates an interest protected by U.S. Const. amend. XIV. It is also not questioned that a student's interest in pursuing an education is included within the U.S. Const. amend. XIV's protection of liberty and property.

Constitutional Law > Substantive Due Process > Scope

Education Law > ... > Student Discipline > Methods of Discipline > Expulsions

Education Law > ... > Student Discipline > Methods of Discipline > Suspensions of Students

### [HN3](#) [↓] **Constitutional Law, Substantive Due Process**

A student facing expulsion or suspension from a public educational institution is entitled to the protections of due process.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > General Overview

Constitutional Law > Substantive Due Process > Scope

### [HN4](#) [↓] **Fundamental Rights, Procedural Due Process**

Due process, which may be said to mean fair procedure, is not a fixed or rigid concept, but, rather, is a flexible standard which varies depending upon the nature of the interest affected, and the circumstances of the deprivation. The time-honored phrase due process of law expresses the essential requirement of fundamental fairness. Yet, it does not impose an unattainable standard of accuracy.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

### [HN5](#) [↓] **Procedural Due Process, Scope of Protection**

Notice and an opportunity to be heard have traditionally and consistently been held to be the essential requisites of procedural due process.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

### [HN6](#) [↓] **Procedural Due Process, Scope of Protection**

The hearing, to be fair in the due process sense, implies that the person adversely affected was afforded the opportunity to respond, explain, and defend. Whether the hearing was fair depends upon the nature of the interest affected and all of the circumstances of the particular case.

Administrative Law > ... > Hearings > Right to Hearing > Due Process

Constitutional Law > Substantive Due Process > Scope

### [HN7](#) [↓] **Right to Hearing, Due Process**

In determining whether due process has been denied, the courts have had to ascertain the scope of the protection required in a particular setting, as well as an accommodation of the competing interests involved. The Supreme Court identified three factors that must be considered: first, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the state interest, including the function involved and fiscal and administrative burdens that the additional or substitute procedural requirement would entail.

Education Law > ... > Student Discipline > Methods of Discipline > Expulsions

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

Education Law > ... > Student Discipline > Disciplinary Proceedings > Notice

Education Law > ... > Student Discipline > Methods of Discipline > General Overview

Education Law > ... > Student Discipline > Methods of Discipline > Suspensions of Students

### [HN8](#) [↓] **Methods of Discipline, Expulsions**

Fair process requires notice and an opportunity to be heard before the expulsion or significant suspension of a student from a public school.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

### [HN9](#) [↓] **Procedural Due Process, Scope of Protection**

In fostering and insuring the requirements of due process, however, the courts have not and should not require that a fair hearing is one that necessarily must follow the traditional common law adversarial method. Rather, on judicial review the question presented is whether, in the particular case, the individual has had an opportunity to answer, explain, and defend, and not whether the hearing mirrored a common law criminal trial.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

### [HN10](#) [↓] **Procedural Due Process, Scope of Protection**

Beyond the right to notice and hearing, the span of procedural protections required to ensure fairness becomes uncertain, and must be determined by a careful weighing or balancing of the competing interests implicated in the particular case.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

### [HN11](#) [↓] **Procedural Due Process, Scope of Protection**

An impartial and independent adjudicator is a fundamental ingredient of procedural due process.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

### [HN12](#) [↓] **Procedural Due Process, Scope of Protection**

The right to unlimited cross-examination has not been deemed an essential requirement of due process in school disciplinary cases.

Constitutional Law > ... > Fundamental Rights > Procedural Due Process > Scope of Protection

## [HN13](#) [↓] **Procedural Due Process, Scope of Protection**

On review, the courts ought not to extol form over substance, and impose on educational institutions all the procedural requirements of a common law criminal trial.

**Counsel:** Nicholas Trott Long with whom Barbara E. Grady was on brief, for Appellants.

Marc B. Gursky with whom, Lovett, Schefrin & Gallogly was on brief, for Appellee.

**Judges:** Breyer and Torruella, Circuit Judges, and Re, \* Judge.

**Opinion by:** RE

### **Opinion**

---

[\*9] RE, Chief Judge:

Both parties to this action, Raymond J. Gorman, III (Gorman), and the University of Rhode Island (the University), appeal from a final order entered on October 14, 1986, in the United States District Court for the District of Rhode Island. Gorman, a student at the University, contests the validity of sanctions, including suspension, imposed upon him after certain university disciplinary hearings. The district court found that the disciplinary hearings held by the University violated Gorman's right to due process of law as secured by the fourteenth amendment to the Constitution. Hence, the district court held that the University of Rhode Island was liable to Gorman, pursuant to [\*\*2] 42 U.S.C. §§ 1983 & 1988, for deprivation, under color of state law, of Gorman's constitutionally protected civil rights. [Gorman v. University of Rhode Island](#), 646 F. Supp. 799, 815 (D.R.I. 1986).

The University contends that the district court committed error in holding that the public university's hearing procedures did not afford Gorman adequate due process protection. On cross-appeal, Gorman contends that the court erred in finding that due process did not entitle him to representation by counsel at the disciplinary hearings, nor to cross-examine hearing board members and witnesses on his allegations of bias.

The question presented on this appeal is whether the district court erred in holding that the disciplinary hearings conducted by the University denied Gorman the right to due process of law, in violation of the fourteenth amendment. Since we hold that, under the circumstances presented, Gorman's contentions are without merit, and that the University employed adequate procedures which satisfied the requirements of due process, the decision of the district court is affirmed in part and reversed in part.

#### *The Facts*

---

\* Chief Judge of the United States Court of International Trade, sitting by designation.

Gorman enrolled [\*\*3] in the University of Rhode Island in September 1981. Over the next few years, Gorman participated in student government, and was appointed to serve on the Student Senate. He was an active member of several student committees involved in university administration, and, in this capacity, often promoted "controversial" policies. The Student Senate [\*10] budget proposals made by Gorman successfully cut the budget of the University's entertainment committee, and defeated a salary increase for the Student Senate's secretary, Melanie Murphy.

In September 1984, Gorman was involved in altercations with two university employees. On September 17, Gorman had an argument with Vera Carr, then Acting Director of the University Student Union, over staff use of a student van. On September 18, Gorman had another argument about the van, this time with the Student Senate's secretary, Melanie Murphy. Both women subsequently filed complaints with the University, charging Gorman with verbal abuse, harassment, and threats, in violation of section 2.4 of the University's student handbook entitled *Student Rights and Responsibilities 1984-85* (Student Handbook).

Gorman was duly notified that separate [\*\*4] hearings on these charges would be held pursuant to the provisions in the University Manual. The Preamble to the University Manual states that it is a "compilation of legislation, policies and administrative regulations for the government of the University of Rhode Island. . . ." Incorporated within the manual are provisions on the relationship between students and the administration, including their respective rights and responsibilities. The applicable provisions of the manual are also set forth in the Student Handbook.

The hearings on the charges against Gorman were held before the University Board on Student Conduct (UBSC), which was convened pursuant to section 9.23.10 of the University Manual. Pursuant to section 5.9.11 of the University Manual the board for each hearing consisted of one faculty member and five students. In addition, section 9.23.15 of the manual required that a staff member from the Office of Student Life serve as advisor to the UBSC in all stages of the university judicial process. The Acting Director of Student Life, Ronald Weisinger, served as the advisor to the University board, which heard the charges against Gorman, and participated in its meetings as [\*\*5] a non-voting member.

The hearing on the Carr complaint was held on October 4, 1984 and lasted approximately 7 hours. The UBSC was chaired by a student, Julia Emmets, pursuant to section 5.19.13 of the University Manual which states that "the board shall be chaired by a student member elected by a majority vote of the board." After the hearing, the UBSC unanimously found Gorman guilty of harassing and intimidating Carr and impeding her in the performance of her duties. As a result, Gorman was placed on disciplinary probation for 6 months, and was required to attend one session at the University's counseling center. Gorman complied with both of these sanctions.

The hearing on the Murphy complaint was held on October 25, 1984, November 8, 1984, and January 14, 1985, and lasted approximately 20 hours. At this hearing, the UBSC consisted of three new student members and two students who had been members on the prior board, including Julia Emmets who again served as chair. Weisinger again served as the non-voting advisor to the board, and also participated as a witness. Gorman objected to the presence of several members of the UBSC on the grounds of bias. Specifically, Gorman alleged [\*\*6] bias on the part of two students, Julia Emmets, who allegedly had expressed a dislike for "people who went against the system," and Roberto Pietersz, who had opposed Gorman's position on a student government committee. These objections were denied, and, at the conclusion of the hearing, Gorman was found guilty. The board imposed sanctions consisting of a

permanent ban from office in any recognized student organization, a mandatory examination by the University's consulting psychiatrist, and, if recommended, commencement of a course of treatment.

The UBSC's decision on the Murphy charge was appealed by Gorman to the University Appeals Board, which consisted of two faculty members and one student. The Appeals Board based its review on the record of the hearings prepared by Weisinger, the UBSC advisor. Pursuant to section 9.23.17 of the University Manual, a record of each hearing was made and maintained [\*11] by the Office of Student Life. Weisinger appeared before the Appeals Board on behalf of the UBSC, and, in accordance with university practice, submitted a rebuttal brief concerning plaintiff's procedural objections. The Appeals Board upheld the decision of the UBSC.

Gorman [\*\*7] failed to comply with the sanctions imposed by the UBSC, and, on March 5, 1985, formal charges were filed by the Vice President of the University, A. Robert Rainville. Gorman was notified that he was charged with three counts of violating section 2.2 of the Student Handbook, and a hearing was scheduled for March 28. Two days before the hearing, by letter to Weisinger, Gorman made several procedural requests. Specifically, he requested an open hearing, permission to have legal counsel present, permission to tape record the proceedings, total media access to the proceedings, and a stenographic record to be provided at the University's expense. Although these requests were denied, Gorman was informed that he would be allowed to make a stenographic record of the hearing at his own expense, provided that the University was also allowed to obtain a copy.

At the March 28 hearing, in addition to objecting to Weisinger serving as advisor to the board, Gorman again objected to the inclusion of two students whom Gorman had accused of bias at the November 8 hearing.

The UBSC found Gorman guilty of not complying with UBSC decisions in violation of section 2.2 of the Student Handbook, and imposed [\*\*8] three sanctions against him: (1) immediate suspension from the University through the following academic year, (2) the suspension to continue until he complied fully with all sanctions which had been imposed against him, and (3) disciplinary probation throughout the remainder of his undergraduate enrollment. The decision of the UBSC provided for a stay of the suspension to allow Gorman to finish the spring 1985 semester on two conditions: (1) Gorman's immediate resignation from all student government positions, and, (2) within one week, examination and commencement of any recommended treatment by the University's consulting psychiatrist. The final sanctions were also reviewed and approved by the President of the University, Edward D. Eddy. Gorman appealed the decision of the UBSC, and on April 15, 1985, the University Appeals Board denied Gorman's appeal.

On April 16, 1985, Gorman filed this action in the United States District Court for the District of Rhode Island, and moved to enjoin enforcement of the sanctions. Judge Selya granted the motion, and issued a temporary restraining order, enjoining defendants from suspending Gorman before the end of the spring 1985 semester, "unless [\*\*9] some other . . . cause is created or exists, . . . which would otherwise give them the right to suspension or expulsion." The court also ordered Gorman to refrain from serving as an officer in any Student Senate recognized organization. Both parties complied with the order, which expired on May 15, 1985.

Gorman also moved for a preliminary injunction seeking relief from the district court for the sanctions imposed against him by the University. On September 6, 1985, Judge Pettine enjoined the defendants

from enforcing the sanction for psychiatric treatment, but otherwise denied relief. *Gorman v. University of Rhode Island*, No. 85-0210 (D.R.I. Sept. 6, 1985). As a result, Gorman remained on suspension throughout the 1985-1986 school year.

The case proceeded to trial, and the district court held that the University procedures violated the due process clause of the fourteenth amendment, and that, "pursuant to 42 U.S.C. § 1983, the defendants are liable to the plaintiff for depriving him . . . of rights secured by the Constitution." *Gorman v. University of Rhode Island*, 646 F. Supp. 799, 815 (D.R.I. 1986). In a thorough opinion by Judge [\*10] Pettine, the district court held that Gorman's request to tape record the hearings should have been granted. The court also held that "Weisinger's involvement in the USBC's deliberations compromised their independence to a degree that violates the requirements of due process." *Id.* at 811. Hence, all sanctions [\*12] were vacated, and the University was ordered to purge Gorman's records of all references to the proceedings and charges. The University was also ordered "to afford the plaintiff a *de novo* hearing or series of hearings that comply with the requirements of due process." *Id.* at 815.

### Discussion

As early as Magna Carta, procedure was regarded as a valuable means for the protection of the rights of litigants. In America, with the object of preventing an arbitrary government, procedural safeguards were guaranteed to all persons by the inclusion of "due process" clauses in the federal and state constitutions. Few principles of law, applicable as well to the administrative process, are as fundamental or well established as "a party is not to suffer . . . without an opportunity of being heard." *Painter v. Liverpool Oil Gas Light Co.*, 11 Eng. Rep. 478, 484, 3 Adm. & Eccl. 433, 448-49 (K.B. 1836). [\*11] For the American, in the words of Justice Frankfurter, "*audi alteram partem* -- hear the other side! -- a demand made insistently through the centuries, is now a command, spoken with the voice of the Due Process Clause of the Fourteenth Amendment. . . ." *Caritativo v. California*, 357 U.S. 549, 558, 2 L. Ed. 2d 1531, 78 S. Ct. 1263 (1958) (Frankfurter, J., dissenting).

**HN1**[↑] The fourteenth amendment to the United States Constitution provides that no state shall deprive any person of life, liberty, or property without due process of law. **HN2**[↑] There is no doubt that due process is required when a decision of the state implicates an interest protected by the fourteenth amendment. It is also not questioned that a student's interest in pursuing an education is included within the fourteenth amendment's protection of liberty and property. See *Goss v. Lopez*, 419 U.S. 565, 574-75, 42 L. Ed. 2d 725, 95 S. Ct. 729 (1975). Hence, **HN3**[↑] a student facing expulsion or suspension from a public educational institution is entitled to the protections of due process. See *id.* at 575-76; *Dixon v. Alabama State Bd. of Educ.*, 294 F.2d 150, 157 (5th [\*12] Cir.), *cert. denied*, 368 U.S. 930, 82 S. Ct. 368, 7 L. Ed. 2d 193 (1961).

To say that an interest is protected by the due process clause of the Constitution, however, is only the beginning of the inquiry. In the language of the Supreme Court, "once it is determined that due process applies, the question remains what process is due." *Morrissey v. Brewer*, 408 U.S. 471, 481, 33 L. Ed. 2d 484, 92 S. Ct. 2593 (1972). **HN4**[↑] Due process, which may be said to mean fair procedure, is not a fixed or rigid concept, but, rather, is a flexible standard which varies depending upon the nature of the interest affected, and the circumstances of the deprivation. See *Mathews v. Eldridge*, 424 U.S. 319, 334, 47 L. Ed. 2d 18, 96 S. Ct. 893 (1976); *Morrissey v. Brewer*, 408 U.S. at 481. The time-honored phrase "due process of law" expresses the essential requirement of fundamental fairness. Yet, it "does not impose an unattainable standard of accuracy." *Grannis v. Ordean*, 234 U.S. 385, 395, 58 L. Ed. 1363, 34 S. Ct.

[779 \(1914\)](#). Hence, the procedures employed in a disciplinary action must be tested by the extent to which **[\*\*13]** they comport with the requirement of fundamental fairness. See Buss, *Procedural Due Process For School Discipline: Probing the Constitutional Outline*, 119 U. Pa. L. Rev. 545, 551 (1971).

**HN5**[\[↑\]](#) Notice and an opportunity to be heard have traditionally and consistently been held to be the essential requisites of procedural due process. See [Goldberg v. Kelly](#), 397 U.S. 254, 267-68, 25 L. Ed. 2d 287, 90 S. Ct. 1011 (1970); [Joint Anti-Fascist Refugee Comm. v. McGrath](#), 341 U.S. 123, 171-72, 95 L. Ed. 817, 71 S. Ct. 624 (1951) (Frankfurter, J., concurring); [Mullane v. Central Hanover Bank & Trust Co.](#), 339 U.S. 306, 313, 94 L. Ed. 865, 70 S. Ct. 652 (1950). It has been stated with crystal clarity that "notice and opportunity to be heard are fundamental to due process of law." [Joint Anti-Fascist Refugee Comm. v. McGrath](#), 341 U.S. 123, 178, 95 L. Ed. 817, 71 S. Ct. 624 (1951) (Douglas, J., concurring). Suffice it to say that notice and a fair hearing require that a **[\*13]** person be heard prior to being deprived of a vital legally protected interest.

**HN6**[\[↑\]](#) The hearing, to be fair in the due process sense, **[\*\*14]** implies that the person adversely affected was afforded the opportunity to respond, explain, and defend. Whether the hearing was fair depends upon the nature of the interest affected and all of the circumstances of the particular case. The courts have stated that an opportunity to be heard requires that an individual be afforded "some kind of hearing." See [Goss v. Lopez](#), 419 U.S. at 579 (emphasis omitted). In the administrative process, the words "some kind of hearing" have acquired a meaning which implies all of those elements of fairness which go to the heart of the concept of due process in the particular case. See generally Friendly, *Some Kind of Hearing*, 123 U. Pa. L. Rev. 1267 (1975). **HN7**[\[↑\]](#) In determining whether due process has been denied, the courts have had to ascertain the scope of the protection required in a particular setting, as well as an "accommodation of the competing interests involved." [Goss v. Lopez](#), 419 U.S. at 579. In [Mathews v. Eldridge](#), 424 U.S. 319, 47 L. Ed. 2d 18, 96 S. Ct. 893 (1976), the Supreme Court identified three factors that must be considered:

First, the private interest **[\*\*15]** that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the [state] interest, including the function involved and fiscal and administrative burdens that the additional or substitute procedural requirement would entail.

[Id.](#) at 335.

Although it dealt with the expulsion of students rather than with a suspension, a valuable discussion of the procedural due process rights of students is found in the case of [Dixon v. Alabama State Bd. of Educ.](#), 294 F.2d 150 (5th Cir.), cert. denied, 368 U.S. 930, 82 S. Ct. 368, 7 L. Ed. 2d 193 (1961). Indeed, in student discipline cases, since that case, the federal courts have uniformly held that **HN8**[\[↑\]](#) fair process requires notice and an opportunity to be heard before the expulsion or significant suspension of a student from a public school.

The plaintiffs, in *Dixon*, students in good standing at the Alabama State College, were protesting the practice or policy of segregation, and participated in several sit-in demonstrations **[\*\*16]** off-campus. As a consequence, they were summarily expelled. The notice of expulsion stated no specific grounds for the action, and the students were not given an opportunity to explain or refute the charges of alleged

wrongdoing. The students sought injunctive relief, alleging a violation of their right to due process of law. The university maintained that, absent any statute or rule requiring further procedures, the action of the university in expelling them was legal and constitutional.

The trial court upheld the dismissal and denied relief. The United States Court of Appeals for the Fifth Circuit reversed, and stated that "whenever a governmental body acts so as to injure an individual, the Constitution requires that the act be consonant with due process of law." [294 F.2d at 155](#). In determining the minimum procedural requirements necessary to satisfy due process, the court balanced the interests of the parties under the particular circumstances. [Id. at 157](#). The plaintiffs' interest in remaining at the college in which they were students in good standing, was balanced against the interest of the school administration to dismiss or expel students [\*\*17] for the general benefit of the institution. *Id.* The potential for arbitrary action on the part of the school officials, and the absence of any immediate danger posed by the students, led the court to hold that the Board of Education was required to exercise "at least the fundamental principles of fairness by giving the accused students notice of the charges and an opportunity to be heard in their own defense." *Id.*

In delineating the nature of the hearing, the court noted that a charge of misconduct, which may easily be colored by the point of view of the witness, "requires [\*14] something more than an informal interview with an administrative authority of the college." [Id. at 158](#). The court however, added that "this is not to imply that a full-dress judicial hearing, with the right to cross-examine witnesses, is required." [Id. at 159](#).

The Supreme Court in [Goss v. Lopez, 419 U.S. 565, 42 L. Ed. 2d 725, 95 S. Ct. 729 \(1975\)](#), considered the procedural due process issue in the context of disciplinary action taken by a public educational institution. In that case, students suspended for disciplinary reasons, challenged [\*\*18] the statutory authority of Ohio's public school principals to suspend students for up to 10 days without prior notice or a hearing.

The Court held that a 10-day suspension was not a *de minimus* deprivation of the students' property or liberty interests in an education, and, therefore, could not be imposed in "complete disregard of the Due Process Clause." [419 U.S. at 576](#). Hence, the Court held the statute to be unconstitutional, and concluded that, at the very minimum, students must be given "some kind of notice and afforded some kind of hearing." [Id. at 579](#) (emphasis in original).

After balancing the competing interests involved, even in a short suspension, the Court determined that the procedures due to a student included notice, an explanation of the case against the student, and "an opportunity to present his side of the story." [Id. at 581](#). The Court cautioned, however, that "further formalizing the suspension process and escalating its formality and adversary nature may not only make it too costly as a regular disciplinary tool but also destroy its effectiveness as part of the teaching process." [Id. at 583](#). [\*\*19]

In this case, there is no doubt that Gorman was given notice of the charges against him, and an opportunity to be heard. Nevertheless, he maintains that the University denied him certain procedural protections guaranteed by the due process clause of the Constitution. Specifically, Gorman contends that he was entitled to, and was deprived of: (1) an impartial and independent decision-maker, (2) a transcript and/or a tape recording of the hearings, (3) cross-examination of any participant in the actions concerning possible bias, (4) representation by counsel at the hearings, and (5) review of the University's decision by a court under a "substantial evidence" standard. In essence, Gorman's argument rests on the premise that a

university may not discipline its students without providing full-scale adversarial proceedings comparable to those afforded defendants in a criminal trial.

[HN9](#)<sup>[↑]</sup> In fostering and insuring the requirements of due process, however, the courts have not and should not require that a fair hearing is one that necessarily must follow the traditional common law adversarial method. Rather, on judicial review the question presented is whether, in the particular case, the individual [\\*\\*20](#) has had an opportunity to answer, explain, and defend, and not whether the hearing mirrored a common law criminal trial.

[HN10](#)<sup>[↑]</sup> Beyond the right to notice and hearing, the span of procedural protections required to ensure fairness becomes uncertain, and must be determined by a careful weighing or balancing of the competing interests implicated in the particular case. See [Mathews v. Eldridge, 424 U.S. 319, 334-35, 47 L. Ed. 2d 18, 96 S. Ct. 893 \(1976\)](#). The interests of students in completing their education, as well as avoiding unfair or mistaken exclusion from the educational environment, and the accompanying stigma are, of course, paramount. As the Supreme Court declared in [Brown v. Board of Education, 347 U.S. 483, 98 L. Ed. 873, 74 S. Ct. 686 \(1954\)](#), "education is perhaps the most important function of state and local governments. . . . It is required in the performance of our most basic public responsibilities. . . . It is the very foundation of good citizenship." [Id. at 493](#).

Although the protection of such a vital interest would require all possible safeguards, it must be balanced against the need to promote and protect the primary [\\*\\*21](#) function of institutions that exist to provide education. Although fairness in disciplinary [\\*15](#) procedures serves the goals of both students and schools alike, the burdens imposed on the schools may become unjustifiable. School administrators and courts recognize that "procedural requirements entail the expenditure of limited resources, [and] that at some point the benefit to individuals from an additional safeguard is substantially outweighed by the cost of providing such protection. . . ." Friendly, *Some Kind of Hearing*, 123 U. Pa. L. Rev. at 1276. Hence, it is no exaggeration to state that the undue judicialization of an administrative hearing, particularly in an academic environment, may result in an improper allocation of resources, and prove counter-productive.

In this case, the district court noted that, [HN11](#)<sup>[↑]</sup> an impartial and independent adjudicator "is a fundamental ingredient of procedural due process." [Gorman, 646 F. Supp. at 810](#); see [Withrow v. Larkin, 421 U.S. 35, 46-47, 43 L. Ed. 2d 712, 95 S. Ct. 1456 \(1975\)](#). Gorman maintains that this fundamental requisite was lacking in the disciplinary actions taken against [\\*\\*22](#) him. The district court agreed, and found that the UBSC's independence was compromised by the extensive participation of Weisinger, and that the potential bias of the board members violated the requirements of due process. See [Gorman, 646 F. Supp. at 810-13](#).

As required by the University Manual, the decision-maker in disciplinary actions is not an administrator of the University, but is the UBSC, composed of students and faculty. It would seem clear that the role of the board before whom the student appears is quasi-judicial, which presupposes the indispensable prerequisites of integrity and objectivity. Nevertheless, it has been noted that "alleged prejudice of university hearing bodies must be based on more than mere speculation and tenuous inferences." [Duke v. North Texas State Univ., 469 F.2d 829, 834 \(5th Cir. 1972\)](#), cert. denied, 412 U.S. 932, 93 S. Ct. 2760, 37 L. Ed. 2d 160 (1973). Generally, in examining administrative proceedings, the presumption favors the administrators, and the burden is upon the party challenging the action to produce evidence sufficient to rebut this presumption.

Gorman has not met this burden [\*\*23] of proof in this case. In the intimate setting of a college or university, prior contact between the participants is likely, and does not *per se* indicate bias or partiality. An examination of the record in this case reveals no evidence of bias or prejudice which would show that the board's independence was compromised to such an extent that the hearings were unfair and that due process was violated.

Nor do the various roles of Weisinger, while inappropriate in a judicial setting, necessarily violate the requirements of fairness. As Justice Blackmun noted in [Richardson v. Perales](#), 402 U.S. 389, 28 L. Ed. 2d 842, 91 S. Ct. 1420 (1971), "the advocate-judge-multiple-hat suggestion. . . . assumes too much and would bring down too many procedures designed, and working well. . . ." *Id.* at 410. Gorman's contention that Weisinger's various roles or "multiple-hats" are evidence of bias and undue influence, also "assumes too much." The University procedures are designed to give students an opportunity to respond and defend against the charges made, and there is no evidence which would show that Gorman was denied a fair hearing because of Weisinger's multiple [\*\*24] roles. Consequently, in this case, it cannot be said that Gorman has borne his burden of demonstrating that the UBSC's independence was compromised, and that it did not afford him a fair hearing.

The district court also held that Gorman's due process rights were violated by the University's denial of his request to tape record the hearings. Although the absence of a written transcript has not been a ground for reversing disciplinary action, several courts have required some form of record. *See, e.g., Marin v. University of Puerto Rico*, 377 F. Supp. 613, 623 (D.P.R. 1974); [Esteban v. Central Missouri State College](#), 277 F. Supp. 649, 652 (W.D. Mo. 1967). Indeed, in this case, the University Manual, section 9.23.17, states that "a record of each hearing, comprised of a summary of the testimony and evidence [\*\*16] presented and of the decision rendered, shall be made." These written accounts of Gorman's hearings, made and maintained by the Office of Student Life, clearly constituted a sufficient record of the proceedings. Hence, we disagree that, in this case, the right to tape record the hearings was so essential that its denial rendered the hearing [\*\*25] unfair, and was a violation of due process.

The district court rejected Gorman's contention that he was deprived of his constitutional right to retain counsel, and to cross-examine his accusers on his allegations of bias. On these two allegations of error, we agree with the holding of the district court. As indicated in the district court's opinion, the weight of authority is against representation by counsel at disciplinary hearings, unless the student is also facing criminal charges stemming from the incident in question. [Gorman](#), 646 F. Supp. at 806; *see Wasson v. Trowbridge*, 382 F.2d 807, 812 (2d Cir. 1967); [Jaksa v. Regents of the Univ. of Michigan](#), 597 F. Supp. 1245, 1252 (E.D. Mich. 1984), *aff'd mem.*, 787 F.2d 590 (6th Cir. 1986). This, however, does not preclude a student threatened with sanctions for misconduct from seeking legal advice before or after the hearings. Furthermore, as permitted by the University Manual, Gorman was allowed, and did in fact, choose someone from within the University community to assist him in presenting his case to the UBSC.

As for the right to cross-examination, suffice [\*\*26] it to state that [HN12](#)<sup>[↑]</sup> the right to unlimited cross-examination has not been deemed an essential requirement of due process in school disciplinary cases. *See Winnick v. Manning*, 460 F.2d 545, 549 (2d Cir. 1972); [Dixon v. Alabama State Bd. of Educ.](#), 294 F.2d 150, 159 (5th Cir. 1961); [Jaksa v. Regents of the Univ. of Michigan](#), 594 F. Supp. 1245, 1252-53 (E.D. Mich. 1984). Gorman had the opportunity to cross-examine his accusers as to the incidents and events in question, and there is no evidence that any limitation on Gorman's cross-examination prevented him from eliciting the truth about the facts and events in issue. Under the circumstances presented, Gorman was not deprived of procedural due process as a result of any limitation upon his right of cross-examination.

A major purpose of the administrative process, and the administrative hearing, is to avoid the formalistic adversary mode of procedure. As stated by Justice White in *Goss v. Lopez*, "further formalizing the suspension process and escalating its formality and adversary nature may not only make it too costly as a regular disciplinary tool but also destroy its effectiveness as part of the teaching process." [419 U.S. at 583](#). **[\*\*27]** Hence, [HN13](#)<sup>[↑]</sup> on review, the courts ought not to extol form over substance, and impose on educational institutions all the procedural requirements of a common law criminal trial. The question presented is not whether the hearing was ideal, or whether its procedure could have been better. In all cases the inquiry is whether, under the particular circumstances presented, the hearing was fair, and accorded the individual the essential elements of due process. In the words of Justice White, "the Due Process Clause requires, not an 'elaborate hearing' before a neutral party, but simply 'an informal give-and-take between student and disciplinarian' which gives the student 'an opportunity to explain his version of the facts.'" See [Ingraham v. Wright, 430 U.S. 651, 693, 51 L. Ed. 2d 711, 97 S. Ct. 1401 \(1977\)](#) (White, J., dissenting). A careful reading of the record in this case reveals that Gorman was given the opportunity to explain fully his version of the facts. In addition, Gorman had the opportunity to appeal the adverse decisions, and did in fact avail himself of the University's appeal process. Although the extensive hearings did not mirror common law trials, the hearings **[\*\*28]** were fair and comported with requirements of due process.

### *Conclusion*

It is the holding of the court that the procedures employed in the disciplinary actions taken by the University of Rhode Island against Gorman did not violate the Due Process Clause of the fourteenth **[\*17]** amendment. The judgment of the district court is, therefore, affirmed in part and reversed in part.

---

End of Document



Neutral

As of: August 7, 2017 2:42 PM Z

## Plummer v. Univ. of Houston

United States Court of Appeals for the Fifth Circuit

June 23, 2017, Filed

No. 15-20350

### **Reporter**

860 F.3d 767 \*; 2017 U.S. App. LEXIS 11268 \*\*; 2017 WL 2704014

NATALIE PLUMMER; RYAN MCCONNELL, Plaintiffs - Appellants v. UNIVERSITY OF HOUSTON; RICHARD BAKER; RICHARD WALKER, Defendants - Appellees

**Subsequent History:** As Revised June 26, 2017.

**Prior History:** [\*\*1] Appeal from the United States District Court for the Southern District of Texas.

[Plummer v. Univ. of Houston, 2015 U.S. Dist. LEXIS 189229 \(S.D. Tex., May 28, 2015\)](#)

### **Core Terms**

---

Female, University's, procedures, videos, sexual assault, sexual misconduct, investigated, cross-examination, due process, disciplinary, charges, sexual, proceedings, discipline, hearings, district court, adjudicating, questions, female student, allegations, misconduct, witnesses, adviser, graphic, Dorm, sex, sexual harassment, hearing panel, deprivation, suspension

### **Case Summary**

---

#### **Overview**

**HOLDINGS:** [1]-The university had a strong interest in the educational process, including maintaining a safe learning environment for all of its students, while preserving its limited administrative resources; [2]-The students received multiple, meaningful opportunities to challenge the university's allegations, evidence, and findings, and in light of the graphic conduct depicted in the videos and photo, further procedural safeguards would not have lessened the risk of an erroneous deprivation of the students' interests or otherwise altered the outcome; [3]-The students' conduct, as detailed in the evidence, violated the university's Interim Sexual Assault Policy; [4]-The university's discipline was predicated on what the two charged students did, and during the process they, a male and a female, were treated equally, and there was no sound basis for an inference of gender bias.

#### **Outcome**

Judgment affirmed.

James Craig

## LexisNexis® Headnotes

---

Education Law > ... > Student Discipline > Disciplinary Proceedings > Due Process

[HN1](#) **Disciplinary Proceedings, Due Process**  
It is not the role of the federal courts to set aside decisions of school administrators which the court may view as lacking in wisdom or compassion. A university is not a court of law, and it is neither practical nor desirable it be one. Ultimately, courts must focus on ensuring the presence of fundamentally fair procedures to determine whether the misconduct has occurred.

Education Law > ... > Student Discipline > Disciplinary Proceedings > Due Process

[HN2](#) **Disciplinary Proceedings, Due Process**  
Generally, the amount of process due in university disciplinary proceedings is based on a sliding scale that considers three factors: (a) the student's interests that will be affected; (b) the risk of an erroneous deprivation of such interests through the procedures used and the probable value, if any, of additional or substitute procedural safeguards; and (c) the university's interests, including the burden that additional procedures would entail. An informal give-and-take between a high school student and the administration afforded sufficient process preceding a temporary suspension. The Court specified, however, that longer suspensions or expulsions for the remainder of the school term, or permanently, may require more formal procedures. Due process requires notice and some opportunity for hearing before a student at a tax-supported college is expelled for misconduct. The interpretation and application of the Due Process Clause are intensely practical matters and the very nature of due process negates any concept of inflexible procedures universally applicable to every imaginable situation. The nature of the hearing should vary depending upon the circumstances of the particular case.

Education Law > ... > Student Discipline > Disciplinary Proceedings > Due Process

[HN3](#) **Disciplinary Proceedings, Due Process**  
Whether a state university has provided an individual student sufficient process is a fact-intensive inquiry and the procedures required to satisfy due process will necessarily vary depending on the particular circumstances of each case.

Civil Procedure > Appeals > Standards of Review > De Novo Review

Education Law > Civil Liability > Harassment

Civil Procedure > ... > Defenses, Demurrers & Objections > Motions to Dismiss > Failure to State Claim

**[HN4](#) [↓] Standards of Review, De Novo Review**

The appellate court reviews the dismissal and the district court's related conclusions of law de novo. The University, as a recipient of federal funding, can be held liable for intentional discrimination on the basis of sex or for deliberate indifference to discrimination against or harassment of a student on the basis of sex.

Education Law > Civil Liability > Harassment

**[HN5](#) [↓] Civil Liability, Harassment**

A university can face Title IX liability for imposing discipline where gender is a motivating factor for the decision under two general theories. In the first instance, the claim is that the charged student (plaintiff) was innocent and wrongly found to have committed an offense. The second instance alleges selective enforcement, i.e., that regardless of the student's culpability, the severity of the penalty and/or the university's decision to initiate proceedings was affected by the charged student's gender. More recently, the same court held a student's case sufficient to proceed under Title IX where a male student alleged himself innocent of engaging in nonconsensual sex with a female student. He further alleged procedural bias and improprieties in the university's discipline process.

Education Law > ... > Student Discipline > Disciplinary Proceedings > Due Process

**[HN6](#) [↓] Disciplinary Proceedings, Due Process**

Deliberate indifference to constitutional rights is a very high standard of misconduct.

**Counsel:** For NATALIE PLUMMER, RYAN MCCONNELL, Plaintiffs - Appellants: Joshua Adam Engel, Counsel, Engel & Martin, L.L.C., Mason, OH; Troy Ted Tindal, Tindal Law Firm, Houston, TX.

For UNIVERSITY OF HOUSTON, RICHARD BAKER, RICHARD WALKER, Defendants - Appellees: Sean Patrick Flammer, Esq., Office of the Attorney General, Austin, TX.

**Judges:** Before JONES, WIENER, and HIGGINSON, Circuit Judges. EDITH H. JONES, Circuit Judge, dissenting.

**Opinion by:** STEPHEN A. HIGGINSON

## **Opinion**

---

[\*770] STEPHEN A. HIGGINSON, Circuit Judge:

The University of Houston found two former students, Ryan McConnell and Natalie Plummer, to have violated the University's sexual misconduct policy. After two unsuccessful administrative appeals, McConnell and Plummer were ultimately expelled. McConnell and Plummer then sued the University and two University officials, alleging that they were denied constitutional due process and were discriminated against in violation of Title IX. The district court granted summary judgment to the University and the individual defendants, holding that no due process violation occurred and that the individual defendants

were entitled to qualified immunity. [\*\*2] The district court dismissed the Title IX claims under [Rule 12\(b\)\(6\)](#). Finding no reversible error, we affirm.

I

McConnell and Plummer were students at the University of Houston in 2011. On the night of November 19, 2011, McConnell met, for the first time, "Female UH Student" at a bar in Houston. Both McConnell and Female UH Student became intoxicated. They were ejected from the bar for disruptive behavior and walked to McConnell's nearby dorm room. There, they engaged in sexual activity, but neither can remember exactly what occurred.

Later that evening, McConnell's girlfriend (now wife), Plummer, appeared at his dorm room and found McConnell and Female UH Student, both naked and unconscious on the floor. Plummer yelled expletives and took a photo of the two, which she posted on Facebook but removed sometime later. Plummer also made two brief videos. In one, the "Dorm Room Video," a drowsy McConnell appears to fondle the unresponsive Female UH Student as she lies on the dorm room floor and Plummer crudely berates him. After McConnell stands up, Plummer focuses the camera on Female UH Student's vagina and yells several lewd statements, including "Fucking yeah, yeah. Fucking get it, get it. Fucking [\*\*3] get that pussy, bitch!" Simultaneously, slapping sounds can be heard in the background. In the other, the "Elevator Video," Plummer films Female UH Student, who is still fully naked, lying on the dormitory's communal hallway floor. Female UH Student stands up and walks toward Plummer, and Plummer leads the nude Female UH Student into an elevator and sends it to the lobby. Voices can be heard speaking throughout the video, but the precise statements are often unclear. Plummer later showed the videos to her friends and shared the videos and photo electronically.

Other students found Female UH Student lying naked in the elevator, and they contacted University police. A Sexual Assault Nurse examined Female UH Student and found injuries consistent with sexual assault. Police investigated the incident, but did not criminally charge McConnell or Plummer.

On February 12, 2012, Female UH Student submitted a complaint to the University alleging that she was a victim of sexual assault. Richard Baker, the Vice President of the University's Office of Equal Opportunity Services (EOS), notified McConnell that EOS was investigating the incident. Thereafter, McConnell and Plummer met with Baker to discuss [\*\*4] [\*771] the incident and provide their side of the story. At her meeting with Baker, Plummer presented the photo she took of McConnell and Female UH Student, as well as the Elevator Video. Plummer did not disclose the Dorm Room Video. Based on the evidence gathered, the University did not proceed with disciplinary actions at that time. More than a year and a half later, however, the University received a copy of the Dorm Room Video from the Harris County Sheriff's Office and then decided disciplinary proceedings were warranted.

The University provided both McConnell and Plummer with a formal, written declaration of the various allegations against them on September 30, 2013.<sup>1</sup> Each student retained counsel, who formally responded to the charges and accompanied McConnell and Plummer to meetings with Baker. McConnell reported that he remembered nothing after he and Female UH Student arrived at his dorm room but denied sexually assaulting her. Plummer insisted that her actions were motivated by anger at her boyfriend, not an attempt

---

<sup>1</sup> At some point, Female UH Student decided not to pursue her complaint, and thus the University was the "Complainant" in both proceedings as provided for by the University's procedures.

to encourage him to assault Female UH Student. She also asserted that Female UH Student, when awakened, was pressing to "sex" her.<sup>2</sup>

After completing his investigation, [\*\*5] Baker authored a report finding that McConnell "violated the sexual assault and attempted sexual assault provisions . . . when he engaged in sexual activity with [Female UH Student] on November 19, 2011, without her consent."<sup>3</sup> Baker also found that Plummer "facilitated/encouraged the sexual assault of another [UH] student[,]" "electronically recorded the sexual activity of another [UH] student and then shared that video . . . without that student's permission[,]" and "made lewd, lecherous and humiliating comments of a sexual nature against another [UH] student."

Pursuant to the University's procedures, each student appealed Baker's findings to a four-person panel of University personnel. The panels, tasked with upholding or rejecting EOS's findings based on a preponderance of the evidence standard, held separate appeal hearings for McConnell and Plummer. Neither student attended the other's full hearing, although Plummer testified as a witness at McConnell's hearing. Baker, an attorney, presented his findings to the panel, including by testifying about his investigation and providing a packet of investigatory materials. He called two witnesses at McConnell's hearing—two University police [\*\*6] officers who responded to and investigated the incident—and none at Plummer's hearing. An additional University EOS attorney was present at each hearing to advise the panel.

McConnell's and Plummer's attorneys attended and participated in the hearings. Although the University's procedures explicitly allow a student's attorney only a minor role as an "adviser" at the appeal [\*772] hearing, in this case, the University allowed McConnell's and Plummer's attorneys to participate more fully, including at times by examining and cross-examining witnesses and making statements to the panel. Additionally, McConnell's and Plummer's attorneys drafted and submitted formal responses to the University's allegations and met with University officials on several occasions to discuss the evidence against the plaintiffs.

McConnell and Plummer each made opening and closing arguments, testified, presented witnesses, cross-examined witnesses, and raised legal and factual objections to the panel. The University's procedures explicitly allow cross-examination of witnesses only through the submission of written questions. Here, however, the panels frequently allowed all parties (or their attorneys) to question witnesses [\*\*7] (including Baker) in person at the hearing. McConnell and Plummer were informed of the investigatory evidence several days before each hearing, although some identities were redacted from materials based on educational privacy concerns. At each hearing, the panel was shown the Dorm Room and Elevator Videos, and all parties offered interpretations of the videos' contents. Female UH Student was not deposed and did not appear or testify at either hearing. Neither Baker nor any other witness testified to the substance of any conversations with Female UH Student about her memory of the night, and Female UH Student's original complaint—which was among the materials supplied to the panels—stated that she did not remember anything that occurred after she arrived at the bar the night of the incident.

---

<sup>2</sup>The dissent observes that Female UH Student "was never investigated for her lascivious advances toward Plummer." Plummer never submitted a formal complaint to EOS, which would have required EOS to initiate investigative processes.

<sup>3</sup>"Sexual activity" as defined by the University's 2013 Sexual Misconduct Policy includes "any intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch the Complainant or themselves with or any of these body parts; and any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice."

Both hearing panels upheld Baker's findings. McConnell and Plummer then appealed to Richard Walker, the University's Vice President and Vice Chancellor for Student Affairs and Enrollment Services, as allowed by the University's procedures. In September 2014, Walker denied these further appeals. McConnell and Plummer were expelled and banned from the University and any activities connected with it. [\*\*8]<sup>4</sup> The disciplinary notations were, however, removed from their official transcripts.

In this lawsuit challenging their discipline, McConnell and Plummer complain that the University retroactively applied its 2013 Misconduct Policy to their 2011 conduct. They also assert that the University's hearing procedures failed to give them adequate notice of the adverse evidence, denied them confrontation rights against Female UH Student, and limited cross-examination to written questions. Finally, they charge that Baker's multiple roles created impermissible conflicts. These deficiencies, they allege, deprived them of constitutional due process.<sup>5</sup>

The district court, in a 36-page opinion relying on Supreme Court and Fifth Circuit law, concluded that the process offered to McConnell and Plummer was constitutionally sufficient. [Plummer v. Univ. of Hous., No. 4:14-CV-2959, 2015 U.S. Dist. LEXIS 189229, 2015 WL 12734039 \(S.D. Tex. May 28, 2015\)](#). McConnell and Plummer appealed. We affirm.

## II

**HN1**<sup>[↑]</sup> "It is not the role of the federal courts to set aside decisions of school administrators which the court may view as lacking in wisdom or compassion." [Wood v. Strickland, 420 U.S. 308, 326, 95 S. Ct. 992, \[\\*773\] 43 L. Ed. 2d 214 \(1975\)](#); see also [Davis ex rel LaShonda D. v. Monroe Cty. Bd. of Educ., 526 U.S. 629, 648, 119 S. Ct. 1661, 143 L. Ed. 2d 839 \(1999\)](#) ("[C]ourts should refrain from second-guessing the disciplinary decisions made by school administrators."). "A university is not a court of [\*\*9] law, and it is neither practical nor desirable it be one." [Flaim v. Med. Coll. of Ohio, 418 F.3d 629, 635 n.1 \(6th Cir. 2005\)](#) (citation omitted). Ultimately, courts must focus on "ensuring the presence of 'fundamentally fair procedures to determine whether the misconduct has occurred.'" [Id. at 634](#) (quoting [Goss v. Lopez, 419 U.S. 565, 574, 95 S. Ct. 729, 42 L. Ed. 2d 725 \(1975\)](#)).

**HN2**<sup>[↑]</sup> Generally, the amount of process due in university disciplinary proceedings is based on a sliding scale that considers three factors: (a) the student's interests that will be affected; (b) the risk of an erroneous deprivation of such interests through the procedures used and the probable value, if any, of additional or substitute procedural safeguards; and (c) the university's interests, including the burden that additional procedures would entail. See [Mathews v. Eldridge, 424 U.S. 319, 335, 96 S. Ct. 893, 47 L. Ed. 2d 18 \(1976\)](#). In [Goss v. Lopez](#), the Supreme Court held that an informal give-and-take between a high school student and the administration afforded sufficient process preceding a temporary suspension. [419 U.S. at 584](#). The Court specified, however, that "[l]onger suspensions or expulsions for the remainder of the school term, or permanently, may require more formal procedures." [Id.](#) This court has held that "due process requires notice and some opportunity for hearing before a student at a tax-supported college is expelled for misconduct." [Dixon v. Ala. State Bd. of Educ., 294 F.2d 150, 158 \(5th Cir. 1961\) \[\\*\\*10\]](#). "[T]he interpretation and application of the Due Process Clause are intensely practical matters and . . . 'the very nature of due process negates any concept of inflexible procedures universally applicable to every

---

<sup>4</sup> McConnell graduated from the University before his sanction was imposed.

<sup>5</sup> The dissent criticizes the University's use of a "preponderance of the evidence" standard for the panels' review of Baker's initial findings. McConnell and Plummer, however, do not challenge this aspect of their proceedings on appeal.

imaginable situation." [Goss](#), 419 U.S. at 578 (alteration omitted) (quoting [Cafeteria Workers v. McElroy](#), 367 U.S. 886, 895, 81 S. Ct. 1743, 6 L. Ed. 2d 1230 (1961)). "The nature of the hearing should vary depending upon the circumstances of the particular case." [Dixon](#), 294 F.2d at 158.

Here, the first and third [Mathews](#) factors are easily identified. On the one hand, McConnell and Plummer have a liberty interest in their higher education. See [Univ. of Tex. Med. Sch. at Hous. v. Than](#), 901 S.W.2d 926, 929-30 (Tex. 1995) (recognizing a liberty interest in graduate higher education under the Texas Constitution); accord [Dixon](#), 294 F.2d at 157 ("The precise nature of the private interest involved in this case is the right to remain at a public institution of higher learning in which the plaintiffs were students in good standing.").<sup>6</sup> The sanctions imposed by the University could have a "substantial lasting impact on appellants' personal lives, educational and employment opportunities, and reputations in the community." [Doe v. Cummins](#), 662 F. App'x 437, 446 (6th Cir. 2016) (unpublished) (citing [Goss](#), 419 U.S. at 574-75). On the other hand, the University has a strong interest in the "educational process," including maintaining a safe learning environment for all its students, while preserving its limited administrative resources. See [Goss](#) 419 U.S. at 580, 583; see also [Gorman v. Univ. of Rhode Island](#), 837 F.2d 7, 14-15 (1st Cir. 1998) ("Although the protection of [a student's private interest] would require all possible safeguards, [\*774] it must be balanced against the need to promote and protect the primary function of institutions that exist to provide education.").<sup>7</sup>

Applying the second [Mathews](#) factor—the risk of erroneously depriving [\*\*11] McConnell and Plummer's interests through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards—the unique facts of this case render it unnecessary that we draw any determinative line regarding sufficient procedures in state university disciplinary cases. McConnell and Plummer received multiple, meaningful opportunities to challenge the University's allegations, evidence, and findings. In light of the graphic conduct depicted in the videos and photo—which the panels viewed for themselves before affirming the University's findings—further procedural safeguards would not have lessened the risk of an erroneous deprivation of McConnell and Plummer's interests or otherwise altered the outcome. See [Mathews](#), 424 U.S. at 335; see also [Flaim](#), 418 F.3d at 639-43 (holding that additional procedures were not necessary in case without significant factual disputes); [Cummins](#), 662 F. App'x at 446-451 (finding students accused of sexual assault received adequate due process in university disciplinary hearings where, "although the procedures employed by [the university] did not rise to the level of those provided to criminal defendants," students received an "opportunity to be heard at a meaningful time and in a meaningful manner" [\*\*12] (quoting [Mathews](#), 424 U.S. at 333)); cf. [Dailey v. Vought Aircraft Co.](#), 141 F.3d 224, 230 (5th Cir. 1998) ("There may be cases of such gross and outrageous conduct in open court as to justify very summary proceedings for an attorney's suspension or removal from office, but even then he should be heard before he is condemned." (internal quotation omitted)); [Scott v. Harris](#), 550 U.S. 372, 380-81, 127 S. Ct. 1769, 167 L. Ed. 2d 686 (2007) (recognizing

---

<sup>6</sup>Texas has not recognized a property interest in graduate higher education. [Than](#), 901 S.W. 2d at 930 n.1.

<sup>7</sup>The dissent narrowly characterizes the University's interest as "impartially adjudicating quasi-criminal sexual misconduct allegations." Although it is true that the University is interested in providing a fair disciplinary process, the Supreme Court has emphasized that "[a] school is an academic institution, not a courtroom or administrative hearing room." [Bd. of Curators of Univ. of Mo. v. Horowitz](#), 435 U.S. 78, 88, 98 S. Ct. 948, 55 L. Ed. 2d 124 (1978); see also [Goss](#), 419 U.S. at 580, 583 ("[F]urther formalizing the suspension process and escalating its formality and adversary nature may not only make it too costly as a regular disciplinary tool but also destroy its effectiveness as part of the teaching process."); [Gorman](#), 837 F.2d at 15 ("[I]t is no exaggeration to state that the undue judicialization of an administrative hearing, particularly in an academic environment, may result in an improper allocation of resources, and prove counter-productive.").

that the existence of undisputed video evidence, which discredited the plaintiff's version of events, justified summary judgment).<sup>8</sup> Thus, we [\*775] hold that McConnell and Plummer did not meet their summary judgment burden to demonstrate a genuine factual dispute that the process surrounding their disciplinary cases was constitutionally defective.

McConnell and Plummer argue several potential violations of due process standards. They assert inadequate notice of the standards of conduct because the University's sexual harassment/misconduct policy was changed between 2011, when the incident occurred, and 2013, when they were formally accused. They contend the investigation against them was not full and fair, that Baker's role was suffused with conflicts and bias against them, that there was an "absence of direct evidence," and that they were denied confrontation of the [\*\*13] victim and effective cross-examination. Each of these claims will be briefly discussed.

The claim that a standard of misconduct was retroactively imposed on McConnell and Plummer is unsupported on the facts of this case. Their conduct, as detailed in the photo and two videos, violated the University's Interim Sexual Assault Policy (effective in November 2011), which prohibited sexual assault as "the touching of an unwilling person's intimate parts . . . through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware." The policy also prohibited ". . . sexual misconduct which is lewd, exhibitionistic or voyeuristic . . . [and] forbids . . . any act which demeans, degrades, or disgraces any person . . . ." The University's Interim Sexual Harassment policy (effective in November 2011) prohibited "the use of sexually oriented photos . . . unrelated to instruction and/or the pursuit of knowledge."<sup>9</sup> The conduct captured in the videos and photo also violated the more broadly worded 2013 Sexual Misconduct Policy, which encompassed the following violations: (facilitating) sexual assault; taking abusive sexual advantage of another; and [\*\*14] non-consensual electronic recording and transmitting sexual images without the knowledge and consent of the parties involved. As applied to this conduct, the charged violations are neither vague nor outside the legitimate purview of the policies.

McConnell and Plummer also assert that they were denied confrontation of Female UH Student and the opportunity to effectively cross-examine adverse witnesses. This case does not require that we determine whether confrontation and cross-examination would ever be constitutionally required in student disciplinary proceedings. The unique facts of this case demonstrate no procedural deficiency in this regard. The University's case did not rely on testimonial evidence from Female UH Student. Indeed, it is undisputed that Female UH Student remembered little about the incident, and no one testified to the substance of any conversations with her about her memory of the night. Rather, the primary evidence

---

<sup>8</sup>The dissent criticizes our reliance on *Flaim* and *Cummins*. *Flaim* supports our decision not because it involved identical circumstances (it did not), but because it demonstrates that the amount of process constitutionally required in state university disciplinary proceedings will vary in accordance with the particular facts of each case. See [418 F.3d at 629 & n.8](#) ("It is because of the unique facts of this case that we find the procedures used by Medical College of Ohio adequate."). *Cummins*, which we observe for its persuasive analysis, arguably is distinguishable by a feature that would suggest *more* process was due those students than McConnell and Plummer: the sexual assault victims in *Cummins* testified at the accused students' hearings and the students were allowed limited cross-examination only by submitting written questions to the panel. [662 F. App'x at 439-442](#) (one of the accused students was precluded from cross-examining his accuser entirely). In rejecting the students' challenge to this alleged procedural flaw, the *Cummins* court explained that "[a]ny marginal benefit that would accrue to the fact-finding process by allowing follow-up questions in appellants' . . . hearings is vastly outweighed by the burden on [the university]." *Id.* at 448.

<sup>9</sup>Plummer's posting of the photo to Facebook and sharing the videos with her friends would constitute sexual harassment under the 2011 policy, as would her on-video remarks about Female UH Student.

Baker presented to the panels were the videos and photo, taken and distributed by Plummer. The conduct depicted in the videos and photo—combined with Plummer's subsequent distribution and publication—was sufficient to sustain the University's findings [\*\*15] and sanctions. See [Mathews, 424 U.S. at 335](#) (courts must weigh whether further procedural safeguards would have lessened the risk of an erroneous deprivation [\*776] or otherwise altered the outcome). We emphasize that McConnell and Plummer do not argue that Female UH Student's testimony or cross-examination would have suggested that she consented to the degrading and humiliating depictions of her in the videos and photo, nor that such testimony could have otherwise altered the impact of the videos and photo.<sup>10</sup> See [Flaim, 418 F.3d at 641](#) (citing [Winnick v. Manning, 460 F.2d 545, 549 \(2d. Cir. 1972\)](#)) (concluding that cross-examination of arresting officer was not essential to due process in medical student's disciplinary hearing when the case did not turn on credibility of testimony and plaintiff was unable to identify any significant benefits that cross-examination would have provided). Further, because McConnell and Plummer do not challenge the authenticity of the videos and photo, it does not make sense to criticize an "absence of direct evidence."

McConnell and Plummer's claims that the University failed to provide adequate notice of adverse evidence and that Baker's multiple roles suffused the proceedings with bias are similarly unpersuasive. Applying the second *Mathews* factor, even if [\*\*16] the University could have provided notice further in advance of the hearings of the identities of relevant witnesses and other evidence, the ultimate disciplinary decisions were conclusively supported by the videos and photo, about which McConnell and Plummer had full knowledge. See [Mathews, 424 U.S. at 335](#). McConnell and Plummer do not show how more timely knowledge of the adverse evidence could have aided in their defense. See *id.* Likewise, McConnell and Plummer have not demonstrated that Baker's dual roles amount to a constitutional violation. They argue that Baker's dual role as victim advocate and investigator prevented him from impartially investigating the incident, and that EOS's role in advising the panel created a conflict of interest.<sup>11</sup> But McConnell and Plummer fail to show how any of these alleged impermissible conflicts undermined the integrity of their proceedings. Baker relied primarily on the videos and photo to support his findings before the panel, and there is nothing in the record or offered by McConnell and Plummer to suggest that a different investigator would have uncovered information diminishing the significance of that graphic evidence to the initial findings. See [Mathews, 424 U.S. at 335](#); cf. [Baran v. Port of Beaumont Nav. Dist. of Jefferson Cty., 57 F.3d 436, 446 \(5th Cir. 1995\)](#) ("[Where [\*\*17] a]llegations of bias based on the prejudgment of the facts or outcome of a dispute generally stem from the fact that an administrative body or hearing officer has dual roles of investigating and adjudicating disputes and complaints . . . the honesty and integrity of those serving as adjudicators is presumed." (citing [Withrow v. Larkin, 421 U.S. 35, 47, 95 S. Ct. 1456, 43 L. Ed. 2d 712 \(5th Cir. 1975\)](#))). Notably, the [\*777] separate EOS attorney advisor explicitly instructed the panels that they were free to disagree with the interpretations of the evidence offered by the parties, including Baker.

---

<sup>10</sup> Plummer contends that Female UH Student sexually harassed her by repeatedly asking to "sex her." This disputed allegation, if true, would at best demonstrate independent misconduct, not a defense to Plummer's own actions.

<sup>11</sup> At the hearings, Baker offered interpretations of the graphic evidence, as well as legal argument about how the University's Sexual Misconduct Policy should be interpreted and applied to that evidence. McConnell and Plummer (on their own and through their attorneys) argued their own interpretations of the video and photo evidence and often vigorously contested the analysis offered by Baker. At both hearings, the separate EOS attorney serving as panel adviser counseled the panel members that they were free to interpret the video and photo evidence themselves and draw their own conclusions about the import of that evidence. This separate EOS attorney adviser also responded to panel questions regarding the meaning and application of the University's Sexual Misconduct Policy.

We have carefully reviewed the record, and we hold that the process Appellants received was sufficient. It follows that the question of qualified immunity for the individual defendants becomes moot. Again, we emphasize that we do not suggest a constitutional "floor" for state university disciplinary procedures. [HN3](#)<sup>[↑]</sup> Whether a state university has provided an individual student sufficient process is a fact-intensive inquiry and the procedures required to satisfy due process will necessarily vary depending on the particular circumstances of each case. *See Dixon, 294 F.2d at 158*. As we noted at the outset, the Supreme Court has admonished that "[i]t is not the role of the federal courts to set aside decisions of school **[\*\*18]** administrators which the court may view as lacking in wisdom or compassion." *Wood, 420 U.S. at 326*; *see also Davis, 526 U.S. at 648* ("[C]ourts should refrain from second-guessing the disciplinary decisions made by school administrators.").

### III

We now turn to McConnell and Plummer's argument that the district court erred in dismissing their Title IX claims. The district court carefully articulated the principles governing dismissals under [Fed. R. Civ. Pro. 12\(b\)\(6\)](#) for failure to state a claim and for McConnell and Plummer's claims that the University and individual defendants should be liable for sex discrimination against them under Title IX. [20 U.S.C. § 1681\(a\)](#). We find no error in the district court's dismissal.

[HN4](#)<sup>[↑]</sup> We review the dismissal and the district court's related conclusions of law de novo. *Dehoyos v. Allstate Corp.*, [345 F.3d 290, 294 \(5th Cir. 2003\)](#). Briefly, McConnell and Plummer were required to plead facts asserting a plausible claim for relief. *Ashcroft v. Iqbal*, [556 U.S. 662, 678-79, 129 S. Ct. 1937, 173 L. Ed. 2d 868 \(2009\)](#). The University, as a recipient of federal funding, can be held liable for intentional discrimination on the basis of sex or for deliberate indifference to discrimination against or harassment of a student on the basis of sex. *Jackson v. Birmingham Bd. of Educ.*, [544 U.S. 167, 173, 125 S. Ct. 1497, 161 L. Ed. 2d 361 \(2005\)](#).<sup>12</sup>

According to the Second Circuit, [HN5](#)<sup>[↑]</sup> a university can face Title IX liability for imposing discipline where gender is a motivating factor for the decision under two **[\*\*19]** general theories. *Yusuf v. Vassar Coll.*, [35 F.3d 709, 715 \(2d Cir. 1994\)](#). In the first instance, the claim is that the charged student (plaintiff) was innocent and wrongly found to have committed an offense. *Id.* The second instance alleges selective enforcement, i.e., that regardless of the student's culpability, the severity of the penalty and/or the university's decision to initiate proceedings was affected by the charged student's gender. *Id.* More recently, the same court held a student's case sufficient to proceed under Title IX where a male student alleged himself innocent of engaging in nonconsensual sex with a female student. *Doe v. Columbia Univ.*, [831 F.3d 46, 50, 53, 59 \(2d Cir. 2016\)](#). He further alleged procedural bias and improprieties in the university's discipline process. *Id.* at [56-59](#). He also alleged that he was singled out because Columbia University was in the midst of a public campaign criticizing its alleged weak response **[\*778]** to female students' complaints of sexual assaults by males. *Id.* at [50-51, 53, 57-58](#). McConnell and Plummer and the University each rely on the theories adopted in *Yusuf*, so we need not speculate on any other possible theories of Title IX liability.

McConnell and Plummer's allegations here rest on selective enforcement and deliberate indifference to their rights. With regard to selective enforcement, **[\*\*20]** they urge that the University was motivated by

---

<sup>12</sup>Liability under Title IX does not extend to school officials, teachers and other individuals. *Davis, 526 U.S. at 640-43*. Hence, McConnell and Plummer do not appeal the dismissal of the University administrators.

gender bias in favor of Female UH Student. They assert essentially that McConnell and Female UH Student were *in pari delicto*, in that both had passed out and each engaged in sexual conduct with another extremely intoxicated individual. Plummer chides the University for not taking up her charge of misconduct against Female UH Student for pressing to "sex" her. We agree, however, with the district court's assessment of the undisputed facts: the photo and graphic videos, taken and later exhibited by Plummer, show McConnell touching Female UH Student in private areas. Female UH Student is unresponsive and inactive. Female UH Student was found naked in an elevator and taken to the hospital for sexual assault testing. The University's discipline was predicated on what the two charged students did, and during the discipline process they—a male and a female—were treated equally. There is no sound basis for an inference of gender bias.<sup>13</sup>

McConnell and Plummer tersely assert that the University was deliberately indifferent to the constitutional insufficiency of the procedures it employed in sexual misconduct discipline cases. Although the University [\*\*21] may have been better advised in a number of procedural respects, there is a stark contrast between McConnell's and Plummer's culpability and case procedures applied to them and the allegations of student innocence and official refusal to conduct a thorough investigation in [Columbia Univ.](#), 831 F.3d at 49-50, 52-53, 56-57. [HN6](#)[↑] Deliberate indifference to constitutional rights is a very high standard of misconduct. See [Sanchez v. Carrollton-Farmers Branch Ind. Sch. Dist.](#), 647 F.3d 156, 169-70 (5th Cir. 2011). As the district court held, the pleadings here do not meet that standard.

IV

For the foregoing reasons, the judgment of the district court is AFFIRMED.

**Dissent by:** EDITH H. JONES

## **Dissent**

---

EDITH H. JONES, Circuit Judge, dissenting:

With due respect to my colleagues' refusal to set a "constitutional floor" for the students' procedural due process claims, I dissent. This case is the canary in the coal mine, auguring worse to come if appellate courts do not step in to protect students' procedural due process right where allegations of quasi-criminal sexual misconduct arise. Yes, there is undisputed graphic evidence—videos and a photo of what transpired among McConnell, Plummer and the Female Student on November 19, 2014. The panel's conclusion seems driven by the "unique facts" of graphic evidence to discount all of McConnell's and Plummer's serious arguments. [\*\*22] Put bluntly, the panel implies that because they were guilty, they got enough due process.

[\*779] The panel's mode of analysis, in my view, is contrary to [Carey v. Piphus](#), 435 U.S. 247, 265, 98 S. Ct. 1042, 1053, 55 L. Ed. 2d 252 (1978). In *Carey*, high school students were suspended for a few weeks without any adjudicative hearing; the authorities did not challenge the lower courts' liability

---

<sup>13</sup>McConnell and Plummer assert that the district court should not have awarded the University "summary judgment" based on the University's list of 39 sexual harassment investigations conducted from 2010 forward, which revealed that nearly all involved male accused students and only 3 involved male accusers. The district court did not address this list, and we need not do so except to note that the same list shows that at least 41% of the investigations resulted in EOS making "no finding" against the accused.

determinations. *Carey* makes clear that the result of a deprivation of liberty or property does not justify the procedural means: "Even if respondents' suspensions were justified, and even if they did not suffer any other actual injury, the fact remains that they were deprived of their right to procedural due process." [435 U.S. at 265, 98 S. Ct. at 1053](#). Further, "[b]ecause the right to procedural due process is 'absolute' in the sense that it does not depend upon the merits of a claimant's substantive assertions, and because of the importance to organized society that procedural due process be observed, we believe that the denial of procedural due process should be actionable for nominal damages without proof of actual injury." [435 U.S. at 266, 98 S. Ct. at 1054](#) (citations omitted). See also [Zinermon v. Burch](#), 494 U.S. 113, 126 n.11, 110 S. Ct. 975, 983, 108 L. Ed. 2d 100 (1990); [Bowlby v. City of Aberdeen, Miss.](#), 681 F.3d 215, 219 (5th Cir. 2012); [Caine v. Hardy](#), 943 F.2d 1406 (5th Cir. 1991) (en banc).

I would hold that several features of the process to which McConnell and Plummer were subjected, most prominently the intermingled and inherently conflicting **[\*\*23]** duties of UH Title IX Coordinator Baker, violated their due process rights to defend against quasi criminal charges of sexual assault and facilitating sexual assault. I would reverse and remand for further proceedings, which necessarily include the question of qualified immunity.

The background of this controversy, left unmentioned by the panel although both parties cited and relied on it, is the promulgation by the United States Department of Education, Office of Civil Rights, of a circular that offered "guidance" on how universities must respond to complaints of sexual misconduct on campus. See United States Department of Education, Office of the Assistant Secretary for Civil Rights, Dear Colleague Letter, (2011), available at <http://www2.ed.gov/print/about/offices/list/ocr/letters/colleague-201104.html> . The circular was not adopted according to notice-and-comment rulemaking procedures;<sup>1</sup> its extremely broad definition of "sexual harassment" has no counterpart in federal civil rights case law;<sup>2</sup> and the procedures prescribed for adjudication of sexual misconduct are heavily weighted in favor of finding guilt. Institutions of higher learning, like the University of Houston, flocked to embrace the "guidance." From a federal government database, **[\*\*24]** it is estimated that between 20,000 and 25,000 complaints of sexual misconduct have been filed based on the "guidance" and thousands of students' discipline cases adjudicated using procedural standards far less demanding than those accorded most **[\*780]** defendants. See K.C. Johnson & Stuart Taylor, Jr., *The Campus Rape Frenzy* 9-10 (Encounter Books 2017). A number of lawsuits challenging these procedures have survived preliminary motions to dismiss, see *Johnson & Taylor passim*, as state and federal courts exhibited concern about deficient procedures.

The University policies used in this case largely tracked the DOE guidance letter. For this reason, it is a hollow claim that the procedures are owed particular deference as products of "institutions of higher learning." These policies were developed by bureaucrats in the U.S. Department of Education and thrust upon educators with a transparent threat of withholding federal funding. Viewed as a whole, without the

---

<sup>1</sup> The Dear Colleague Letter is currently being challenged in the U.S. District Court for the District of Columbia on the grounds that it did not go through notice-and-comment rulemaking, is in excess of the Department of Education's statutory authority, and constituted arbitrary and capricious agency action. See Complaint at 18-22, *Doe v. Lhamon*, No. 1:16-cv-00158 (D.D.C. June 16, 2016), ECF. No. 1.

<sup>2</sup> Cf. [Davis v. Monroe Cty. Bd. Of Ed.](#), 526 U.S. 629, 634, 119 S. Ct. 1661, 1667, 143 L. Ed. 2d 839 (1999) (student-on-student sexual harassment actionable only where it is "so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit"); [Harris v. Forklift Sys., Inc.](#), 510 U.S. 17, 21, 114 S. Ct. 367, 370, 126 L. Ed. 2d 295 (1993) (sexual harassment must be "severe or pervasive enough to create an objectively hostile or abusive work environment—an environment that a reasonable person would find hostile or abusive").

panel majority's self-imposed blinkers, the procedures raise serious questions about the sufficiency of the University of Houston's procedures to adjudicate fully and fairly charges of sexual misconduct that will affect **[\*\*25]** the students' future lives as surely as criminal convictions.

In part because the female had no recollection of these events, and she denied anyone had touched or hit her, she declined to file a charge against the students. Because of insufficient evidence, no criminal charges were filed.

Instead, McConnell and Plummer were investigated and charged by Baker, the Vice President of the UH Office of Equal Opportunity Services (EOS), with various violations of the UH sexual misconduct policy (2013 version). Baker's official Title IX position placed him in the multiple, and inherently conflicting, roles of *advocating* for the female student, *investigating* the events, *prosecuting* McConnell and Plummer, *testifying* as a witness at their hearings, and *training* and *advising* the disciplinary hearing panels. By a "more likely than not" standard, his investigative report found that McConnell "violated the sexual assault and attempted sexual assault provisions . . . when he engaged in sexual activity with another [sic] [female UH student] on November 19, 2011, without her consent." Under the same standard, Baker found that Plummer "facilitated/encouraged the sexual assault of another [UH] student." **[\*\*26]**

During each student's separate hearings, Baker informed the panels that their only job was to determine "by a preponderance of the evidence," which he carefully distinguished from the beyond-a-reasonable doubt standard, whether the results of *his investigation* should be sustained. And lest it be overlooked, Baker ludicrously tried to persuade the panels that the video portrayed Plummer encouraging McConnell to rape the Female Student.<sup>3</sup> Baker, in essence, assumed the roles of prosecutor, jury and judge, whose decision the hearing panels were required to approve only by a preponderance of the evidence.

Other aspects of the procedures are troubling. Although the students' attorneys participated in the proceedings to some extent, they were not permitted formally to represent their clients. Instead, McConnell and Plummer each played lawyer against the real lawyer, University EOS Vice President Baker. Thus, the students made opening and closing arguments, testified, **[\*781]** raised legal and factual objections to the panel, and "cross-examined" witnesses. They were not fully informed of the investigatory evidence **[\*\*27]** until less than a week before each hearing;<sup>4</sup> even then, witness identities were redacted based on "privacy" concerns. Most important, there was no "confrontation" of the female student, who never appeared, was not deposed, and was never investigated for her lascivious advances toward Plummer.<sup>5</sup>

---

<sup>3</sup>The hearing transcripts demonstrate that Baker pressed his accusations beyond the photo and videos, in the guise of "interpreting" the evidence, to assert that Plummer was encouraging McConnell to attempt rape. When challenged about this during one hearing, Baker responded: "I cannot interpret evidence, that [then?] I cannot be a Title IX coordinator because that's exactly what I've been hired to do. *I've been hired to resolve these complaints by interpreting policy and by interpreting evidence . . .*" A university discipline panel is no place to adjudicate credible accusations of rape—and there were no such accusations here.

<sup>4</sup>The University's procedures required only five business days' prior notice of evidence against the students.

<sup>5</sup>UH's brief defends its practices, noting that "the Department of Education has stated that it 'strongly discourages a school from allowing the parties to personally question or cross-examine each other during a hearing on alleged sexual violence.'" The cited DOE guidance goes on to explain that this is because "[a]llowing an alleged perpetrator to question a complainant directly may be traumatic or intimidating, and may perpetuate a hostile environment." See United States Department of Education, Office for Civil Rights, Questions and Answers on Title IX and Sexual Violence, <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>, at p. 31. It then recommends that schools limit cross-examination by pre-submitting questions to a hearing board and that the hearing board screen the questions, which is what happened in this case. Given the nature of charges against these students, limiting cross-examination to written questions seems dubious. See *Doe v.*

Based on the graphic video and photo evidence, it is unsurprising that the hearing panels upheld Baker's charges and the students' appeals were rejected. (The meaning of "sexual assault" in this context is open-ended but could have covered the conduct here.) They were expelled and permanently banned from UH and any activities connected with it. The disciplinary notations were removed from their official transcripts, but that matters little for the impact of the "sexual predator" stigma on their careers and reputations.<sup>6</sup>

The panel correctly cites this court's decision in *Dixon* for the proposition that the students have at least liberty interests protected under the due process clause.<sup>7</sup> [Dixon v. Alabama State Bd. of Ed., 294 F.3d 150, 151 \(5th Cir. 1961\)](#).<sup>8</sup> The panel [\*782] concludes as a matter of law that the process offered to McConnell and Ryan was constitutionally sufficient, relying in large part on the "unique facts" and case law that has little in common with quasi criminal [\*\*28] charges of sexual assault that will mar these students indefinitely. Two Sixth Circuit cases, one published and one unpublished, will be shown to be particularly weak reeds. [Flaim v. Med. Coll. of Ohio, 418 F.3d 629, 639-43 \(6th Cir. 2005\)](#); [Doe v. Cummins, 662 F. App'x 437, 446-451 \(unpublished\) \(6th Cir. 2016\)](#).

In my contrary view, the process deployed against the students was fundamentally flawed because of (a) the absence of a complaint by and evidence from the Female Student; (b) the conflicting roles played by Baker; (c) the preponderance standard for adjudicating quasi criminal conduct (for which no actual criminal charges were brought), compounded by (d) the deference that Baker insisted was due by the hearing panels to his position.<sup>9</sup> While it seems incontestable that punishment of some kind was due for the students' graphically depicted conduct, these watered-down elements of process conspired to assure that Baker's recommendations to throw the book at McConnell and Plummer would be approved in full.

Put in terms of the *Mathews* balancing test, [Mathews v. Eldridge, 424 U.S. 319, 335, 96 S. Ct. 893, 903, 47 L. Ed. 2d 18 \(1976\)](#), the students' interests in preserving their educational status and reputations in the

---

[Brandeis Univ., 177 F.Supp. 3d 561, 604-05 \(D. Mass. 2016\)](#) ("While protection of victims of sexual assault from unnecessary harassment is a laudable goal, the elimination of such a basic protection for the rights of the accused raises profound concerns.").

<sup>6</sup> *Accord Univ. of Tex. Med. Sch. at Hous. v. Than, 901 S.W.2d 926, 929-30 (Tex. 1995)* ("A medical student charged with academic dishonesty faces not only serious damage to his reputation but also the loss of his chosen profession as a physician. The stigma is likely to follow the student and preclude him from completing his education at other institutions.").

<sup>7</sup> *Univ. of Tex. Med. Sch. at Hous., 901 S.W.2d at 929-30* (recognizing liberty interest in graduate education under Texas Constitution). Property interests are creatures of state law, and Texas has not recognized a property interest in graduate higher education. *Id. at 930 n.1*. Other courts have applied *Dixon* to property interests created by state law. *See, e.g., Barnes v. Zaccari, 669 F.3d 1295, 1303-04 (11th Cir. 2012)*.

<sup>8</sup> Other federal courts have relied on *Dixon* for the proposition that protected interests are implicated by university suspensions and expulsions. *See, e.g., Barnes, 669 F.3d at 1305; Flaim v. Med. Coll. of Ohio, 418 F.3d 629, 633-36 (6th Cir. 2005); Pugel v. Bd. of Trs. of Univ. of Ill., 378 F.3d 659, 663-64 (7th Cir. 2004); Gorman v. Univ. of R.I., 837 F.2d 7, 13-14 (1st Cir. 1988); Nash v. Auburn Univ., 812 F.2d 655, 662-63 (11th Cir. 1987); Harris v. Blake, 798 F.2d 419, 422-23 (10th Cir. 1986); Henson v. Honor Comm. of U. Va., 719 F.2d 69, 73-74 (4th Cir. 1983); Sill v. Pa. State Univ., 462 F.2d 463, 469-70 (3d Cir. 1972); Winnick v. Manning, 460 F.2d 545, 548-49 (2d Cir. 1972); Esteban v. Cent. Mo. State Coll., 415 F.2d 1077, 1089 (8th Cir. 1969); Doe v. Rector & Visitors of George Mason Univ., 149 F. Supp.3d at 615.*

This court seems to have overlooked *Dixon* when deciding recent cases that, unlike this one, involved discipline for academic reasons. *See, e.g., Perez v. Texas A&M Univ. at Corpus Christi, 589 Fed. Appx. 244, 248 (5th Cir. 2014)* (per curiam); [Smith v. Davis, 507 F Appx 359, 362 \(5th Cir. 2013\)](#) (per curiam).

<sup>9</sup> I do not agree that the students lacked fair notice that their conduct was unauthorized.

face of serious sexual misconduct charges were compelling.<sup>10</sup> Second, the risk of erroneous deprivation was [\*\*29] exacerbated by (i) the Female Student's failure to participate or provide evidence in the disciplinary proceeding; (ii) Baker's role as her "advocate" while he also served as prosecutor, a witness, and legal adviser to the hearing panel; (iii) the preponderance test used by Baker in his report, along with the deference he claimed from the hearing panel;<sup>11</sup> and (iv) the imbalance between [\*\*783] the level of counsel participation allowed on each side.

Third, additional or substitute safeguards would have enhanced the quality of factfinding and adjudication by providing a confrontation right if material fact issues existed. Eliminating Baker's role in advising and directing the hearing panel would have enabled the panel to make independent findings and receive disinterested advice on issues such as the meaning of "sexual assault" and "facilitating [\*\*30] sexual assault."<sup>12</sup> Elevating the standard of proof to clear and convincing, a rung below the criminal burden, would maximize the accuracy of factfinding. Permitting counsel to represent the students would have resulted in more efficient hearings; the parties and hearing panels spent a lot of time sparring over trivial misunderstandings about procedure. Adopting some or all of the foregoing safeguards would not significantly impede the disciplinary process.

Fourth, the University's interest lies in impartially adjudicating quasi criminal sexual misconduct allegations. The University has no significant expertise in this area; indeed, as noted above, its policies and procedures derive directly from the Dear Colleague letter, not from inherently educational decisions. Further, to the extent that UH eliminates confrontation and counsel participation; allows one officer, Baker, to direct the investigatory, prosecutorial and adjudicative process; and relies on the lowest standard of proof, the integrity of its decisions may be questioned and discredited.<sup>13</sup>

Even assuming that McConnell and Plummer forfeited a challenge to their inability to confront the Female Student, the problem of Baker's conflict [\*\*31] of interest cannot be overstated. Baker could not conscientiously "advocate" for the Female Student while also conducting an impartial investigation of the

---

<sup>10</sup> See [Doe v. Rector & Visitors of George Mason Univ.](#), 149 F. Supp.3d at 622 ("[P]laintiff's lost opportunity to continue with his post-secondary education, coupled with the possibility that he may be unable to pursue meaningful educational opportunities elsewhere while his name remains associated with sexual misconduct, inevitably affects plaintiff's professional prospects. . . . And common sense suffices to understand that an adjudication of responsibility for sexual misconduct carries a . . . powerful stigma," such that robust due process is required.); [Brandeis Univ.](#), 177 F. Supp.3d at 602 ("Certainly stigmatization as a sex offender can be a harsh consequence for an individual who has not been convicted of any crime, and who was not afforded the procedural protections of criminal proceedings."); [id. at 573](#) ("If a college student is to be marked for life as a sexual predator, it is reasonable to require that he be provided a fair opportunity to defend himself and an impartial arbiter to make that decision."); see also [Smyth v. Lubbers](#), 398 F. Supp. 777, 797 (W.D. Mich. 1975) ("This case is among the most serious ever likely to arise in a college context. In the interest of order and discipline, the College is claiming the power to shatter career goals, and to make advancement in our highly competitive society much more difficult for an individual than it already is.").

<sup>11</sup> Commentators have noted that applying the civil preponderance standard to quasi criminal charges seriously weakens due process for accused students. See, e.g., Ryan D. Ellis, *Mandating Injustice: The Preponderance of the Evidence Mandate Creates a New Threat to Due Process on Campus*, 32 *Rev. Litig.* 65 (2013); Barclay Sutton Hendrix, *A Feather on One Side, A Brick on the Other: Tilting the Scale Against Males Accused of Sexual Assault in Campus Disciplinary Proceedings*, 47 *Ga. L. Rev.* 591, 610-15 (2013); Stephen Henrick, *A Hostile Environment for Student Defendants: Title IX and Sexual Assault on College Campuses*, 40 *N. Ky. L. Rev.* 49, 62, 62 n.59 (2013).

<sup>12</sup> The panel majority note that Baker's assistant attorney served as adviser to the disciplinary panel. They have no rejoinder, however, to the "graphic facts" I quoted that demonstrate Baker's intent to dominate the proceedings in every way.

<sup>13</sup> The majority criticize this description of the University's interests as too narrow. Had the University adopted a real, serious concern for its "educational mission," it would not have opened a bar on campus near the dorms that served shots to students. Alcohol abuse is at the root of much student misconduct.

accused students. He could not both prepare a report and testify as a principal witness while serving as the prosecutor and then insist that the adjudicatory hearing panel agree with his "preponderance" evaluations of the evidence by their preponderance standard. But he purported to do all these things. Even the Dear Colleague letter admonishes universities that: "The Title IX coordinator should not have other job responsibilities that may create a conflict of interest. For example, serving as the Title IX coordinator and a disciplinary hearing board member or general counsel may create a conflict of interest." Dear Colleague Letter at 7. To the extent Baker's multiple roles substantially lessened the hearing panels' factfinding and adjudicatory autonomy, the integrity of the process was compromised. *See also Brandeis Univ.*, [177 F.Supp. 3d at 606](#) ("The dangers of combining in a single individual the power to investigate, prosecute, and convict, with little effective power of review, are obvious. No matter how well-intentioned, such a person may have preconceptions and biases, may make mistakes, **[\*\*32]** and may reach premature conclusions.").

As a final note, the Sixth Circuit case law cited by the panel is inapposite. In *Flaim*, the court upheld a medical student's expulsion *after* he had pled guilty to a felony criminal drug offense. While rejecting Flaim's individual procedural complaints, **[\*784]** the court stated *five times* that the fact of a preexisting criminal conviction rendered his case "quite different from the ordinary" student discipline matter, [418 F.3d at 642-43](#), and "because of the unique facts," the court declined "to address whether these procedures would suffice under other facts." *Id. at n. 8*. *Flaim*, by its own terms, should not be relied on in a case where sexual assault is alleged only by the University's EOS Vice President and no criminal charges, much less convictions, were pursued. The *Flaim* court stated, "We strongly emphasize that a disciplinary hearing involving a record of conviction is wholly different from a case involving disputes of fact, even if the university believes the evidence to be overwhelming." *Id. at n. 7*.

The panel's reliance on the Sixth Circuit's unpublished opinion in *Doe* is also curious. First, that the opinion is "unpublished" means it is not to be cited as precedent. **[\*\*33]** 6th Cir. R. 32.1; [Crump v. Lafler](#), [657 F.3d 393, 405 \(6th Cir. 2011\)](#) (en banc) ("Unpublished decisions in the Sixth Circuit are, of course, not binding precedent."). Second, the panel cites *Doe* for the uncontroversial proposition that students there, subjected to a different set of procedures, received an "opportunity to be heard in a meaningful time and in a meaningful manner," albeit not the level of protection that would have been offered to criminal defendants. [662 F.App'x. at 446](#) (quoting [Mathews](#), [424 U.S. at 333](#)). Third, the *Doe* court found no due process violation in the denial of active participation by the students' advisors because the university had not itself been represented by counsel in their disciplinary hearings. [662 F.App'x. at 448-49](#) (citing [Flaim](#), [418 F.3d at 640](#)). In this case, however, the students were out-gunned by attorney Baker. Fourth, the *Doe* court rejected the claim of official bias because any defects in the investigator's report were "cured" by the Administrative Review Committee's "subsequent handling of appellants' cases." [662 F.App'x. at 450](#). Contrary to several critical facts before us, *Doe* contains no indication that the allegedly biased investigator played any role in the committee's activity; the committee was bound by no formal standard of review; and no claim of deference to the investigator's report was made. **[\*\*34]** Finally, the students in the case received, respectively, a 3-year suspension and a disciplinary suspension plus a research paper requirement, far more lenient treatment than that accorded McConnell and Plummer, even though the *Doe* defendants were found to have engaged in nonconsensual sex with female students.

In sum, I do not take the position that the students must be afforded the same procedural protections as criminal defendants. What drives my concern is the close association between the charges levelled against them and actual criminal charges. Sexual assault is not plagiarism, cheating, or vandalism of university

property. Its ramifications are more longlasting and stigmatizing in today's society. The University wants to have it both ways, degrading the integrity of its factfinding procedures, while congratulating itself for vigorously attacking campus sexual misconduct. Overprosecution is nothing to boast about.

Even though these students deserved punishment, they also deserved more protective procedures given the seriousness of the charges. See [Carey, supra](#). Accordingly, I would reverse and remand for further proceedings.

---

End of Document



# **Student Conduct Administration & Title IX: Gold Standard Practices for Resolution of Allegations of Sexual Misconduct on College Campuses**

Copyright ©2014 by the Association for Student Conduct Administration.  
This document may be distributed freely with appropriate attribution.

***ASCA: the experts in student conduct administration***

Website: <http://theasca.org> Email: [asca@tamu.edu](mailto:asca@tamu.edu)

Phone: (979) 845-5262



**ASCA 2014 White Paper:**  
**Student Conduct Administration & Title IX: Gold Standard Practices for Resolution of Allegations of Sexual Misconduct on College Campuses**

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) requires that institutions of higher education address issues of sexual discrimination, which include sexual assault, affecting their students. The White House, Congress, the U.S. Department of Education's Office of Civil Rights (OCR), the media, students, and parents are demanding effective and fair resolution procedures. Campuses are left searching for how to resolve these cases and are being questioned as to whether they can adequately address crimes of sexual violence that may come before them. In response, the chief leadership of the Association for Student Conduct Administration (ASCA) has compiled a summary of "gold standard" practices for resolving these cases through student conduct procedures. As the experts in student conduct administration, ASCA is the national association for student conduct professionals and currently has more than 3,100 members from more than 1,500 institutions.

There is no one-size-fits-all model for addressing incidents of sexual misconduct. With different missions, resources, staffing models, funding sources, system policies, and especially campus cultures and student populations at postsecondary institutions across the United States, each college or university must develop its own policies and procedures. This report (a) identifies the guiding principles that should underlie all student conduct policies and procedures, as well as the recommended practices that are required for an institution to be a "gold standard" in responding to allegations of sexual misconduct, (b) outlines differences among various types of resolution methods (i.e., single-investigator, hearing board, or hybrid model), and (c) provides guiding questions for institutions to consider as they determine the most effective resolution method(s) for their unique campus environments.

First and foremost, it is important to understand that a learning-centered, fundamentally fair student conduct process should occur on all campuses. Institutions must remember that they have an obligation to all students, including students who may have been harmed, students who are accused of causing harm, and the rest of the student body. All students (including victims, complainants, respondents, and witnesses) involved in the student conduct process should be treated with care, concern, honor, and dignity.

Campuses are not meant to be courtrooms, and the courts support this distinction. While television shows such as *Law and Order* might be the only frame of reference that parents, students, and others may have, we must teach them that campus proceedings are educational and focus on students' relationships to the institution. The field of student conduct is rooted in ensuring that individual students' rights are upheld as they engage in an educational process about the behavioral (and sometimes academic) standards of the campus community. This involves a reasonable process for the institution to determine whether behaviors have violated campus policies and to impose appropriate consequences if necessary. For behaviors that may violate college policies and the law, victims are encouraged to pursue criminal procedures if they seek outcomes beyond the jurisdiction of what the campus can offer or impose.

There are five stages of student conduct resolution procedures: policy, initial interactions, investigation, adjudication, and institutional response. Within each of these are recommended practices that can help an institution to address and resolve incidents of sexual violence effectively. This report is supplemented by appendices containing guiding documents that institutions can use to improve their student conduct resolution procedures.



Recommended practices include but are not limited to the following:

- All employees should be trained on the basics of the campus policy, resolution process, and how to provide information to students about their options for support.
- Mandated reporting, mandated sanctions, or other such requirements should be carefully considered, as they may discourage reporting.
- A victim's request for confidentiality should be honored when possible, but the request must be weighed against the institution's obligation to all students.
- Legalistic language (e.g., rape, judicial, justices, prosecutor, defense, guilty) should be removed from policies and procedures. ASCA recommends use of "student conduct" instead of "disciplinary" or "judicial" to reflect the spectrum of student conduct practices.
- Consider what students find reasonable when determining and writing policies and procedures; communicate procedures widely and follow them.
- Ensure that behavioral standards for employees, students, and community members are compliant with Title IX. If there are distinct resolution processes depending on whether the accused is an employee or a student, ensure that both operate effectively and are communicated clearly to students.
- Effective interim actions, including multiple forms of remedies for the victim and actions restricting the accused, should be offered and used while cases are being resolved, as well as without a formal complaint.
- Select a resolution method that fits the institutional culture and promotes the best resolution process for students. It should contribute to creating a culture of reporting; it should not mirror the criminal process.
- Use the preponderance of evidence (more likely than not) standard to resolve all allegations of sexual misconduct
- The proceedings should be equitable and sensitive; there should be no direct questioning of respondents and victims by each other, and the parties need not be in the same room.
- Both complainants and respondents may consult with an advisor of choice, but institutions should impose guidelines limiting advisors' participation in student conduct proceedings.
- Training campus experts should include the Title IX team/coordinators, investigators, adjudicators, appeals board members, and so forth. Trust in them to revise policy and procedure annually as needed.
- Devote adequate staff, resources, and funding to manage cases. Investigators must be able to set aside other responsibilities to ensure that investigations are prompt and thorough.
- A Title IX team should be developed to review and revise policy, assess campus climate, lead prevention efforts, and assist the Title IX Coordinator

Given the importance of expanding understanding of the role of campus conduct processes in resolving the societal issue of sexual violence, the full report is available free to the public at <http://theasca.org>. This report will also be disseminated to the White House, the Department of Education's OCR, higher education associations, legislators engaged in discussions about pertinent federal or state mandates, and other relevant entities.



## **Section I. Introduction: The Intersection of Title IX and Student Conduct Administration**

On June 23, 1972, Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) was signed into law; it states, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”<sup>1</sup> Over the past 40 years, higher education has learned more about what the Department of Education’s OCR expects with regard to policies, procedures, investigations, interim and permanent remedies, and other aspects of cases subject to Title IX. As of June 2014, institutions strive to achieve compliance amid a critical atmosphere with many seemingly valid viewpoints as campus processes are under scrutiny by victims, parents, accused students, attorneys, the media, the U.S. government, and watchdog groups. Victims/survivors are filing OCR complaints about how colleges are (or are not) addressing incidents, forcing campuses to reconsider policies or procedures that may currently be weighted toward protecting accused students more than those whom they may have harmed. While there is discussion suggesting that campuses leave behaviors that also may constitute a crime (e.g., rape) to the police and courts, Title IX describes the campus’s obligation to respond when a potential criminal behavior based on sex or gender affects the ability of a student to participate in his/her education or campus programs. Further, student conduct practitioners have an unlegislated, philosophical obligation to address any misconduct that adversely affects the campus community. As “dedicated professionals striving to positively affect student behavior while respecting individual rights as defined by the law and the institutions’ missions,”<sup>2</sup> student conduct administrators are positioned to be the most effective and impartial at leading campus management of these cases. In fact, many of ASCA’s long-held beliefs and training curricula have been consistent with the federal government’s recent guidance.

Often, student codes of conduct and their related procedures apply to behaviors exhibited by an institution’s students while policies under Human Resources govern the behaviors of employees. Regardless of whether the behavior was exhibited by a student, employee, or community member, the campus has an obligation under Title IX to protect a harassed/affected student’s access to an education. Sometimes a hostile environment may be present, even if the individual(s) who caused it cannot be identified. OCR has made it clear that student conduct processes to address sexual harassment and sexual violence on campus cannot exist in a vacuum and that imposition of sanctions alone is not an adequate institutional response.<sup>3</sup> While there are many aspects to effective Title IX compliance, this document focuses on student conduct policies, investigation, and resolution procedures that are critical components of comprehensive institutional compliance efforts.

Since the enactment of Title IX in 1972, the field of student conduct administration has changed dramatically, moving from the *in loco parentis* Dean of Women/Dean of Men disciplinary model to one that includes an array of resolution options. In 1986, the Association for Student Judicial Affairs (ASJA) was formed to serve the unique needs of campus judicial officers. In 1993, ASJA began to offer an intentional training institute to equip student affairs professionals with skills to conduct effective adjudication efforts on their campuses. In 1994, the Violent Crime Control and Law Enforcement Act (Pub. L 103-322) was passed and raised the question as to “the ability of educational institutions’

---

<sup>1</sup>*Title IX and Sex Discrimination*. U.S. Department of Education’s Office for Civil Rights. Retrieved from: [http://www2.ed.gov/about/offices/list/ocr/docs/tix\\_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html).

<sup>2</sup>Daisy M. Waryold & James M. Lancaster, *The State of Student Conduct Current Forces and Future Challenges: Revisited* (Association for Student Conduct Administration, 2013), 10.

<sup>3</sup>Questions and Answers on Title IX and Sexual Violence, p. 25, Retrieved from <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.



disciplinary processes to address allegations of sexual assault adequately and fairly.”<sup>4</sup> In 2000, Sophie Penney, Lawrence Tucker, and John Lowery led efforts to conduct a national baseline study on the adjudication of sexual assault cases, with a return rate of 41% from 170 residential, commuter, public, and private institutions. The survey explored institutional protocols for addressing reported incidents of sexual assault, including methods of adjudication, the standard of proof used, investigation procedures, training of hearing board members, roles of attorneys and advocates, and rights afforded to complainant and respondent. The study resulted in recommendations to ASJA practitioners that parallel some current OCR guidance, such as providing both the complainant and respondent with written notice of charges and employing practices that promote a culture of reporting.<sup>5</sup>

In 2004, Ed Stoner and John Lowery published the “Model Code,” which became a blueprint document for campuses to benchmark and revise their policies and procedures to protect the rights of accused students and of complainants/victims while promoting campus community standards. The philosophy underlying the model code was to treat all students with equal care, concern, respect, and dignity, which is very much in line with the equity principle discussed in the April 2011 Dear Colleague Letter. In 2008, the Association’s name was changed to the Association for Student Conduct Administration (ASCA) to reflect the philosophical shift from antiquated legalistic and courtroom-like proceedings. In 2014, ASCA incorporates equity for all participants in the conduct processes to meet the needs of its 3,100+ members at more than 1,500 institutions, including residence hall directors, single-person conduct officers, community college professionals with multiple responsibilities, Vice Presidents, and Deans of Students. Membership in ASCA and attendance at the ASCA Gehring Academy are now common requirements in student conduct-related job descriptions. Despite the changing nature of the field, ASCA has consistently focused on equipping student conduct administrators with practical skills related to the overlap of legal influences and student learning in order to address student behavior effectively through an educational and socially just lens.

Ultimately, this resource serves to provide a set of best practices that underlie a fundamentally fair conduct process for **all** students affected by sexual misconduct. While there is overlap, this document does not address aspects of Title IX institutional compliance requirements often found outside of student conduct, such as preventative education or victim advocacy, nor does it focus on Clery Act reporting requirements. These recommendations for effective student conduct practice are based on a review of the existing administrative, legislative, and judicial guidance related to Title IX (see Appendix A for a list of sources), feedback from the ASCA Sexual Misconduct/Title IX Community of Practice, and the collective experiences of the practitioners serving as the chief leadership of ASCA. These principles and key concepts can also be applied to types of cases beyond sexual misconduct. We believe that this is the first document of its kind, written by and for current practitioners in the field, as well as for those who are involved in providing guidance or discussing potential laws regarding how colleges handle conduct complaints pertaining to sexual misconduct.

---

<sup>4</sup>Sophie W. Penney, Lawrence Tucker, and John Wesley Lowery, *National Baseline Student on Campus Sexual Assault: Adjudication of Sexual Assault Cases: A Study by the Inter-Association Task Force of the Association for Student Judicial Affairs*. Association for Student Judicial Affairs (2008): 2.

<sup>5</sup>Penney, Tucker, and Lowery.



## **Section II. Guiding Principles**

Regardless of institutional type or campus culture, some overarching philosophies are at the heart of fundamentally fair and equitable student conduct procedures. These principles aim to treat all students with respect, care, and dignity, no matter what role they play in the student conduct process. These underlie the training and programs offered by ASCA and are re-iterated in the guidance from OCR.

**First and foremost, student conduct is an educational process.** Student conduct professionals transform student behavior by establishing and disseminating policies, providing preemptive education, having conversations to challenge students' perspectives, facilitating resolution of complaints and conflicts, and implementing accountability measures (sanctions) when necessary. The educational nature of student conduct procedures is supported by a fundamental guiding legal document, the *General Order on Judicial Standards of Procedure and Substance in Review of Student Discipline at Tax-Supported Institutions of Higher Education* (Western District of Missouri, 1968), which was written by a group of federal judges from Western Missouri. It states, "The discipline of students in the educational community is, in all but the case of irrevocable expulsion, a part of the teaching process. In the case of irrevocable expulsion for misconduct, the process is not punitive or deterrent in the criminal law sense, but the process is rather the determination that the student is unqualified to continue as a member of the educational community."<sup>6</sup> Just as we offer academic instruction, we also have a responsibility to educate students on the impacts of their behaviors on others.

**Effective student conduct procedures directly support the mission of the institution and the role of higher education in the United States.** Student conduct policies and procedures promote a positive learning environment for all students, educate students about their responsibilities as members of the college/university community, and allow an institution to impose educational sanctions fairly when behavior violates those standards.<sup>7</sup> Students voluntarily join campus communities, and appropriate behavioral standards should be imposed in addition to societal laws, so long as they further the mission of the institutions while upholding basic civil rights of students. Most college and university mission statements include some form of institutional duty to prepare students for lifelong success and learning.<sup>8</sup> This reiterates Thomas Jefferson's notion in the *1818 Report of the Commissioners for the University of Virginia* regarding the need for institutions to teach students to form "habits of reflection and correct action, rendering them examples of virtue to others, and of happiness within themselves."<sup>9</sup> The functional role of student conduct administration on college campuses is to help students to translate knowledge into action—to form behavioral habits that will enable them to be successful beyond the brick-and-mortar or virtual walls of the institution. At times, to the dismay of parents, other students, faculty, and senior-level administration, decisions are not made *for* students nor do we control their actions, but we can influence their behavior.

---

<sup>6</sup>*General Order on Judicial Standards of Practice and Substance in Review of Student Discipline in Tax-Supported Institutions of Higher Education*, 45 F.R.D. 133 C.F.R. (1968).

<sup>7</sup>Edward N. Stoner II and John Wesley Lowery, "Navigating Past the 'Spirit of Insubordination': A Twenty-First Century Model Student Code of Conduct with a Model Hearing Script," *Journal of College and University Law*, 31(1), (2004): 4-5.

<sup>8</sup>*About Community Colleges*. American Association of Community Colleges. Retrieved from <http://www.aacc.nche.edu/aboutcc/pages/default.aspx>.

<sup>9</sup>Thomas Jefferson, "Report of the Commissioners for the University of Virginia". August 4, 1818. Found in eBook *Thomas Jefferson, Political Writings*. Authors: Thomas Jefferson, Joyce Oldham Appleby, and Terence Ball. Published 1999. p. 300

**We have an obligation to respond to sexual violence that affects students.** Recently, it has been asked why, when campuses do not respond to murder, they should respond to rape? The answer is that we *would* respond to murder. We would provide support and assistance to those affected by the behavior and we would most likely take action against the student who committed the act. We certainly would not wait for the legal system to act before we would act to protect the campus community. We would not call the act “murder”; the act would fall under a policy prohibiting physical abuse or physical harm. Our response to sexual assault is similar. We acknowledge that we are a microcosm of larger society and that no one can “guarantee” the safety of others, but we also recognize the significance of our influence on student behavior. We not only have an obligation to protect the members of our campus community; federal legislation requires us to do so—and it is the right thing to do. In his report Jefferson charged institutions “to establish rules for the government and discipline of the students.”<sup>10</sup> We would be abandoning our own authority if we failed to address incidents of sexual violence affecting our students.

**Campuses are not courtrooms.** In cases involving behaviors that could violate college policy and law, we encourage use of the criminal and civil systems in addition to the campus process. We do not find students “guilty” of crimes such as rape or murder, but we have an obligation to determine whether they are responsible for conduct that threatens the health or safety of another person, including sexual misconduct. While campuses have a role in addressing sexual assault, our role is not to “bring perpetrators to justice.”<sup>11</sup> The most serious consequence that we can impose on a student is to prohibit the student from attending our college or university. A student should not need a lawyer to participate on his/her behalf in an educational campus process. We do not seek to replicate adversarial or litigious proceedings on our campuses because we believe that they do not support cultures of reporting and that they are antithetical to the goal of student learning. A comprehensive overview of the judicial support for this principle is detailed in the May 1, 2014 Law and Policy Report #487: *Campuses or Courts? Different Questions and Different Answers*. Given the importance of this topic, the copyright to that document has been waived and it is available free to the public on the ASCA website.

**“Some kind of notice and some kind of hearing”<sup>12</sup> is still relevant.** Dating back to *Goss v Lopez* (1975), our practices are built on ensuring that an accused student is informed of what policies may have been violated, has the opportunity to review any pertinent information, and has the opportunity to be heard by sharing his/her side of the story. To ensure the safety and the operations of the campus during this time, colleges may impose interim action (as well as other remedies under Title IX) while the situation is being resolved. Policies and procedures must be in compliance with applicable state and federal laws, while campuses have the flexibility to resolve complaints through whatever means are most effective, efficient, and equitable, given the variety of resources and support available on each campus. No single model fits all institutional types; there are important considerations for all options, including the single-investigator model, the administrative or panel hearing board model, or a hybrid model. Institutions are encouraged to think beyond the traditional formal “hearing” when considering resolution options.

**Fundamentally fair means equitably fair to both parties.** Student conduct professionals are often caught between individuals and groups with competing interests. Victim advocate groups promote an approach that is victim centered, while attorneys and watchdog groups often seek to keep campus processes weighted to the rights of the accused. Campus attorneys often advise us to take great care to protect the rights of accused students, but we must do the same for those who feel that they have been

---

<sup>10</sup>Jefferson, p. 309.

<sup>11</sup>White House Task Force to Protect Students from Sexual Assault, *Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault*, April 2014: ii.

<sup>12</sup>Stoner and Lowery: 12.

harmed. The complainant and the respondent are usually *both* students; we must treat them as such. This is not a new concept to student conduct professionals, as this value informed the Model Code and has been incorporated into the foundational training at the annual ASCA Gehring Academy since 1993.

**Consider what your sophomore self would want.** Think back to your sophomore year of college. What kind of policy would you understand and how would you even know to look for it? Who would you tell your story to first? Listen to victims on campus. Several OCR resolution agreements require campuses to create committees of students who give feedback about campus procedures and make suggestions for improvement to create a campus that does not tolerate sexual harassment. ASCA recommends that this be done proactively by having students involved in the policy revision process to ensure that policies and procedures make sense to them. OCR focuses on what *students* consider to be reasonable, especially in how to identify campus confidential and responsible reporters. In addition, the student body will likely have thoughts on who should hear these cases: a single administrator? a panel with a majority of students? We must respect the privacy of students once they are engaged in the process by sharing information only with those who need to know the information.

**“Other duties as assigned” is not enough.** Campuses must devote staff, resources, and funding to address cases involving sexual misconduct adequately. Calling Title IX compliances an “unfunded mandate” is not an excuse. Acknowledging that the caseload and nature of these cases looks very different on a residential campus with a team of hall directors and a centralized conduct office from a commuter technical school with one conduct officer, there is no one way to design a staffing model to process cases. Some campus officials may be wearing so many hats that the integrity of the process comes under question; there may be a need to provide staff who are dedicated to these cases. Each campus must assess its climate, caseload, and current staffing levels to determine whether enough staff and resources are provided to manage these situations effectively.

**The conduct process alone is not enough.** The Student Code of Conduct typically applies only to *student* misconduct. Under Title IX, students can also file complaints about behaviors by faculty, staff, and nonstudents when these behaviors affect access to education or programs. Also, the college may still need to conduct investigations and address behaviors affecting the campus, even if a victim does not wish to pursue the conduct process or if the identity of the person who engaged in the behavior is unknown. In addition to the formal conduct process, there are other ways to address campus incidents, such as education, additional monitoring, policy revision and dissemination, and remedies provided to those who are affected. OCR has put increased focus on the campus climate, so we should track trends and encourage reporting of themes and concerns, not just formal complaints. Finally, we cannot operate in a silo; the OCR guidance and White House Task Force reinforce a reality that we already know: It takes a campus-wide effort to change campus culture and to be compliant with Title IX.

**Training is critical.** No matter what resolution method is used, no matter who investigates or who makes decisions about complaints, those persons **MUST** be adequately trained. We must train anyone who interacts with students on a regular basis, including faculty, so they know how to refer students appropriately. Investigators and adjudicators must be trained on the complexities of same-sex relationships, the way trauma can be experienced by members of various ethnic backgrounds, and the dynamics of power in relationships, for example. Appendix C contains a list of suggested training topics.

**Be reasonable.** We have conversations every day about time, place, and manner. We cannot codify every possible student behavior that might violate campus standards. And yet, some of us seek specific and exact instruction from OCR or attorneys in order to implement new policy or to go forward. We must feel confident in determining what is reasonable, based on a comprehensive review of existing guidance, an understanding of our campus culture, and consideration of the experiences of our



students, especially those who may feel victimized or harassed. In addition, not all details in the national guidance and regional resolutions from the OCR offices are exactly aligned. While we welcome additional training opportunities and advanced guidance from the government, we must use professional judgment to do what is best for our campus, acting in the spirit of available guidance.

**Follow your policies.** This is a fundamental rule in student conduct. Do not create policies or procedures that you will not actually practice. Do not make a college President or an attorney the Title IX Coordinator if he or she is not available for students or does not have time or expertise to oversee the process. Be sure that all employees know what to do if a student reports an incident. Equally important, do not have policies that contradict, conflict, or are misaligned. The same standards should apply to any act of sexual harassment, whether by a student, employee, or campus visitor. The consequences and remedies may look different, depending on the relationship of that party to the institution. Finally, have policies and procedures that students can understand and navigate. This can be especially challenging if policies are overly legalistic or if the student body (as in many community colleges) includes a high percentage of ESL students, students with disabilities who may need alternate format materials, dual-enrollment high school students, or students who have lower cognitive functioning.

**These cases are complex.** Many cases involve alcohol or other influences, partial or absent memories of what happened, few or no witnesses, and a student who has been harmed by someone whom he/she knows. Many of these cases would not likely be prosecuted in a court of law and involve making decisions based on available information. Despite the complexity, we have the responsibility and the means to address them effectively. It is important to evaluate each case and make improvements where possible. We often survey accused students about their experience, but we should survey *both* students about their experiences and then make changes where appropriate and necessary. Any case could result in one or both students leaving the institution, so it is important to invest adequate resources toward successful resolution. Also, any case could result in a lawsuit or OCR complaint, which does not necessarily mean that anything was done wrong. These are often very emotionally charged cases, with strong feelings on both sides. Some cases, even when conducted flawlessly, result in no one being happy with the results.



### **Section III: Standards of Practice**

This section describes critical elements and recommended practices pertaining to cases of sexual misconduct that every campus should be incorporating, regardless of student population, size, institutional type, mission, public or private status, or Carnegie classification. Many of these concepts can be extrapolated to all student conduct complaints, as they are found in the foundational training provided through the ASCA Gehring Academy, infused in other ASCA programs, and reiterated by the OCR in their recent and historic guidance on Title IX. Promising practices are described for each of the five stages of the student conduct resolution process:

- A. **Policy:** *the expectations for student behavior and the procedures for addressing potential violations, both of which should be published widely to the campus community and anyone who might be affected by students' behavior on campus.*
- B. **Initial Interactions:** *the initial interactions that a student has with the process, following an alleged incident. This includes the reporting and intake process, requests for confidentiality, and interim measures imposed. This is also the stage at which an institution determines whether it has official "notice" and what its obligations for action might be.*
- C. **Investigation:** *the information gathering phase. This includes both formal and informal investigations, depending on the institution's obligations to act, the extent to which a request for confidentiality can be honored, and the surrounding climate concerns.*
- D. **Adjudication:** *the process by which a determination is made as to whether or not a policy was violated.*
- E. **Institutional Response:** *the campus actions that occur as a result of the outcomes of the adjudication. This can include imposition of sanctions, continuation or imposition of remedies for the victim, targeted or campus-wide educational responses, and enforcement of additional security or other such measures.*

Following the recommendations for each stage are questions for consideration. These questions are intended to serve as a starting point to help campus personnel to discuss the student conduct resolution process and identify areas that might need review or revision.

#### **A. Policy**

**Include the critical components.** We have developed a list of the key elements of a sexual misconduct policy based on effective student conduct practices, as well as a review of the guidance and settlement agreements from OCR (Appendix B). Many campuses already have many of these in place. As more guidance has been issued, the amount of information that must be contained in the policy has increased. This results in the need to balance compliance with effective and convenient delivery of the information. As Title IX applies to all behaviors of sexual or gender-based discrimination and the Clery Act applies to all crimes that may occur in Clery-reportable areas on or near the campus, institutions should also review policies and procedures beyond student codes of conduct and related procedures to ensure that students who experience discrimination by an employee receive appropriate remedies and procedural protections.

**Communicate effectively and transparently.** Whether it is in original or revised guidance, the recent Q & A Guidance, or the outcomes of OCR campus investigations, a common theme is that policies must be written in a way that students can understand them and they must be communicated to the campus in

an effective manner. Both recent guidance and the White House Task Force Report convey that it is not enough to *believe* that we have effective policies; we must conduct ongoing assessments to ensure that they are effective. Students should understand what will happen if they report, if they are accused, if the case proceeds to a hearing, and so forth. Policies and procedures should not be buried in websites, catalogs, or at the end of annual security reports. In addition to campus-wide climate surveys, consider surveying those who participate in the resolution process: accused, victims/complainants, and witnesses.

**Be nimble.** Because policies and procedures must be transparent for the campus community and reflect the campus culture, there should be some vetting or review during the policy revision process. However, it should not take months to get policies passed, and non-experts (e.g., faculty, untrained attorneys, administrators removed from the conduct process) should not be permitted to block or hinder implementation of a Title IX-compliant policy. As state laws change, campuses must keep relevant definitions and procedures up to date. ASCA has long advocated comprehensive reviews of campus conduct codes every 2 to 3 years to minimize the need for complete overhaul of policies that have gone unrevised for years.

#### Questions for Consideration:

1. Does the policy include the elements included in Appendix B?
2. What search words can a student type into the college website to find this policy?
3. Does every faculty member, staff member, and student know about this policy? Where are they most likely to look for it?
4. How would a parent, spouse, or other family member learn about the policy and procedure?
5. Do students see themselves in the policy or procedures, or would they feel the need to involve an attorney or a parent in order to understand it?
6. Is the policy within two to three clicks from the main college website?
7. How quickly can we revise this if the laws change or we realize that we need to update it?
8. Do prospective students have easy access to this information?
9. Does the policy reflect the values of the campus community?
10. How does the policy help articulate that we do not tolerate sexual misconduct on the campus?

#### ***B. Initial Interactions***

**Make it easy to report.** We believe that the initial interaction that a victim has with the campus will dictate the rest of his/her campus experience surrounding the incident. For example, if the first conversation includes something like, “You’re not going to want to go before a hearing board of three older faculty members that you might later have as instructors and discuss intimate details of your sex life,” that student is not likely to file a formal complaint. Think about “reporting” from a student point of view – what does it mean to “report” informally or seek help? Who do students think have responsibility to take action? Once you have a policy in place, do what you can to promote reporting. Consider online reporting, a 24-hour hotline, and accepting reports in person. Do not create barriers – you are still on “notice” of a complaint even if it does not come on a specific form or by a certain time of day. You are even on notice just by reading something in the local newspaper. Once you are on notice, you must do something. Doing nothing is *never* the right answer. Give both the complainant and the respondent a supportive environment in which to share information – which requires adequate training of your campus and especially those involved in the initial intake of complaints. Develop a pool of trained support persons who can be present with a respondent when he/she is informed that a complaint has

been made. Remember, the primary responsibility of the person fielding the report is to capture a true and accurate narrative of the information, not to determine whether the information has merit.

**Keep the campus AND the individual in mind.** If an affected student does not want to proceed with the formal conduct process, follow the suggestions in the April 2014 OCR Q & A to determine whether the campus has a compelling need to pursue the complaint. Students should be aware that campus events designed to create space to discuss experiences in an open way, such as Take Back the Night, are not considered official notice of a complaint; although the College may be able to identify trends that should be addressed outside of a formal conduct process. The campus must also maintain the option to initiate complaints on its own behalf to protect the whole campus community if needed.

**Interim remedies are not predicated on a formal campus conduct process occurring.** Even without a formal complaint, the campus must take measures to protect an affected student. While our field has often focused on protecting the rights of accused students, we must put this focus on an equal level with that of the student complainant, and minimize burden on the complainant with regard to interim measures. If a student does not want to proceed with a complaint, the institution must still review and determine if it is part of a larger pattern of harassment and, if so, institute remedies to address it.

Questions for Consideration:

1. Who on campus do students talk to about their personal lives?
2. How can we expand faculty and staff skill sets in order to expand the possible pool of people that students might trust with their experiences?
3. How do we communicate to students that they can get help even if they don't want to report something formally?
4. What standards do we use to determine if we go forward, even if a victim asks us not to?
5. Do faculty know how to respond if a student asks him/her directly for an interim remedy?
6. Is our entire student conduct resolution process easy to explain to someone so he/she can make an informed decision as to whether or not to file a formal complaint?
7. How does a student learn about how to report an incident at 2am on a Saturday morning?
8. What kinds of support do we offer to both the respondent and the complainant during the initial part of this process?

### ***C. Investigation***

**Honor the involved students.** Ensure that students know what to expect, including what will happen with information that they share. When possible, obtain consent from the student complainant prior to beginning an investigation. Be prompt and appropriate, and keep the complainant and respondent informed as to the progress when possible, including simultaneous written notice of outcomes. Reveal only as much as necessary to get the necessary information about the case. Take time to be appropriately thorough but do not cause unnecessary delay.

**Do not place the burden on either student to “prove” the case.** The institution has an interest in finding out what actually happened in order to make the most informed decision possible. Campuses may have an interest in conducting an investigation even if a student does not wish to file a formal complaint or have his/her identity disclosed. Conduct a broad sweep to learn what you can; there may be critical witnesses that neither the complainant nor respondent would seek to hear from. Look at social media, text messages, and emails for additional information.

**A Title IX investigation is different from a law enforcement investigation.** While a police report may be a source of information in your investigation, it focuses on whether a law has been broken and the establishment of probable cause, not whether a campus policy was violated. Depending on circumstances, police and the student conduct investigator may be able to interview a party at the same time to minimize the need to discuss the incident multiple times. On the other hand, there may be a need to time things so fact finding about possible criminal activity can conclude first. A Memorandum of Understanding (MOU) between campus and/or local law enforcement can be helpful in establishing guidelines on how and when information can and should be shared with campus investigators. Regardless, investigation files should tell a story from start to finish about the incident and the investigation, including any delays in the process.

**Ensure a sustainable investigation model.** Whether investigations are done through Human Resources, a single investigator, an outside company, the student conduct office, or the student affairs division, have an adequate number of well-trained people to do this work, especially during high incident times.

Questions for Consideration:

1. How are investigators trained? Would the campus tolerate external investigators?
2. Do students trust the people who conduct investigations?
3. Is there an MOU with local law enforcement officials to clarify multijurisdictional procedures before such a case arises?
4. How effectively and quickly does the campus and/or community law enforcement share information with campus investigators?
5. Is there a consistent template for investigation reports, so that no matter who conducts them, the process and report are similar?
6. Are there checklists to guide discussions with students about the process?
7. Are there enough investigators for the number of cases on campus?
8. Do the investigators have access to and good relationships with the Title IX Coordinator(s)?
9. What kind of trust does the campus have in the investigator(s)?
10. Do investigator job descriptions accurately portray the qualifications and time required?

#### ***D. Adjudication***

**There is no one-size-fits-all resolution method.** Given the differences among institutional types, student bodies, campus cultures, and resources, it is unrealistic to apply one resolution model to the 7,000+ institutions across the United States. However, these standards of practice apply to all resolution models, including a student panel hearing, a single-investigator-and-adjudicator model, or some hybrid model. The key is to select the one that best fits campus needs.

**Ensure that resolution method(s) promote a culture of reporting.** Provide choices to students when possible, including the option for a complainant to not be in the same room as the respondent during adjudication. Procedures that permit the accused to be present at all stages of the hearing could result in a complainant not wanting to proceed further in order to avoid facing the accused student.<sup>13</sup> If one student has the choice, both should have the choice.

**Do not attempt to be a mini-courtroom.** There is no need to “prove beyond a reasonable doubt” that someone violated a college policy in order to find that person responsible. There should never be direct

---

<sup>13</sup>U.S. Department of Education, Office for Civil Rights. *Letter to Notre Dame College*. September 24, 2010 (TS): 5.

questioning between respondent and complainant or victim when resolving allegations of sexual violence. While students may have an advisor present, the campus should set and uphold clear parameters for that person's involvement in the proceeding: to *support and advise* the student, not to *represent or advocate* on his/her behalf. Hearings and meetings should always be closed. Do not succumb to attempts to delay the process; offer *prompt* resolution (generally 60 days). Hearings should be structured so that they encourage the parties to tell their stories without personal attacks or reference to prior sexual histories, unless they have direct bearing on the question of responsibility in the case at hand.

**Ensure that both students have the opportunity to tell their stories.** Both complainant and respondent should have the chance to present information, review information ahead of time, vocalize experience, and present witnesses to the incident. Ensure that the resolution body and investigator have adequate training regarding how to engage students in the process. Offer a pool of trained advisors who can support students as they participate in the campus conduct process (depending on the campus, this can be students, staff, and/or faculty). Facilitate a process that is socially just and equitable; do not permit attorneys, parents, or anyone to create power differentials that adversely affect the process, or re-victimize anyone.

**Use preponderance of evidence as the standard of proof.** ASCA recommended this long before OCR stated it in the April 2011 Dear Colleague Letter. If the goal is to provide an equitable process, complainant and respondent must be allowed to participate in the process equally. These cases sometimes come down to believing one party as more credible than the other. If we start from the premise of clear and convincing or beyond a reasonable doubt, we are essentially saying to the victim, "Even if I believe you over the accused, if I don't believe you by this higher standard, I have to find in the accused student's favor." This devalues the victim's sense of personal value to the institution. Use of the "more likely than not" or 51% model is the only truly equitable standard for campus conduct cases.

**Decision makers must be well trained.** Given the complexity and sensitive nature of these cases, all adjudicators must be well trained. For a comprehensive suggested list of topics, refer to Appendix C.

*Refer to Section IV for the questions pertaining to adjudication models.*

### ***E. Institutional Response***

**Be intentional and appropriate in sanction selection.** As sexual misconduct ranges from repeated unwanted comments to single acts of sexual violence, there must be a wide range of sanctions available and a deep understanding of the factors relevant to sanction selection. While an act of sexual violence can never be "undone," there may be situations in which sanctions or remedies can include some restoration of harm caused. Engage the campus community in conversation about appropriate sanctions and create a sanctioning guide. If you have minimum sanctions for certain violations, ensure that there are no unintended side effects, such as hindrance to reporting or a hearing board wanting to adjust a finding of responsibility in order to issue or avoid a specific sanction. Include the rationale for sanctions so that both students understand the decisions.

**Implement ways to monitor future behavior.** Ensure adequate measures to uphold sanctions. Include notations on transcripts if a student is suspended or expelled to reflect accurately the student's new relationship to the institution. This can help a future institution to address behavior that may affect its students. Think beyond sanctions (if someone is not a student), reach out to other schools, talk to community police, and so forth. Work with other campus entities to ensure that climate check follow-up



occurs. Ensure that the Title IX Coordinator is informed of sanctions so he/she can assess trends. Finally, remember that sanctions are not enough with regard to remedies.

**Provide both parties the opportunity to appeal, based on specific criteria.** An appeal is not a rehearing of the case or an opportunity for the appellate body to substitute its judgment for that of the original hearing body. Typical criteria include an error of due process that adversely influenced the outcome, newly discovered material information that was not available at the time of the hearing and would have a significant impact on the outcome, demonstrable bias by a hearing official, or sanction(s) that are inappropriate for the violation(s). The appeals personnel should be adequately trained. There should only be one level of appeal. While appeals may not be completed within the 60-day guidance set by OCR, they should be resolved in a timely manner, relative to the case. Finally, sanctions should usually be enacted even while the appeal is being considered.

**Understand the difference between “processing” and retaliation.** Complainants and respondents may need to discuss what is happening to them as they engage in the conduct proceedings. They may seek support from formal (counselors, clergy, victim advocates, attorneys) and/or informal (parents, friends, advisors, coaches) resources. While “gag orders” should not be imposed, if their processing of the experience becomes problematic, educational conversations should take place to address this. A tangible adverse effect may result in some form of retaliation. If a complaint is filed and the respondent or respondent’s friends discuss the case in a way that adversely affects the complainant, the retaliation may be a continuation of a hostile environment that was created by the initial complaint (if the complaint is substantiated).<sup>14</sup> Retaliation should be addressed immediately and effectively.

Questions for Consideration:

1. Do the hearing bodies issue sanctions or give recommendations for sanctions?
2. Are students, faculty, adjudicators, and senior administrators on the same page with regard to the kinds of sanctions that should be issued for certain cases?
3. How are members of appellate bodies trained?
4. Is retaliation addressed in the code of student conduct?

---

<sup>14</sup>Office for Civil Rights. *OCR Civil Rights Seminar*, Chicago, IL, April 25, 2014.



## **Section IV. Resolution Models**

A common phrase in the field of student conduct administration is providing “some kind of hearing”, which translates to one or more members of the campus community reviewing the available case information; listening or reviewing information from the complainant, respondent, and witnesses; and determining a finding of responsible or not responsible for each alleged violation. A variety of options are available for resolution of complaints of sexual misconduct. Regardless of which resolution method is used, Title IX requires that an investigation occur for any complaint of sexual discrimination. Some campuses have specialized entities or processes that resolve only cases of this nature. Other campuses ensure that all adjudicators/hearing bodies can resolve any type of case.

### ***Hearing Model***

The hearing model is the traditional model of student conduct adjudication. The hearing is often an in-person event (although parties can participate via phone, Skype, or similar means) and varies in length depending on the complexity of the case. Some hearing bodies have the authority to issue sanctions, while others may give sanction recommendations to Student Conduct or Student Affairs staff members who have the authority to impose sanctions appropriate for the violation. The roles of the student conduct office/staff in the hearing process vary, and can include the following:

- **Advisory:** providing advice to board/hearing body as needed and ensuring that procedures are followed
- **Logistical:** coordinating scheduling, developing the hearing agenda, collecting information
- **Investigative:** conducting the investigation and presenting it to the hearing body so the hearing can focus on follow-up questions and offering an in-person opportunity to the complainant and respondent to share with the hearing body
- **Complainant:** the student may conduct staff initiate complaints on behalf of the college
- **Supportive:** some campuses offer advocates or advisors for students who are participating in a hearing as either a complainant or a respondent

In this model, an investigation typically occurs prior to the hearing to (a) ensure that there is enough information to substantiate a complaint going forward for consideration, (b) provide separation between investigation and adjudication of the case, and/or (c) promote an efficient hearing by having a trained professional conduct much of the fact-finding work for the hearing body.

### **Administrative Hearing**

Administrative hearings most often involve one adjudicator who is trained in student conduct. Large and residential campuses may have student conduct offices with multiple administrative hearing officers, while small or commuter campuses may only have one adjudicator or may train employees from outside of student conduct or student affairs to serve as administrative hearing officers.

### **Panel Hearing**

Panel hearings range in size, with at least three members. Composition varies and can include a combination of faculty, staff, and students. Both composition and size are often dependent on campus culture: A commuter college with a transient student population may have fewer students than employees on the panel. A small residential college with an activist student body may have more or all students on the panel. While OCR currently discourages campuses from having students serve on panels, we believe that there is value in ensuring that student perspectives are present in the process, so long as they are effectively trained to participate. Our society allows 18-year-olds to serve on juries

that make decisions with much more at stake. We believe in the value of including the student voice in conduct processes, but we also understand the responsibility of adequate training and oversight of the process. While panel hearings with students may be the best resolution method for some campuses, they may not work at all for others.

### ***Investigation Model***

The investigation model removes the need for an in-person hearing, while still providing procedural protections to both complainant and respondent. In this paper we define an *investigation* as the process of collecting information pertaining to a complaint or incident, interviewing relevant parties, and synthesizing the material so it can be used to determine whether or not a policy violation occurred. This definition differs from the OCR definition of a Title IX investigation.<sup>15</sup> The student conduct process can be used to fulfill the Title IX investigation requirement so long as it is compliant with Title IX. Here is the basic flow of the investigation model:

- Complaint is filed and assigned to an investigator.
- Complainant is interviewed and interim action/remedies may be implemented.
- Respondent is informed of the nature of the complaint and the policies in question.
- Complainant and respondent have the opportunity to meet with the investigator and provide information regarding the complaint, including suggesting witnesses.
- Witnesses may be interviewed.
- Complainant and respondent review a summary of the incident information prepared by the investigator and can provide additional response or information.
- An investigation report (including policy analysis) is completed and forwarded to an adjudicator to issue findings and sanctions (i.e., outcome).

### ***Hybrid Models***

Campuses may choose to use a hybrid model that combines aspects of these two models. For example, one student conduct staff member might conduct the investigation; a different staff member would review the information and offer an administrative resolution for the case. If either the complainant or respondent does not wish to accept the resolution, the case goes to a hearing body to analyze the information and determine outcomes and any sanctions. Another model might include a Title IX investigation completed by an equity office, with the case being referred to the campus conduct process to determine appropriate sanctions for policy violations.

### ***Alternative Dispute Resolution***

In addition to the traditional resolution methods, other options may be appropriate in certain cases. None of these should completely replace the other adjudication methods as the only resolution option available on a campus, but one or more may be effective in some cases. Keep in mind that interim and long-term remedies still should be provided to a complainant, even if these methods are used.

---

<sup>15</sup>Page 24 of OCR's April 2014 *Q & A Guidance* defines a Title IX investigation as "the process the school uses to resolve sexual violence complaints. This includes the fact-finding investigation and any hearing and decision-making process the school uses to determine: (1) whether or not the conduct occurred; and, (2) if the conduct occurred, what actions the school will take to end the sexual violence, eliminate the hostile environment, and prevent its recurrence, which may include imposing sanctions on the perpetrator and providing remedies for the complainant and the broader student population."



### **Informal Resolution**

Many campuses use an “informal resolution” process in which an accused student and a conduct officer reach agreement about the violations and imposed sanctions and resolve the case without a formal hearing. While this is a common practice for violations such as alcohol, noise, misuse of technology, academic dishonesty, and so forth, this process may not meet requirements of Title IX. In complaints of sexual harassment, there must still be an investigation, a finding as to whether sexual harassment occurred, notification to the complainant about the outcome, appropriate remedy(s), and option for appeal.<sup>16</sup> With the need to ensure equity in the process for both parties, there is a flaw in this method of resolution if there is a complainant and yet only the accused student has to agree to the outcome. The institution should likely implement an appeal process for the complainant, or may reach informal resolution only when all three parties agree (complainant, respondent, and institution).

### **Mediation**

The April 2011 Dear Colleague Letter made it clear that mediation may not be used to resolve complaints of sexual assault, and the reasons for this are obvious. The dynamics are not equal, and the potential for re-victimization as well as unintended effects are too great. However, following a Title IX investigation and notification of the outcomes, there may be cases of sexual harassment in which both parties wish to have mediation as part of moving forward as students on the same campus. An example is a case in which a male student is unaware of the effects of some of his comments on a female complainant and wants to understand them better. The female is interested in meeting with the male and a facilitator to share this information. With the help of a trained facilitator who provided the follow-up about their agreed future communication methods, this case can be resolved to the satisfaction of both parties. Mediation may also be helpful when an investigation determines that there was no violation of Title IX or college policy, and the college can assist the involved students in discussing how to move forward.

### **Restorative Justice**

The restorative justice (RJ) model resonates with the concept of remedies under Title IX and suggests balance in considering the rights of both parties: those who were harmed and those who did the harming. When done effectively with willing parties who can engage in productive dialogue, an RJ process can provide deeper learning and engagement in the process. There are many ways to implement restorative justice that are worth exploring in a variety of cases. Some campuses have utilized RJ in place of a traditional hearing in which the accused acknowledges having caused harm to the other party and the violation is at a lower level. Others have successfully implemented RJ in addition to the traditional hearing to provide some closure to the parties. This option is especially worthy of consideration in cases in which the complainant says, “I just want him to know that what he did to me was wrong.” If your campus is interested in RJ as an option, we recommend that the facilitator be well trained and that much care is used in utilizing this option.

---

<sup>16</sup>U.S. Department of Education, Office for Civil Rights. *Letter to Notre Dame College*, September 24, 2010 (TS): 5.

**Comparison of Resolution Models**

	<b>Investigation</b>	<b>Admin Hearing</b>	<b>Panel Hearing</b>	<b>Hybrid Model</b>
Staff Resources	<ul style="list-style-type: none"> <li>Requires more time by fewer staff members</li> <li>Can be overwhelming during high case time, especially if not the sole focus of the position</li> <li>Creates risk if staff turnover is common</li> <li>Can be outsourced</li> </ul>	<ul style="list-style-type: none"> <li>With a pool of administrators or with one or more who focus on this, offers a flexible schedule</li> </ul>	<ul style="list-style-type: none"> <li>Requires time from panel members for cases and training to promote consistency</li> <li>Still requires advising by conduct staff and/or training</li> </ul>	<ul style="list-style-type: none"> <li>Allows for investigations to be done outside of student conduct</li> <li>Can be outsourced</li> </ul>
Privacy of Information	Fewest people are exposed to the information	<ul style="list-style-type: none"> <li>Limited number of people can access information</li> </ul>	<ul style="list-style-type: none"> <li>Information usually exposed to greatest number of people</li> <li>Often includes sharing information with faculty and students</li> </ul>	<ul style="list-style-type: none"> <li>Depends on size of hearing body</li> </ul>
Logistics	<ul style="list-style-type: none"> <li>Can usually be the most expedient, depending on investigator's other duties</li> </ul>	<ul style="list-style-type: none"> <li>Medium level of coordination required</li> </ul>	<ul style="list-style-type: none"> <li>Requires most extensive coordination of schedules</li> </ul>	<ul style="list-style-type: none"> <li>Allows most options for customization</li> </ul>
Training Required	<ul style="list-style-type: none"> <li>Requires ongoing training for investigator(s) and adjudicator(s)</li> <li>Must address turnover</li> </ul>	<ul style="list-style-type: none"> <li>Requires ongoing training for the hearing officer</li> </ul>	<ul style="list-style-type: none"> <li>Extensive training required to ensure effectiveness and minimize risk</li> </ul>	<ul style="list-style-type: none"> <li>Depends on the number of people involved.</li> <li>May require different types of training for different entities.</li> </ul>
Consistency	<ul style="list-style-type: none"> <li>Offers potential for great consistency, depending on number of investigators and adjudicators</li> </ul>	<ul style="list-style-type: none"> <li>Offers potential for great consistency, depending on number of adjudicators and communication among them</li> </ul>	<ul style="list-style-type: none"> <li>Least likely to be consistent, depending on level of training and dedication of board members</li> </ul>	<ul style="list-style-type: none"> <li>Depends on construction of model</li> </ul>
Campus Support	<ul style="list-style-type: none"> <li>Must have credible investigator(s) to maintain support of process</li> <li>Students may feel it is too "secretive" or it may be most trusted because of this</li> <li>Requires openness by legal counsel</li> </ul>	<ul style="list-style-type: none"> <li>Requires trust in the administration for students to report</li> <li>May be most trusted by student body</li> </ul>	<ul style="list-style-type: none"> <li>Ensures that campus voice is heard in decision and sanctioning</li> <li>May be seen by students as most supportive, depending on culture</li> </ul>	<ul style="list-style-type: none"> <li>Varies, depending on process</li> </ul>

## **Questions to Ask Your Campus**

### **Campus Culture**

1. What level of trust do students have in the student conduct office/staff?
2. Is the student body transient or consistent? Are there students who are engaged and willing to serve on boards consistently?
3. What involvement do faculty, staff, and students want to have in the conduct process?
4. What politics affect this decision?
5. Can the same process be used for student and employee misconduct? How well do Human Resources and Student Conduct employees communicate with each other?

### **Support From Campus Leadership**

1. Does the campus leadership trust and support the conduct staff?
2. What models does the institution's attorney support and why?
3. Do campus stakeholders understand the student conduct process?
4. What role(s) do senior staff want to have in the process?
5. Is funding for adequate training provided?

### **Staffing**

1. Can staff members focus on investigations, or will that interfere with other job duties?
2. Are there faculty members who are willing to be trained and serve on boards consistently?
3. Is there adequate staffing to ensure appropriate separation between the initial adjudicating body and the appellate body, so students have a fair chance for an appeal?
4. Is enough staff involved to manage any perceptions of conflict of interest or bias?
5. Are faculty, staff, and students compensated accurately for time spent on these cases (release time, credit toward tenure, academic credit for training, etc.)?

### **Training**

1. What level of training can be provided on campus?
2. What training should be obtained through national or local resources to fill the gaps?
3. Are there resources to ensure that all members of hearing boards are adequately trained on an ongoing basis?
4. How is turnover in investigators, adjudicators, or appellate boards addressed?
5. Are panels/hearing officers active enough to practice what they learned in training or can ways be created for them to practice the training through in-service or continuing education?

### **Resources and Funding**

1. Are participants in the administration of the process adequately compensated?
2. What money is set aside for annual training, Association membership, and conference attendance to ensure that the campus is up to date on best practices?
3. Is there release time offered to investigators/adjudicators as needed?
4. What kind of support is available to staff members who investigate or hear these cases?
5. What are the relationships with local law enforcement agencies?

## **Section V. Conclusion and Next Steps**

Given the recent attention to how colleges address incidents of sexual violence on campus, student conduct professionals are in the spotlight as never before. This presents an opportunity for ASCA to advance the profession to promote safer campuses for students. Student conduct professionals who are working at an institution with an antiquated process or an overly legalistic policy must work to change this. All conduct professionals have a responsibility to students and the profession to correct those who are not doing this work well. We are the ones who talk with students, who know how to write policies that fit our institutional culture and uphold professional standards, who facilitate procedures that are equitable and respectful for all of our students involved; we are the experts on this. As practitioners and as a profession, we must do a better job of describing the nature of student conduct, articulating how sound practices correlate to the educational mission of our campuses, and demonstrating effectiveness in transforming student behavior. ASCA has an interest in ensuring that each and every colleague does this well because the profession has an obligation to students and to the field of higher education. ASCA is committed to setting the “gold standard” for addressing sexual misconduct effectively through student conduct practices. Immediate steps toward this goal include the following:

- Distributing this white paper freely to promote transparency and understanding of the role of student conduct personnel in addressing sexual violence and harassment
- Developing for ASCA members a collection of proven practices, templates, sample policies, training materials, and other items through Sexual Misconduct/Title IX Community of Practice
- Providing timely information to ensure that members have up-to-date information about issues affecting their work
- Collecting data on current practices and trends to understand the national climate surrounding sexual misconduct cases and how to influence it through the Association
- Releasing follow-up white papers on leading practices, including how student conduct staff and campus security/law enforcement work together to address sexual misconduct on campuses, as well as recommended practices for transcript notations and evaluation of notations
- Continuing to provide effective initial and ongoing training through the ASCA Gehring Academy, annual conference, regional/state meetings, and webinars
- Strengthening relationships with external entities such as the White House, OCR, Congress, and other higher education associations, including a presentation on student conduct resolution procedures to the OCR Sexual Harassment Network in August 2014
- Continuing to challenge entities that seek to undermine the educational mission (including state governments, attorneys, and sometimes institutional stakeholders) by advocating for sound practices, equitable procedures, and productive legislation

This paper is intended to be a catalyst for action. We agree with President Obama’s introductory quotation in the *Not Alone* report: Sexual violence is a threat to campus communities and “we have the power to do something about it.” We invite you to join us in being part of the solution to addressing the societal problem of sexual violence as it affects our campuses.

*\*\*ASCA would like to acknowledge the following additional abbreviated resources: ATIXA One Policy, One Process (2013); NCHERM Group Wiki Model Code Project (2013); Reframing Campus Conflict by Schrage and Giacomini (2009); Student Conduct Practice by Lancaster & Waryold (2008); The Little Book of Restorative Justice by Karp (2013)*

## **Appendix A: Resources**

### ***Influential Guidance:***

- Guidance: *Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties* (1997)
- Pamphlet: *Title IX and Sex Discrimination* (Revised 1998)
- Guidance: *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties* (2001)
- Pamphlet: *Sexual Harassment: It's Not Academic* (Revised September 2008)
- *Dear Colleague Letter on Harassment and Bullying* (October 26, 2010)
- *Dear Colleague Letter on Sexual Violence* (April 4 2011)
- *Dear Colleague Letter on Retaliation* (April 24, 2013)
- *Questions and Answers About Title IX and Sexual Violence* (April 29, 2014)

### ***Relevant and Notable Court Cases/Judicial Guidance:***

- *Dixon v Alabama*, 294 F. 2d 150 (5th Cir. 1961)
- *Goss v Lopez*, 419 U.S. 565 (1975)
- *Gebser v Lago Vista Independent School District*, 524 U.S. 274 (1998)
- *Davis v Monroe County Board of Education*, 526 U.S. 629 (1999)
- *General Order on Judicial Standards of Procedure and Substance in Review of Student Discipline in Tax-Supported Institutions of Higher Education*, 45 F.R.D. 133 C.F.R. (1968)

### ***Additional Governmental Influences:***

The following documents provide practical examples of application of the OCR guidance, which campuses should consider as advisory:

- *Eastern Michigan Resolution Agreement* (November 2010)
- *Notre Dame College Resolution Agreement* (June 2011)
- *University of Montana Resolution Agreement* (May 2013)
- *SUNY Resolution Agreement* (September 2013)
- *Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault* (April 2014)

### ***ASCA Resources:***

Bennett, L., Gregory, D.M., and Pavela, G. (1 May 2014). *ASCA Law and Policy Report No. 487*. The Association for Student Conduct Administration Available online at <http://theasca.org>.

Koss, M.P., Wilgus, J., & Williamsen, K.M. (2014). Campus sexual misconduct: Restorative justice approaches to enhance compliance with Title IX guidance, *Trauma, Violence, & Abuse*, 15, 242 - 258. doi: 10.1177/1524838014521500.

Penney, S.W., Tucker, L, and Lowery, J.W., (2008) *National Baseline Study on Campus Sexual Assault: Adjudication of Sexual Assault Cases* (A Study by the Inter-Association Task Force of the Association for Student Judicial Affairs). Association for Student Judicial Affairs.

Stoner II, E.N. and Lowery, J.W. (2004). Navigating Past the 'Spirit of Insubordination': A Twenty-First Century Model Student Code of Conduct With a Model Hearing Script, *Journal of College and University Law*, 31(1).

Waryold, D.M. and Lancaster, J.M. (2013). The State of Student Conduct Current Forces and Future Challenges: Revisited. Association for Student Conduct Administration.

## **Appendix B: Key Elements for Sexual Misconduct Policies and Procedures**

The following key elements provide a guide for developing a gold standard sexual misconduct policy and procedure. They have been compiled from the April 2014 Q & A Guidance, prior OCR guidance, the resources released at <http://notalone.gov>, and OCR resolution agreements. (Appendix A contains more information on these sources.) As the Clery Act overlaps Title IX with some compliance requirements for institutional responses to reported incidents of sexual violence, some Clery Act requirements (including some anticipated as a result of the current negotiated rulemaking process) pertaining to behavioral expectations (i.e., policy) and resolution procedures have been included in this guide to streamline institutional communications and promote compliance with Clery. Note that this guide is focused on institutional policy and resolution procedures; it does not include requirements such as education, risk reduction, or crime statistic reporting, which must be addressed in the campus's annual security report.

Institutions should review and carefully consider implementation of the elements in this guide, as many of them have implications for practice and may vary based on the institution's needs. In addition, if the institution has a separate or different process for addressing *employee* behaviors, the same information about process, outcomes, should be communicated. Institutions are encouraged to make it as easy as possible to communicate and understand the process, regardless of who is victimized and who is the alleged harming party—student, employee, community member, or someone else.

NOTE: At the time of this publication, the public comment period pertaining to changes to the Clery Act as a result of the Violence Against Women Reauthorization Act of 2013 (VAWA) is occurring, and there are more than 60 active OCR investigations. As a result, this guide is subject to change and will be submitted to the ASCA Sexual Misconduct/Title IX Community of Practice to update and maintain for members of ASCA, as further guidance and legislation is finalized.

### **Introduction**

- Statement of the prohibition against sex discrimination and all forms of sexual misconduct as defined by the institution, which includes behaviors that may also be criminal in nature, such as dating violence, domestic violence, sexual assault, and stalking
- Statement of the institution's commitment to address sexual misconduct
- Assurance that the institution will take steps to prevent recurrence and remedy effects
- Reference to the institution's core values, if relevant
- Statement that this guide explains the rights and options of (student/employee) victims of sexual misconduct, regardless of whether the act occurred on or off campus

### **Scope of Policy/Jurisdiction**

- Identify the persons, conduct, locations, programs, activities, and relationships covered by the policy, including:
  - Application to complaints filed by students or on their behalf alleging sexual violence carried out by employees, other students, or third parties
  - Off-campus conduct affecting the campus or the access to education of another student
  - Application to all students and employees, regardless of gender identity or sexual orientation
  - Application to third parties also
  - Application to online behavior and social media that may affect the educational experience
- State that the institution may initiate a complaint

- Explain that there is no time frame for submitting a complaint, with encouragement to report quickly to maximize the institution's opportunity to respond and investigate
- Explain that this policy is not a substitute for law, that the procedure may apply to situations that are also subject to criminal action, and that the institution supports individuals in reporting criminal activity to appropriate law enforcement entities
- Explain the institution's amnesty policy or other such statement to encourage reporting of sexual misconduct even if other violations (such as alcohol/drug use) may have occurred

### Options for Initial Assistance

- Address immediate concerns:
  - Resources on and off campus, including contact information for trained advocates who can provide crisis response
  - Emergency numbers for on- and off-campus law enforcement/campus safety, and how the institution can assist in notifying law enforcement if desired
  - Health care options on and off campus
  - Institution-specific sexual assault response resources
  - Surrounding community sexual assault response resources
  - How to seek care for injuries, STI testing, etc.
  - Importance of and explanation of how to preserve evidence in case the behavior is also a potential criminal act
  - Encouragement of prompt reporting of all crimes to the appropriate law enforcement agency, paired with a commitment from the institution that appropriate support will be offered in any case
  - Where to get a rape kit/SANE examination
  - Institutional resources pertaining to visa/immigrant status
  - The victim's rights and institutional support to assist in attempts to obtain orders of protection
- Address Counseling, Advocacy, and Support
  - Counseling and support options regardless of participation in conduct or criminal processes
  - Options and how to report confidentially on and off campus to counselors, medical personnel, or other such resources
  - Other support options during conduct or criminal process (designate whether they are confidential or not)
    - Explain that individuals may have a support person of their choosing present during any "proceedings" and what role(s) that person may have
  - A reference or link to the section on Reporting Options to learn more about confidential resources and who at the institution has a responsibility to report or act on the information
- Explain Interim Measures
  - Describe the range of measures that can be offered, including:
    - Potential immediate steps that can be taken by the institution to ensure safety/well-being of the victim (changing residence halls or class schedules, work schedules/situations, transportation assistance, withdrawal from a class without penalty, tutoring support, etc). Inform that the institution will make these accommodations if they are requested and reasonably available, regardless of whether the victim reports a crime to law enforcement.

- Additional possible steps that can be taken while an investigation is pending, such as campus no-contact orders, changing the accused student’s schedule, etc.)
- State that interim measures will be imposed in a way that minimizes the burden on the victim to the extent possible while balancing the rights of the accused.
- Explain differences between a campus no-contact order and a civil order of protection. Explain how to obtain a civil order of protection, including who from the campus can assist in obtaining one.
- State that information will be maintained as private as long as it does not hinder the institution’s ability to provide interim measures.
- State that retaliation is not tolerated by Title IX or the institution, and explain how the campus will protect against retaliation.
- Describe how the college values the opportunity to address incidents of sexual misconduct and assure that any violation of alcohol, drug, or other such policies may be addressed outside of this process but should not be a reason not to report.

### Definitions

- Provide adequate definitions of sexual misconduct include the following:
  - Discrimination and sexual harassment, including hostile environment caused by sexual harassment
  - Sexual assault, including rape, sodomy, sexual assault with an object, forced fondling, incest, and statutory rape
  - Sexual violence, including dating violence, domestic violence, and stalking
  - Other forms of nonconsensual sexual contact
  - Sexual exploitation
  - Retaliation
  - Any other gender-based misconduct such as intimidation, bullying, or other nonconsensual sexual conduct
- Ensure that definitions are the same, no matter who engages in the behavior—employees, students, or nonstudents.
- Explain that violations of the policy may occur between individuals or groups of any sexual orientation or actual or perceived gender identity.
- Identify the criteria for determining whether a relationship is intimate, domestic, dating, etc.
- Provide examples of behaviors that constitute violations of each type of sexual misconduct.
- Define *consent* and *incapacitation*, in compliance with relevant state laws; explain the difference between *drunk*, *intoxicated*, and *incapacitated*
- Include definitions of *proceeding* (all activities related to the institutional resolution of a complaint, including investigations, meetings, and hearings) and *result* (initial, interim, or final decision made by an entity authorized to resolve disciplinary matters, including both findings/sanctions and rationales) for Clery purposes.

## Reporting Options and Confidentiality of Information

- State that an individual may reach a variety of decisions at any point as to how or whether to proceed, and that a complaint may be filed under Title IX, as well as in the criminal process.
- State that a victim has the option to report (or not) to law enforcement and that the institution will offer assistance in notifying law enforcement agencies.
- Explain what the college considers to be “notice.”
- Provide a reminder of confidential reporting options (referred to earlier in the policy).
- Distinguish formal reporting options
  - Criminal (may include on- and off-campus police)
  - Campus conduct process for student behavior, employee behavior, and unknown or third party behavior
  - Reporting to “responsible employees”
    - List these (consider what students might see as responsible or confidential employees).
    - Explain that responsible employees must report to the Title IX coordinator immediately if they receive a formal report or if they observe potential misconduct first hand or learn about it in another way.
  - Reporting to Title IX Coordinator
    - Include name and contact information.
- For all, describe how to file a complaint as well as an explanation of who will potentially be able to have access to what level of information once a report is filed, and what information is documented and retained
- Explain that the Title IX Coordinator(s)/supervisors will be kept informed and whether campus legal counsel may be consulted.
- Explain alternatives to formal reporting.
- Explain what happens if someone reports to a responsible employee but requests that his/her name be kept confidential or that no action be taken:
  - Identify who is responsible for evaluating requests for confidentiality.
  - Explain that the college’s ability to investigate may be limited, which can affect the kinds of things that may be done in those cases to remedy, end, or prevent recurrence without formal conduct process being initiated; provide examples of these.
- Describe any public recordkeeping obligations, including campus crime logs, reporting obligations under Clery and the annual reporting responsibilities of Campus Security Authorities (CSA), and the college’s obligation to issue timely warnings.
  - Provide examples of the kinds of information that could trigger a timely warning and give assurance that the complainant’s name or identifying information will not be released by the institution.
  - If CSAs are different from responsible parties defined earlier in the policy, explain that.
- Explain what happens with third-party and anonymous reporting, including that the college’s ability to respond may be limited.
- Reiterate that retaliation against anyone who files a complaint, a third-party report, or otherwise participates in a conduct process or investigation is prohibited and that the college will take strong responsive action if retaliation occurs.
- Explain that the privacy of student information is protected by FERPA, and that nothing in this policy or procedure constitutes a violation of FERPA.

### Investigation Procedures

- Describe the difference between an *investigation* that the college initiates when it has notice and the *Investigation* that is initiated when a formal complaint is received. Explain the difference between a law enforcement investigation and a campus investigation. Include relevant information from an MOU with law enforcement, as well as what may or may not be shared between the investigations.
- Explain that a concurrent criminal investigation may delay the campus investigation temporarily only until the fact-finding portion of the former is completed. Suggest that a reporting or responding party may wish to make an initial report to both police and campus conduct officials, with the understanding that the two procedures have different standards and outcomes.
- Identify who conducts investigations and what the investigations entail, including information about the annual training that investigators receive.
- Ensure a reasonably prompt time frame for completion of the investigation, and explain how it will be communicated if the timeframe must be extended; give examples of why this happens.
- Describe provisions for adequate, reliable, and impartial investigation of complaints, including the opportunity for both complainant and alleged perpetrator to present witnesses and evidence.
- State that interim measures are available during an investigation.
- State that the ability to investigate effectively may be limited if the complainant requests confidentiality.
- Explain the option for a support person to be present and what role(s) that person may play (i.e., silent support that does not interrupt the process), as well as prohibited conduct (such as advocating for, giving information on behalf of, or cross examining a participant).

### Resolution/Adjudication Procedures

- Describe all types of resolution procedures that may be used, including the steps, the anticipated timelines, the decision-making process, and how the institution determines which procedure will be used to resolve a complaint.
- Explain the process:
  - State that the preponderance of evidence standard will be used.
  - State that mediation will not be used in cases of sexual assault/violence.
  - Explain the nature of the process (i.e., hearing model):
    - who will have access to information and what decisions they will make
    - how they are trained, including annual training.
  - Explain how to address concerns about conflict of interest or bias, including a statement that in the rare case in which conflict of interest occurs, how that will be disclosed, and a reminder of available appeal options.
  - Describe the format of adjudication, including the option to participate without being in the same room with other parties.
- Describe the rights of the complainant and respondent:
  - Notice of hearing/adjudication process
  - Opportunity to present witnesses and information
  - What kinds of things will NOT be permitted, including direct cross examination:
    - Questions about the complainant's prior sexual conduct with anyone other than the perpetrator, and even in those cases, ONLY consider past sexual history if

there is a prior sexual relationship between the parties that is relevant to the issue of consent

- Clarify that evidence of a prior consensual relationship by itself does not imply consent or preclude a finding of sexual misconduct.
- Opportunity to have a support person (in addition to any person providing accommodations under ADA) and that individual's role(s) in process: specifically, to support the individual student, not to represent him/her
- Depending on the institution's practice, inform that, if an attorney is present during an institutional proceeding, the institution also reserves the right to have an attorney present.

### **Outcomes**

- Explain possible findings (responsible/not responsible).
- Explain all possible final sanctions.
- Explain possible remedies, including the range of protective measures offered for the complainant and for the campus community.
- Describe how the parties will be informed of the outcomes:
  - In writing, simultaneously
  - A rationale for the findings and any sanctions will be shared
  - The explanation of how to appeal
  - Assurance that the institution will not impose a nondisclosure agreement on either party
  - Resources/support options that are available to assist with processing the outcomes
- Describe the grounds for appeal, including deadlines and how to submit the appeal:
  - Explain the timeframe for processing the appeal.
  - Explain the process for an appeal, including who can see the information and make decisions.
  - Explain how the other party will be informed if an appeal is submitted and what information he/she can submit at that time.
  - Explain how parties will be informed of the outcome, including any changes and when the outcomes are final.
- Reiterate the time frame by which outcomes can be expected (generally 60 days from filing of report, exclusive of appeals).

### **Title IX Coordinator Contact**

- Reiterate the Title IX Coordinator's role and contact information.
- Include OCR contact information.

### **Appendix C: Training Competencies for Adjudicators and Hearing Board Members**

No matter what type of resolution is used, ensure that adequate, ongoing, and effective training is provided for participants. The following topics should be addressed to ensure that adjudicators and hearing board members understand the core competencies of the field.

- History of student conduct on campuses
- Students' rights and procedural protections
- Terminology used in student conduct
- The campus's Student Code of Conduct (as well as any policies on sexual misconduct if they are separate) and the role it plays on campus
- Overview of the campus conduct process, including appeals
- How campus processes differ from criminal or civil court
- Goals of the adjudication process
- Responsibilities and expectations of the hearing body
- Roles of the participants (complainant, respondent, witnesses, board, advisors, etc.)
- How to facilitate a hearing
- How to ask questions effectively and appropriately
- How to evaluate various types of evidence
- How to evaluate credibility
- How to analyze policy
- How to deliberate toward resolution
- The standard of proof (preponderance of evidence)
- Sanctions and how to determine appropriate ones
- FERPA and privacy of information
- Cultural competencies, including understanding of differences that may be exhibited during a hearing or investigation
- Common problems that may arise and how to address them

Additional topics should be covered with any entity that is involved with the resolution of complaints of sexual misconduct. The following list draws from the April 2014 OCR Q & A Guidance and recommendations from the Office of Violence Against Women, with additional suggestions that promote a fundamentally fair process for both complainant and respondent:

- Training or experience in handling sexual violence complaints
- Training or experience in the operation of the school's grievance procedures
- Information on working with and interviewing persons subjected to sexual violence
- Information on particular types of conduct that would constitute sexual violence, including same-sex sexual violence
- Information on consent and the possible role of drugs or alcohol in the ability to consent
- The importance of accountability for persons found to have committed sexual violence
- The need for remedial actions for the perpetrator, complainant, and school community
- The effects of trauma, including neurobiological change
- Cultural awareness training regarding how sexual violence may affect students differently, depending on their cultural backgrounds
- How both trauma and defense mechanisms can play out in a hearing
- Dispelling common misperceptions about sexual assault in society (e.g., "rape myths")



## **About the Authors**

### **Laura Bennett, President-Elect of ASCA**

Laura currently serves as the Student Conduct Officer at William Rainey Harper College, where she administers the student conduct process and chairs the campus threat assessment/behavioral intervention team. She conducts Title IX investigations for student-to-student misconduct and is in the process of drafting revisions to the campus's *Guide to Sexual and Gender-Based Misconduct*. Prior to her role in the community college setting, Laura served as the Assistant Director of the Center for Student Conduct and Community Standards at the University of California, Berkeley. There she experienced a hybrid adjudication model where she resolved cases informally and presented cases to boards on behalf of the University. Laura's foundational student conduct experience is from Colorado College, where she oversaw the student conduct procedures in the residential halls, implemented an investigation-based resolution model and served as the campus's lead investigator. Laura has advised a campus LGBT student organization, and a student organization devoted to sexual assault prevention with a 24-hour hotline offering response to victims/survivors. She has provided training to participants at all stages of the resolution process, including panel members, adjudicators, investigators, student advisors, and appellate boards at public, private, and community college campuses. Laura received a M.Ed. in College Student Services Administration with a minor in Gender Studies from Oregon State University and a B.G.S. in English from the University of Kansas. Her ASCA leadership experience includes serving as the 2012 Annual Conference Chair, the first Director of Community College, and faculty at the Gehring Academy.

### **D. Matt Gregory, President of ASCA**

Matt serves as the Associate Dean of Students and Director of Student Advocacy & Accountability at Louisiana State University (LSU) in Baton Rouge. Matt serves on the CARE Team, aids in threat assessment, and recently was involved in drafting the system policy addressing Title IX on system campuses. Prior to his role at LSU, Matt served as a lead conduct officer within Housing & Residence Life at the University of Southern Indiana (USI). During Matt's tenure at USI, he completed a doctoral degree in 2009; his dissertation focused on male advocacy against sexual violence on college campuses. Matt is a former law enforcement professional at both the campus and federal levels and is a certified Rape Aggression Defense (RAD) instructor. Prior to entering law enforcement, Matt had responsibility for addressing student behavior at Southern Illinois University, The College of William & Mary, and Western Kentucky University. Matt received a PhD in Education Administration from Southern Illinois University, a Master of Education degree with a concentration in counseling and student affairs from Western Kentucky University, and a Bachelors of Science degree in Biological Sciences from Southern Illinois University. Matt joined ASJA in 1996 and has since served ASCA in a variety of leadership capacities, including one term as the Association Secretary prior to serving as ASCA President.

### **Chris Loschiavo, Immediate Past President of ASCA**

Chris Loschiavo is Associate Dean of Students and Director of Student Conduct and Conflict Resolution at the University of Florida (UF). He is responsible for oversight of the campus response to student behavioral and honor code-related issues, including cheating and plagiarism, alcohol and other drug issues, and physical violence, dating violence, and sexual misconduct. He is Deputy Title IX Coordinator for students, serves on the institution's Behavioral Consultation Team, and teaches a conduct committee training class each spring semester for prospective conduct board members. Prior to coming to UF, Chris served as Director of Student Conduct and Community Standards at the University of Oregon (1999–2007). At both institutions, Chris has overseen major revisions to the Student Conduct



Code. Chris currently serves as Immediate Past President of ASCA and has served as a faculty member at the ASCA Gehring Academy for the past 4 years. He is known throughout the profession for his work with conflict resolution, particularly for his work with Restorative Justice. In 2012, Chris was awarded the ASCA Donald D. Gehring Award for lifetime contributions to the field. Under Chris's leadership, the UF Conflict Resolution Initiative was recognized with the ASCA Innovation Award, and Student Conduct and Conflict Resolution at UF was awarded by ASCA the Institutional Award of Excellence as the top conduct program in the country. Chris received both B.A. and J.D. degrees from the University of Florida.

**Jennifer Waller, Executive Director of ASCA**

Jennifer joined the organization in January 2012. She has worked in Residence Life at five institutions of higher education, including Texas A&M University, the University of Hawaii at Manoa, Texas Tech University, the University of Wisconsin–La Crosse, and Eastern Illinois University. She earned a doctorate in Higher Education Administration at Texas A&M University and holds Master's degrees from the University of Hawaii at Manoa and Eastern Illinois University and a Bachelor of Science degree from Eastern Illinois University. In 2014, Jennifer was awarded Dissertation of the Year recognition by ASCA for her research on student conduct administrators.

The Association for Student Conduct Administration (ASCA) supports and serves professionals who transform student behavior and address its impacts within higher education communities. For more information or to become a member, visit <http://theasca.org>.

**University of Idaho  
2017-2018 FACULTY SENATE AGENDA**

**Meeting #2**

**3:30 p.m. - Tuesday, August 29, 2017  
Brink Hall Faculty-Staff Lounge & Zoom**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

- Minutes of the 2016-17 Faculty Senate Meeting #27, May 9, 2017 (vote)
- Minutes of the 2017-18 Faculty Senate Meeting #1, May 9, 2017 (vote)

**III. Chair's Report.**

**IV. Provost's Report.**

**V. Other Announcements and Communications.**

**VI. Committee Reports.**

**Commencement**

- **FS-18-001: FSH 4930** – Honorary Degrees (Brandt)(vote)

**VII. Special Orders.**

- Summer Graduates (vote)
- Secretary to the Faculty Senate – FSH 1520 V Section 3 (see FAQs)(Hrdlicka)(vote)
- Election to Specific Senate Committees (Hrdlicka)(vote)

**VIII. Unfinished Business and General Orders.**

**IX. New Business.**

- **FS-18-002: FSH 4400** – College Level Examination Program (Hubbard)(vote)
- 2016-17 Senate Annual Report (Brandt)(FYI)
- Retreat follow-up

**X. Adjournment.**

**Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate**

Attachments: Minutes of 2016-2017 FS Meeting #27  
Minutes of 2017-2018 FS Meeting #1  
Summer Graduates  
FS-18-001 and 002  
Election Memo  
Senate FAQs

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2016-2017 Meeting #27, Tuesday, May 9, 2017**

**Present:** Adekanmbi, Anderson (Mike), Anderson (Miranda), Boschetti, Brandt, Brewick, Brown, Cannon (Boise), Caplan, Chung, Crowley (w/o vote), Folwell, Foster, Hrdlicka, Johnson, Markuson, Morrison, Nicotra, Sixtos, Vella, Wiencek (w/o vote), Wilson, Wright. **Absent:** Barbour, Donohoe, Fisher, Godfrey (Coeur d'Alene), Ostrom (Idaho Falls), Payant, Pregitzer, **Guests:** 8

**Minutes:** The Chair called meeting #27 to order at 3:30. A motion (Folwell/Johnson) to approve the minutes from the April 25<sup>th</sup> meeting passed without objection.

**Chair's Report:** Chair Brandt requested nominations for a group to review the context statements to assess "centrality" as part of the program prioritization. Those nominated should have a broad perspective of the University. The time factor is critical so she suggested that Senators should not worry about contacting those nominated since she will seek their approval. Please email the names to Ann or her right away. The Chair also announced that the UI Alumni Association is looking for a faculty member to be member of their board. This might be a fun assignment and there are only three meetings a year. The Chair confessed that she (and Ann) had suffered a senior moment at the reception last week and forgot to bring the card and UI gift certificate for Professor Crowley. Professor Crowley thanked the Senate for the card, the UI gift certificate and the Seattle Mariner gift certificate that arrived in the mail last week. He was very appreciative and promised to make good use of the gift certificates.

**Provost's Report:** The Provost noted that Program Prioritization was entering the home stretch. Various survey tools would be launched soon. Although he realized that most faculty would not be on contract during the summer, he hoped that faculty would find the time to participate in the surveys. If someone is out of town this summer, there will be opportunities to participate when they return. The process will play out and we will learn some things and have the opportunity to fix them. The Provost expressed the hope that we will get more comfortable with the process and it will become a normal part of our yearly business. The Provost also noted that the search for a new Vice Provost for Academic Initiatives is winding down and he has received a verbal acceptance. A formal announcement should be forthcoming. The search for a Faculty Secretary is also concluding and he anticipates a successful outcome. Provost Wiencek also noted that Professors Rula Awwad-Rafferty and Ro Afatchao met with the Vice Presidents today to present a draft of a report regarding faculty and staff responses to the "Great Colleges to Work For" Survey. This Report should be available in the fall.

**Faculty Affairs Committee (FAC) — Annual Evaluation and Position Description.** The Chair introduced Professor Brian Ellison as Chair of FAC to present the results of the survey on annual evaluations.

Professor Ellison stated that after FAC conducted this survey, they had many discussions about the results, which could be viewed in a variety of ways. Ultimately, they decided to forward the simplest report they could. The survey was completed by 183 faculty members. The survey demonstrates general support for the faculty evaluation process that was piloted in the 2016-17 academic year. A majority of respondents supported the narrative form over the numerical format. There was a concern that 17 respondents stated that they were not given the opportunity to meet their supervisors during the evaluation process. Professor Ellison noted that 3 of the 17 were assistant professors and suggested that some portion of the others might have been on sabbatical or out of town. The FAC Report also recommends that pre-tenure faculty fill out a Position Description (PD) every year and post-tenure faculty be given the option to fill out a PD only if significant changes arise. There was a motion passed by FAC to add check boxes to all responsibility categories. This motion was not acted on by the Senate.

A Senator raised a point about the FSH containing separate processes for those not meeting expectations and those with unacceptable performance. He noted that the Senate passed an amendment to the pilot form to deal with those not meeting expectations, but it was ambiguous about how to deal with the more serious issues of unacceptable performance. The Chair stated that the amendment dealt with the use of the pilot form and agreed

that FAC and the Senate will need to look closer at revisions to the FSH if the narrative form is adopted. Professor Ellison added that it is always a mistake to let the form drive the policy. Another Senator asked about the FAC motion to add check boxes and whether there would still be an overall check box. Professor Ellison stated that this was a confusing part of the FAC discussion. Professor Crowley read the motion as retaining the check box for meeting expectations overall while adding check boxes for each category. Chair Brandt added that many department chairs wanted to be able to have a “meets expectations box” for each category as a tool in completing the evaluation. She reiterated that this issue is one that will also need to be addressed next year. A Senator wondered if we could “digitize” the forms and the feedback. The Chair noted there might be advantages to this and it should be looked into. A Senator asked whether FAC had discussions about the use of the narrative form for purposes other than tenure and promotion. Professor Ellison stated that the discussions tended to focus on tenure and promotion, although the evaluation form also applied to those for whom tenure and promotion was no longer the issue. He expressed the hope that evaluations not be entirely focused on tenure and promotion.

A Senator asked about the possible discrepancy between the responses to Question #3 and Question #9. Professor Ellison stated that this is why the committee summarized the survey as expressing general support for the new narrative form. The Provost noted that perhaps the way to read this was that faculty preferred the new form, but were not completely dissatisfied with the old form. The Faculty Secretary questioned whether there was really a disparity between the responses to Question #3 and Question #9. He suggested the responses were similar. A Senator expressed the importance of training for administrators in filling out the forms. The Provost stated that there was training, but acknowledged that there might be a need for more training. The Chair encouraged Senators to share the survey responses with their colleagues. FAC will be looking at this issue next year so faculty should forward their comments and observations to them for consideration.

**Faculty Compensation Task Force.** Vice Chair Hrdlicka provided an update on the Faculty Compensation Task Force. He noted that given the possibility of a midyear salary increase the task force had been encouraged by the Provost to agree on some guiding principles. Thus, the task force, at its last meeting, had reached consensus on some guiding principles.

These guiding principles do not constitute a full-scale model. HR Executive Director Wes Matthews will work with these principles to begin building a model. These principles do not include merit since the task force has not had the opportunity to discuss merit considerations in sufficient detail. The task force will look at merit issues in the fall. The guiding principles are:

- Longevity shall be defined as years in rank plus total years at UI.
- The longevity component should avoid salary compression between ranks.
- Only faculty who “meet expectations” on annual evaluations should be eligible for progression.
- The target salary of assistant professors should be described as: Incoming/early in rank salary should be very close to the market average (~95%). End of rank salary should be slightly above their market average (~105%). (Percentages are only for illustrative purposes).
- The target salary of associate professors should be described as: Incoming/early in rank salary should be very close to their market average (~95%) with a shallow salary progression. End of rank salary should be slightly above the market average (~105%). (Percentages are only for illustrative purposes).
- The target salary for full professors should be described as: Incoming/early in rank salary close to the market average (~90%) with a moderate salary progression. End of rank salary somewhat above the market average (~110%). (Percentages are for illustrative purposes).
- The salary progression of assistant professors should be constant throughout rank.
- The salary progression of associate professors should be steeper until approximate rank midpoint, then shallower.
- The salary progression of full professors should be steeper until approximate rank midpoint, then shallower.
- The salary progression of full professors should be steeper until approximate rank midpoint, then shallower.
- Assuming an equitable merit system, there should be a merit component to the compensation model.
- Promotion raises should remain in place.

- Promotion raises should be adjusted relative to current levels to reflect the predicted increases in target salary according to the compensation model, with a minimum promotion raise of no less than the current levels.
- In the immediate future, funds available for salary increases should be distributed to progressively adjust the actual/target salary ratio. In other words, provide increases for most faculty, but give larger relative salary adjustments to those with the lowest actual/target salary ratios.
- Faculty members should not see salary decreases even if market rates dictate this.

The Chair thanked Professor Hrdlicka for his impressive performance in leading the task force on this difficult and important issue. She was very appreciative of the multiple roles he has engaged in during the year.

**Acknowledgements:** Chair Brandt went on to pass out certificates of appreciation to those whose terms on the Senate are expiring this year. These Senators (in reverse alphabetical order) are:

- Cooper Wright
- Miranda Wilson
- Kurt Pregitzer
- Caroline Payant
- Lauren Markuson
- Robert Hiromoto
- Bruce Godfrey
- James Foster
- Annette Folwell
- Nate Fisher
- Greg Donohoe
- Yun Chung
- Alan Caplan
- Andrew Brewick
- Luigi Boschetti
- Christine Bervin (served as a replacement)
- Ezekiel Adekanmbi

Faculty Secretary Crowley presented Chair Brandt with her certificate as a Senator whose term had expired and also presented Chair Brandt with various gifts from the Senate in appreciation of her efforts this year. Chair Brandt thanked the Senate and stated that working at the UI has been a great privilege. Serving as Chair has been a great opportunity to learn about the University and meet wonderful people. She also thanked Ann Thompson for keeping the Senate Leadership on track and her constant efforts to remind us what we are supposed to be doing and when we needed to have it done. Faculty Secretary Crowley, taking editorial privilege at his last meeting, expressed appreciation for the three years he has been Faculty Secretary and particularly thanked Chair Brandt, Vice Chair Hrdlicka and Ann Thompson for many fascinating discussions and for an interesting and productive year. He also emphasized his belief in the importance of the Senate and its role in faculty governance. He urged everyone to stay involved.

**Adjournment:** The Chair reminded those who will be on the Senate that they are meeting to conduct elections at 4:30. She then accepted a motion (Brewick/Folwell) to adjourn at 4:17. This motion passed with one dissenting vote.

Respectfully submitted,  
Don Crowley, Faculty Secretary and Secretary to the Faculty Senate

**University of Idaho**  
**Faculty Senate Meeting Minutes**  
**2017-2018 Meeting # 1, May 9, 2017**

**Present:** Anderson (Mike), Anderson (Miranda), Baird, Brandt, Brown, Cannon, Caplan, Crowley (w/o vote), De Angelis, Ellison, Foster, Grieb, Zhao, Hrdlicka, Johnson, Kern, Morgan, Morrison, Nicotra, Sixtos, Tibbals, Vella, Watson, Wiencek (w/o vote), Wright. **Absent:** Arowojolu, Barbour, Buggingo, Jeffery, Panttaja

Provost Wiencek called the meeting to order at 4:30 for the purpose of nominating Faculty Senate Officers for the 2017-2018 academic year. The Provost explained that FSH 1580 allows the Senate to suspend the rules and vote today for officers if there is a unanimous vote to do so. If not, the Senate will have to reconvene no earlier than three days from today.

**Nominations for Chair and Vice Chair were obtained by secret ballot.** Several people were nominated for Chair and Vice Chair, but all withdrew their names except for current Vice Chair Patrick Hrdlicka (for Chair) and Miranda Anderson (for Vice Chair). A motion (Foster/Morrison) to suspend the rules and vote for Chair and Vice Chair passed unanimously. A motion (Brandt/Nicotra) to confirm Patrick Hrdlicka as Chair and Miranda Anderson as Vice Chair passed unanimously.

**Adjournment:** With the elections completed, a motion (Nicotra/Johnson) to adjourn passed unanimously at 4:49.

Respectfully submitted,

Don Crowley, Faculty Secretary and  
Secretary to the Faculty Senate

# University of Idaho

## 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]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** FSH 4930 – Honorary Degrees

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** \_\_\_\_\_

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** Beth Hendrix, Chair of Commencement Committee  
 (Please see FSH 1460 C) Name \_\_\_\_\_ Date \_\_\_\_\_  
**Telephone & Email:** bhendrix@uidaho.edu 4/27/17

**Policy Sponsor:** (If different than originator.) n/a  
 Name \_\_\_\_\_ Date \_\_\_\_\_  
**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.

**II.**

Update policy to ensure that it is clear that a letter of support from the dean is included in the packet.

**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: \_\_\_\_\_

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

*APM*

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

*FSH*

Appr. \_\_\_\_\_  
 FC \_\_\_\_\_  
 GFM \_\_\_\_\_  
 Pres./Prov. \_\_\_\_\_  
*[Office Use Only]*

Track # \_\_\_\_\_  
 Date Rec.: 4/27/17  
 Posted: t-sheet \_\_\_\_\_  
           h/c \_\_\_\_\_  
           web \_\_\_\_\_  
 Register: \_\_\_\_\_  
*(Office Use Only)*

4930

## HONORARY DEGREES

*PREAMBLE: This section outlines UI's policy and procedures with regard to the granting of honorary degrees. Original to the 1979 Handbook, subsection A-1 was revised in February of 1991 for clarification purposes. The procedures were amplified and clarified a bit in a revision of January 1996. A more substantial change was made in 2003. For more information, contact the Faculty Secretary's Office (208-885-6151). [see also 4910 A] [ed. 7-03, 2-10]*

### HONORARY DEGREES.

**A-1. General Criteria.** UI awards degrees *honoris causa* (i.e., for the purpose of honoring) to honor outstanding persons. Honorary degrees may be awarded to a person deserving of honor by virtue of scholarly distinction, noteworthy public service resulting in significant contributions to the University of Idaho, the State of Idaho, the Nation or the world. In the selection of candidates for honorary degrees, preference is given to those who are Idaho residents or UI graduates, the University is pleased to honor persons who have made significant contributions to national and international scholarship or public service that advance the principles of academic excellence and public education upon which the University of Idaho was founded. [rev. 7-03]

**A-2. Restriction.** No person who is employed by UI, is a member of the affiliate or adjunct faculties, is a member of the Board of Regents or of the board's staff, is an incumbent elected governmental official, may be granted an honorary degree until after he or she has ceased to hold that position. [rev. 7-03]

#### A-3. Nomination Procedures.

- a. All aspects of the nomination process are confidential.
- b. Nominations may be submitted by any person or organization. However, each nomination must be endorsed by the Dean of an appropriate college ~~or~~ and Chair or Head of an academic department. [rev. 7-03]
- c. Each nomination must be accompanied by a biographical sketch of the candidate, a summary of the accomplishments or deeds for which the nominee would be honored, and supporting documents.

#### A-4. Schedule.

- a. Each year announcements inviting nomination of candidates for honorary degrees are published in the issues of the *Idaho Register* which are published nearest February 15 and September 15. [rev. 7-03]
- b. The deadline for receipt of the nominations by the Commencement Committee [see FSH 1640.26] are April 15 and November 15. [rev. 7-03, ed. 2-10]
- c. The Commencement Committee makes its recommendations to the President before May 15 and December 15. [rev. 7-03, ed. 2-10]

#### A-5. Disposition of Nomination Packets.

- a. The Commencement Committee shall return a nomination packet to the nominator, [ed. 2-10]
  - (1) If the packet is incomplete or

**UI FACULTY-STAFF HANDBOOK**

Chapter IV: ACADEMIC POLICIES AND REGULATIONS

Section 4930: Honorary Degrees

---

- (2) If the nomination is not forwarded to the president.
- b.** The president shall return nomination packets to the nominator if the person nominated is not chosen to receive an honorary degree.
  - c.** Nomination packets of persons selected to receive honorary degrees become part of the official record of the university to be preserved in the Alumni Office. *[rev. 7-03]*

**A-6. Conferring of Honorary Degrees.**

- a.** Scheduling of conferring of an honorary degree depends on the convenience of the university and of the person being honored. The president has complete discretion in scheduling.
- b.** Typically, an honorary degree is conferred at the spring or fall commencement in the school year the candidate was nominated or at the spring or fall commencement following that. *[rev. 7-03]*

## Faculty Senate FAQs

### ***Nomination/Election of Chair & Vice Chair [FSH 1580 Article IV](#):***

Section 1. Nomination. Each spring, as soon as practicable following the appointment and election of new members of the senate, the president of the university or the president's designated representative calls and presides at a meeting of those who will be members during the ensuing year for the purpose of nominating candidates for the offices of chair and vice chair. Nominations are by secret ballot, and no other official business is transacted at this meeting. [ed. 7-10]

Section 2. Election. Not less than three days following the nominating meeting referred to in section 1, above, the president or the president's designated representative calls and presides at a second meeting of the same group for the purpose of electing the chair and the vice chair for the ensuing term. No other official business is transacted at this meeting. The requirement that there be no less than three days between the two meetings may be suspended only by the unanimous consent of the members in attendance. The procedures for the election are as follows:

Clause A. Additional Nominations. Before balloting begins for each office, additional nominations may be made for that office.

Clause B. Procedure for Balloting. Elections for officers of the senate are by secret ballot, and a majority of all votes cast is necessary for election, a quorum being present [see [V-3](#)]. In the event that more than two candidates are nominated for either office and none receives a majority of the votes cast on the first ballot, balloting continues with the name of the candidate receiving the fewest votes being dropped from the ballot after each vote. In the event that there is no candidate with the fewest votes, balloting continues with all names included until such time as a candidate receives a majority of votes (in which case he or she is declared elected) or until a candidate receives the fewest votes (in which case his or her name is dropped from the ballot and the balloting continues). [ed. 7-97, 7-10]

***Appointment of Secretary - [FSH 1520, Article V](#):*** Section 3. Officers. Each year the senate elects a chair and a vice chair from among the elected faculty members of the senate. Also, each year a secretary is appointed by the chair, subject to confirmation by the senate, from among the members of the senate or from the membership of the university faculty. The appointment of a person who is not a member of the senate to serve as secretary does not carry with it membership on the senate. [ed. 7-09]

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

[FSH 1520, Article V, Section 6.](#) Elections. Regular elections for senators in the senate are held before April 15 of each year in which an election is to be held. All elections for members of the senate are by secret ballot. Appropriate procedures for nominations and elections are developed and approved by a majority vote of the faculty of the college or other unit. [ed. 7-09]

### ***How long is my term on Faculty Senate?***

[FSH 1520, Article V, Section 4.](#) Terms of Office. Elected faculty members of the senate serve for three years. The academic dean shall serve one year, the staff representatives shall serve for staggered two year terms. The terms of office for student members are as established by the senate. [See [1580 VI.](#)] Newly elected members take office each year on September 1 or on the official opening date of the academic year, whichever is earlier. To carry out the requirement that approximately one-third of the elected faculty members are to take office each year, the senate may shorten the initial term of office of faculty senators elected to fill new positions in the senate to conform to a balanced

rotation plan. When members are elected to fill a vacancy, they take office at the first meeting after the election and serve for the unexpired term of the vacancy. A faculty member elected to the senate may serve two consecutive terms. After serving two consecutive terms the faculty senate member must wait one full year before they are again eligible for election [see also FSH 1580 III-3]. [ed. 7-09, rev. 7-12, 7-15]

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

FSH 1520, Article V, Section 7. Vacancies.

**Clause A.** If it is necessary for a member of the senate to be absent temporarily (more than a month, but less than four months), the candidate who received the next highest number of votes in the most recent election in the college or unit acts as his or her alternate in the senate with full vote. If it is necessary for a member to be absent for more than four months, but less than one year, a special election is held to fill the temporary vacancy. When the senate member returns, he or she resumes the position in the senate. If it is necessary for a member to be absent for more than one year, or if the member is unable to complete the term of office for any reason, a special election is held to fill the unexpired term. [See 1580 VI for procedures covering student vacancies.] [ed. 7-09]

**Clause B.** The chair of the Faculty Senate must declare a position vacant if a member is absent from three consecutive meetings unless the member has informed the chair of the senate in writing that he or she intends to participate fully in the activities of the senate in the future. When a position is declared vacant, the chair must notify the constituency concerned. [ed. 7-09]

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

1520 Article V, Section 2. Structure. A (2). University Centers. The resident faculty of the university centers in Boise, Coeur d'Alene and Idaho Falls each elects one senator from among its number. Those senators shall have the right to participate and vote in faculty senate meetings by means of available two-way video-audio technology located at the centers. If the available technology fails, telephone conferencing will be used. Senators elected to represent a center have a unique role on senate, which is to provide a voice and vote from the perspective of their centers. That perspective is not intended to be college and/or discipline specific. [add. 7-09, rev. 7-12]

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

1580 Article III, Section 3. Members Completing Unexpired Terms. A member who has been elected or appointed to complete the unexpired term of another member and has served more than half of that term will be considered to have served one full term (see FSH 1520 V-4 - Terms of Office). [ed. 7-10, rev. 7-15]

***Can you send someone in your place, if you will be absent?*** Yes, but **not** with vote.

FSH 1580, Article V, Section 7. Alternates. Alternates participate in meetings of the Senate only as permitted by the constitution of the university faculty [see 1520 V-7]. This rule does not preclude a member from having another person attend the meeting in his or her stead as an auditor. [ed. 7-10]

***Are proxy votes allowed?*** No

***How are abstentions handled?***

FSH 1580, Article V, Section 11. Voting. Voting on motions is by raising a hand. Proxy votes are not allowed. (According to a standing rule of the senate, the chair does not ask how many members abstained from voting on a particular motion, and abstentions are not recorded in the minutes unless a member requests that his or her abstention be recorded.) [ed. 7-10]

M E M O R A N D U M

TO: Faculty Senate  
FROM: Liz Brandt, Faculty Secretary  
DATE: August 17, 2017  
RE: Election of Senate Members to Committees

---

The Faculty Senate will need to elect senators for the vacancies as noted below:

- Benefits Advisory Group** Liz Brandt, (2018)
- Campus Planning Advisory Committee:** **Vacancy (2020)**  
Dean Panttaja (2019)  
Eligible Senators: First year faculty senator preferred
- Student Appeals Committee:** **Vacancy (2020)**  
John Cannon (2019)  
Eligible Senators: First year faculty senator preferred
- University Budget & Finance Committee:** Mike Anderson (2019)
- President's Athletics Advisory Council:** **Vacancy (2020)**  
Eligible Senators: First year faculty senator preferred

# University of Idaho

## 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]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title: 4400 College-Level Examination Program (CLEP)**

---

**Administrative Procedures Manual [APM]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title: \_\_\_\_\_**

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

\*Note: If revision/deletion request original document from [apm@uidaho.edu](mailto:apm@uidaho.edu) or [fsh@uidaho.edu](mailto:fsh@uidaho.edu), all changes must be made using "track changes."

**Originator(s):** Dwaine Hubbard 07/12/17  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** 208-885-9460 dhubbard@uidaho.edu

**Policy Sponsor:** (If different than originator.) \_\_\_\_\_  
 Name Date  
**Telephone & Email:** \_\_\_\_\_

**Reviewed by General Counsel** \_\_\_Yes \_\_\_X\_No Name & Date: \_\_\_\_\_

- I. Policy/Procedure Statement:** Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.  
 I am proposing to have this section of the Faculty Staff Handbook deleted. Information on CLEP exams and other exams that the University awards credit for can be found in academic regulation I - Alternative Credit Opportunities in the University's General Catalog.
- 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.  
 Summer 2018

If not a minor amendment forward to: \_\_\_\_\_

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

*APM*

F&A Appr.: \_\_\_\_\_  
 [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)

**UI FACULTY-STAFF HANDBOOK**  
**CHAPTER FOUR:**  
**ACADEMIC POLICIES AND REGULATIONS**

July 2007 (editorial)

4400

**COLLEGE-LEVEL EXAMINATION PROGRAM (CLEP)**

*PREAMBLE: This section discusses UI policy concerning CLEP exams. It has been revised from time to time since its appearance in the 1979 Handbook. For further information, contact the Registrar's Office (208-885-6731).*

**CONTENTS:**

- A. General
- B. Specific
- C. UI Policy on CLEP Credit
- D. UI Standards for CLEP Credit

**A. GENERAL.** The Educational Testing Service administers two types of CLEP examinations, "general" and "subject." Scores obtained on the examinations are reported in standard-score form; for the general examinations, the scores have a mean of 500 and a standard deviation of 100; for the subject examinations, the mean is 50 and the standard deviation is 10; this helps the reader distinguish between the two types of test. In either case, the mean corresponds to the 50th percentile and about 68 percent of the scores are within one standard deviation of the mean.

**B. SPECIFIC.** Further information about the nature of the tests, when and where they are given, how to apply, and the fees is available from the registrar.

**C. UI POLICY ON CLEP CREDIT.** The minimum acceptable scores on CLEP general and subject examinations and amount of credit granted are listed in K-4. Applicability of the credits toward satisfaction of requirements and limitations on further credit in related courses are stated below. These guidelines are determined by UI departments responsible for the respective subjects. UI periodically sends to ETS its statement of policy concerning these tests so that the information can be furnished to anyone who requests it from ETS.

**C-1.** UI does not grant credit on the basis of the CLEP general examinations in English composition or mathematics or subject examinations in English composition or freshman English.

**C-2.** Students who are granted six credits on the basis of the social science-history general examination will not thereby receive credit in sociology or anthropology, and they may not receive credit for Hist 111-112 or PolSc 101-102. These students will not receive additional credit on the basis of the subject examinations in American government and American history; therefore, students are cautioned not to take both types of tests in these subjects.

**C-3.** Students who are granted six credits on the basis of the natural science general examination will not thereby receive credit in chemistry. The credits may be used to satisfy science elective requirements but will not fulfill the laboratory science requirement that is stipulated by most UI colleges.

**C-4.** Students who are granted three credits on the basis of the introductory macroeconomics examination may not receive credit for Econ 100, 151, or 272. Those who are granted three credits on the basis of the introductory microeconomics examination may not receive credit for Econ 100, 152, or 272. Those who receive four credits for the combined micro- and macroeconomics examination may not receive credit for Econ 100, 151, 152, or 272.

**UI FACULTY-STAFF HANDBOOK**

## Chapter IV: ACADEMIC POLICIES AND REGULATIONS

Section: 4400

July 2007 (editorial)

**D. UI STANDARDS FOR CLEP CREDIT.**

<u>General Examinations</u>	<u>Minimum Acceptable Standard Scores</u>	<u>Amount of Credit Awarded</u>	<u>Essay Stipulations</u>
English Composition		Not approved for credit	
Humanities (Composite)	500	6	
Mathematics (Composite)		Not approved for credit	
Nat. Science (Composite)	500	6	
Soc. Sci.-History (Composite)	500	6	
<u>Subject Examinations</u>			
Accounting, Intro.		Not approved for credit	
Afro-American History		Not approved for credit	
American Government	50	3	
American History	50	3	
American Literature	55	6	Essay required
Biology	50	6	
Business Law, Intro.	50	3	
Business Mgmt., Intro.	50	3	
Calculus with Analytic Geom.	50	8	
Chemistry, General	50	6	
College Algebra	50	3	
College Algebra-Trig.	50	3	
Computer Programming, Elem.--Fortran IV	47	2	
Computers and Data Proc.	50	3	
Microeconomics, Intro.	50	3	
Macroeconomics, Intro.	50	3	
Micro and Macro, Intro.	50	4	
Educational Psych.	50	3	
English Composition		Not approved for credit	
English Literature	55	6	Essay required
Freshman English		Not approved for credit	
History of Amer. Ed.		Not approved for credit	
Human Growth and Devel.	50	3	
Literature, Analysis and Interpretation of	52	3	Essay required
Marketing, Intro.	50	3	
Medical Technology-- Clinical Chemistry		Not approved for credit	
Hematology		Not approved for credit	
Immunohematology		Not approved for credit	
Microbiology		Not approved for credit	
Money and Banking	50	3	
Psychology, General	50	3	
Sociology, Intro.	50	3	
Statistics	50	3	
Tests and Measurements	50	3	
Trigonometry	50	2	
Western Civilization (History)	50	6	

**TO:** 2017-2018 Faculty Senate  
**FROM:** Liz Brandt, Faculty Secretary  
**SUBJECT:** Year-End Report for the 2016-2017 Academic Year  
**DATE:** August 11, 2017

Following is the 19<sup>th</sup> annual report showing the items of discussion and accomplishments of the 2016-2017 Faculty Senate. Important roles for this body include being a sounding board for ideas and a conduit of information to and from the administration, senate appointed committees, faculty, staff, and students. Faculty Senate met twenty-eight times during the 2016-2017 academic year. This report is intended to provide a summary of Faculty Senate activities for the benefit of the broader UI community. (Numbers in parentheses in parts II, III and IV refer to the Faculty Senate meeting at which the item was taken up.) The University Policy Website provides redline details for all university policy changes at [www.webs.uidaho.edu/uipolicy](http://www.webs.uidaho.edu/uipolicy)

**I. Disposition of Agenda Items:**

Item Type	Committee/ UI Policy #	Originator (college, office, group; if applicable)	Item	F/S Mtg./Appr. Vote numbers = yes-no- abstentions	Post date (GP#/ Fac.Mtg.)	President	Board (appr./ notice)
FSH	UP-17-001	Faculty Secretary	<b>FS-17-001:</b> FSH 1540 - Standing Rules of the University Faculty	9/20/16 #5 appr.	UFM 12/6/16 appr. Substituted with FS-17- 025 (see below)	12/15/16 appr.	n/a
FSH	UP-17-002	Faculty Secretary	<b>FS-17-002:</b> FSH 3360 - Probation, Promotion, Demotion and Transfer of Classified Employees and FSH 3930 - Separation of Classified Employees	9/13/16 #4 appr.	UFM 12/6/16 appr.	12/15/16 appr.	2/15/17
FSH	UP-17-003	General Counsel	<b>FS-17-003:</b> FSH 3070 - Employment Procedures to Comply with Immigration and Naturalization Laws	9/13/16 #4 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
FSH	UP-17-004	Controller's Office	<b>FS-17-004:</b> FSH 3740 - Employee Educational Assistance	9/20/16 #5 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
Catalog	UCC-17-003a	Business	<b>FS-17-005:</b> Business - Name Change Information Systems	10/4/16 #7 appr.	UFM 12/6/16 appr.	12/15/16 appr.	5/11/17

			to Management Information Systems				
FSH	UP-17-010	FAC	<b>FS-17-006</b> FSH 3050 - Faculty Position Description Form	9/27/16 #6 appr. 16-4-3 10/11/16 #8 (emergency policy)	UFM 12/6/16 appr.	12/15/16 appr.	n/a
FSH	UP-17-011	Faculty Secretary	<b>FS-17-007:</b> FSH 3320 Annual Evaluation Pilot Form - motion	10/4/16 #7 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
FSH	UP-17-012	Faculty Secretary	<b>FS-17-008:</b> FSH 3320 Annual Evaluation (pilot form) policy fix  <b>FS-17-008rev:</b> FSH 3320 Annual Evaluation (pilot form) policy fix minor edit	10/4/16 #7 appr.  10/11/16 #8 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
FSH	UP-17-013	Faculty Secretary	<b>FS-17-009:</b> FSH 3050 Position Description Policy	10/4/16 #7 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
FSH	UP-17-014	Faculty Secretary	<b>FS-17-010:</b> FSH 3050 Position Description Form - minor edit	10/4/16 #7 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
FSH	UP-17-005	CoC	<b>FS-17-011:</b> FSH 1640.22, et. al. - DFA changes	10/11/16 #8 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
Catalog	UCC-17-008	Registrar	<b>FS-17-012:</b> Fall 2017-Spring 2018 Final Exam Schedule	11/8/16 #11 appr. w/ minor edit	UFM 12/6/16 appr.	12/15/16 appr.	n/a
Catalog	UCC-17-007a	Registrar	<b>FS-17-013:</b> I. Alternative Credits	11/8/16 #11 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
Catalog	UCC-17-007b	Registrar	<b>FS-17-014:</b> J-2. Residency	11/8/16 #11 appr.	UFM 12/6/16	12/15/16 appr.	n/a
Catalog	UCC-17-007c	Registrar	<b>FS-17-015:</b> J-5. Credit Limitations	11/8/16 #11 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
APM	UP-16-021	VP of Infrastructure	<b>FS-17-016:</b> APM 30.11 Data Classification	11/8/16 #11 (FYI)	6/8/16 appr.	6/8/16	n/a
APM	UP-16-022	General Counsel	<b>FS-17-017:</b> APM 45.24 Prize Competitions	11/8/16 #11 (FYI)	6/8/16 Appr.	6/8/16	n/a

APM	UP-17-006	General Counsel	<b>FS-17-018:</b> APM 45.25 Human Trafficking	11/8/16 #11 (FYI)	7/28/16 appr.	7/29/16	n/a
Catalog	UCC-17-018a,b,c	CLASS	<b>FS-17-019:</b> CLASS: Journalism & Mass Media - Film Studies	11/15/16 #12 appr.	UFM 12/6/16 appr.	12/15/16 appr.	3/13/17
Catalog	UCC-17-019a,b,c	Science	<b>FS-17-020:</b> Biological Sciences - Medical Science program	11/15/16 #12 appr.	UFM 12/6/16 appr.	12/15/16 appr.	3/8/17
Catalog	UCC-17-001	COGS	<b>FS-17-021:</b> Graduate Admissions	11/15/16 #12 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
FSH	UP-17-015	CoC	<b>FS-17-022:</b> FSH 1620 - University Level Committees	11/15/16 #12 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
FSH	UP-17-016	CoC	<b>FS-17-023:</b> FSH 1640.83 Student Appeals Committee and 1640.93 Student Disciplinary Review Board	11/15/16 #12 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
Catalog	UCC-17-021a,b,c,d,e	CALS	<b>FS-17-024:</b> College of Agricultural & Life Sciences: Combining and renaming department, new/reassign majors	11/29/16 #13 appr.	UFM 12/6/16 appr.	12/15/16 appr.	2/16/17
FSH	UP-17-017	Faculty Senate	<b>FS-17-025:</b> FSH 1540 - Standing Rules of the University Faculty	11/29/16 #13 appr. with minor edit	Substitute for FS-17-001 above. UFM 12/6/16 appr.	12/15/16 appr.	n/a
APM	UP-16-023	VP Finance	<b>FS-17-026:</b> APM 20.23 - Payment Card Processing	11/29/16 #13 (FYI)	7/14/16 appr.	n/a	n/a
FSH	UP-17-018	University Sports Serv.	<b>FS-17-027:</b> FSH 6880 - Campus Recreation	11/29/16 #13 appr.	UFM 12/6/16 appr.	12/15/16 appr.	n/a
Catalog	UCC-17-006a	Education	<b>FS-17-028:</b> Name Change Occupational Education to Workforce Training and Development	1/17/17 #14 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-006b	CLASS	<b>FS-17-029:</b> Political Science Teaching Minor	1/17/17 #14 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17

Registrar	UCC-17-024	Registrar	<b>FS-17-030:</b> J-1-b Upper-division credits &  J-5-1 Community College Credit	1/31/17 #15 appr. 13-4-0 (motion to separate proposals)  1/31/17 #15 appr. 12-1-4	GP#64 3/8/17 appr.	4/6/17 appr.	n/a
Catalog	UCC-17-030	Gen Education Director	<b>FS-17-031:</b> General Education Requirements – Regulation J	1/17/17 #14 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	n/a
Catalog	UCC-17-032	Law	<b>FS-17-032:</b> College of Law 3+3 for BA/BS, JD	1/31/17 #15 appr. 16-1-0	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
FSH	Survey Form	FAC	<b>FS-17-033:</b> FSH 3320 and FSH 3050 Survey on PD/AE Process	2/7/17 #16 appr. with minor edit	n/a	n/a	n/a
Catalog	UCC-17-051a	CALS	<b>FS-17-034:</b> Food Science, New Program in Fermentation Science	2/7/17 #16 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-023a	Business	<b>FS-17-035:</b> Minor in Business Analytics	2/7/17 #16 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-023b	Business	<b>FS-17-036:</b> New program in Marketing Analytics	2/7/17 #16 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-022a	Education	<b>FS-17-037:</b> College name change to “College of Education, Health and Human Sciences”	2/14/17 #17 appr. 15-2-3	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-022b	Education	<b>FS-17-038:</b> Movement Sciences – Athletic Leadership Certificate	2/14/17 #17 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-022c	Education	<b>FS-17-039:</b> Movement Sciences - Degree name change from Recreation to a BS in “Recreation, Sport, and Tourism Management”	2/14/17 #17 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-006	Education	<b>FS-17-040:</b> Curriculum & Instruction – new emphasis area for M.Ed.	2/14/17 #17 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17

Catalog	UCC-17-020a	Natural Resources	<b>FS-17-041:</b> Change Rangeland Ecology & Management to Rangeland Conservation	2/21/17 #18 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-034a	CALS & Education (FCS/C&I)	<b>FS-17-042:</b> Career & Technical Education - Secondary Teacher Certification	2/21/17 #18 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
Catalog	UCC-17-034b	Education	<b>FS-17-043:</b> Teaching Minor in Literacy	2/21/17 #18 appr.	GP#64 3/8/17 appr.	4/6/17 appr.	5/11/17
FSH	UP-17-025	FAC	<b>FS-17-044:</b> FSH 3520 F-9 – Tenure Extension	3/28/17 #22 appr. with minor edit	UFM 5/2/17 appr. (no quorum)	6/26/17 appr.	n/a
FSH	UP-17-019	Human Resources/ FAC/Senate Leadership	<b>FS-17-045:</b> FSH 3710 – Leave Policy	2/28/17 #19 postponed  3/7/17 #20 appr. with edits	UFM 5/2/17 appr. (no quorum)	6/26/17 appr.	n/a
FSH	UP-17-023	Faculty Senate Leadership	<b>FS-17-046:</b> FSH 1640.41 – Faculty and Staff Policy Group	2/28/17 #19 appr.	UFM 5/2/17 appr. (no quorum)	6/26/17 appr.	n/a
Catalog	UCC-17-028a	Engineering	<b>FS-17-047:</b> Civil Engineering to Civil and Environmental Engineering	3/7/17 #20 appr. 18-0-1	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-028b	Engineering	<b>FS-17-048:</b> Civil Engineering – Fire Safety Certificate	3/7/17 #20 appr. 18-0-1	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-028c	Engineering	<b>FS-17-049:</b> Civil Engineering – Fire Prefix	3/7/17 #20 disappr. 4-11-4	n/a	n/a	n/a
Catalog	UCC-17-028d	Engineering	<b>FS-17-050:</b> Computer Science in Coeur d’Alene	3/7/17 #20 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-027a	Art & Architecture	<b>FS-17-051:</b> New Urban Design Program	3/21/17 #21 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
FSH	UP-17-030	CoC	<b>FS-17-052:</b> FSH 1640 – Judicial Committees	3/21/17 #21 appr. 23-0-2	UFM 5/2/17 appr. (no quorum)	6/26/17 appr.	n/a
FSH	UP-17-031	CoC	<b>FS-17-053:</b> FSH 1620 – University-Level Committees	3/21/17 #21 appr.	UFM 5/2/17 appr. (no quorum)	6/26/17 appr.	n/a

APM	UP-17-027	ITS	<b>FS-17-054:</b> APM 30.12 – Acceptable use of Technology Resources	3/21/17 #21 (FYI)	UFM 5/2/17 appr. (no quorum)	3/10/17 appr.	n/a
APM	UP-17-028	Infrastructure	<b>FS-17-055:</b> APM 40.10 – University Space	3/21/17 #21 (FYI)	UFM 5/2/17 appr. (no quorum)	3/10/17 appr.	n/a
APM	UP-17-026	Sponsored Programs	<b>FS-17-056:</b> APM 45.15 – Subawards and Subcontracts	3/21/17 #21 (FYI)	UFM 5/2/17 appr. (no quorum)	2/6/17 appr.	n/a
FSH	UP-17-029	Faculty Senate Leadership/ FAC	<b>FS-17-057:</b> FSH 1570 – Faculty Secretary	3/28/17 #22 appr.	UFM 5/2/17 appr. (no quorum)	6/26/17 Partial approved/ disapproved	n/a
Catalog	UCC-17-026a	Science	<b>FS-17-058:</b> Statistical Science Graduate Certificate	3/28/17 #22 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-035a	Business	<b>FS-17-059:</b> PGA Golf Management & Human Resources	3/28/17 #22 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-035b	Business	<b>FS-17-060:</b> PGA Golf Management - Business Economics	3/28/17 #22 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-035c	Business	<b>FS-17-061:</b> PGA Golf Management - Finance	3/28/17 #22 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-035d	Business	<b>FS-17-062:</b> PGA Golf Management - Operations Management	3/28/17 #22 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-035e	Business	<b>FS-17-063:</b> PGA Golf Management - Information Systems	3/28/17 #22 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
APM	UP-17-024	Research Assurances Office	<b>FS-17-064:</b> APM 45.35 - Unmanned Aircraft Systems	4/4/17 #23 (FYI)	FYI UFM 5/2/17	11/7/16 appr.	n/a
Catalog	UCC-17-033	CLASS	<b>FS-17-065:</b> New Sociology/ Anthropology Prefix	4/4/17 #23 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	
Catalog	UCC-17-033a	CLASS	<b>FS-17-066:</b> Africana Studies minor	4/4/17 #23 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17

Catalog	UCC-17-039a	Education	<b>FS-17-067:</b> Basic Math minor	4/4/17 #23 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-027b	Art & Architecture	<b>FS-17-068:</b> Architecture in Boise	4/11/17 #24 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-36a	Natural Resources	<b>FS-17-069:</b> Environmental Education & Science Communication name change	4/11/17 #24 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/15/17 appr.
Catalog	UCC-17-036a	Natural Resources	<b>FS-17-070:</b> New MNR Option	4/11/17 #24 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/15/17 appr.
Catalog	UCC-17-038	Natural Resources	<b>FS-17-071:</b> Discontinue Restoration Ecology Certificate	4/11/17 #24 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-029	Engineering	<b>FS-17-072:</b> New Critical Infrastructure Certificate	4/25/17 #26	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	6/19/17
Catalog	UCC-17-042	CLASS	<b>FS-17-073:</b> Regulation J-3	4/11/17 #24 appr.	UFM 5/2/17 appr. (no quorum)	5/11/17 appr.	
FSH	UP-17-034	CoC/GEAC	<b>FS-17-074:</b> FSH 1640.90 General Education Assessment Committee	4/18/17 #25 appr.	UFM 5/2/17 appr. (no quorum)	6/26/17 appr.	n/a
FSH	UP-17-035	CoC/UBFC	<b>FS-17-075:</b> FSH 1640.20 – University Budget & Finance Committee	4/18/17 #25 appr.	UFM 5/2/17 appr. (no quorum)	6/26/17 appr.	n/a

## II. The Faculty Senate Received Reports/Updates, Presentations, and Engaged in Discussions:

2015-16 Senate Annual Report (3)

Advancement, University (16)

- Athletic Conference Change
- Fundraising
- Idaho Arena
- WWAMI

Alternative Credits (11)

Animal Control Task Force (6,9,18)

Annual Faculty Evaluation Form (pilot) (5,6,7,8)

Annual Faculty Evaluation Form Survey (16,27)

Athletics (6,24)

Benefits Advisory Group (9)  
Brink Lounge Usage (10,11)  
Change in Employee Compensation (CEC) (14)  
Chronicle of Higher Education Survey (8)  
Committees, University-level (21)  
Communications, Statewide Opinion Poll (10)  
Community College Credit (15)  
Compensation Task Force (2)

- Faculty Compensation Task Force (3,5,7 - members,26,27)

Computer Use Policy (Acceptable use of Technology Resources) (21)  
Credit Limitations (11)  
Curriculum Changes, deadlines (26)  
Data Classification/Technology Security (11)  
Drones (23)  
Economic Development and Research (13)  
Efficiencies and Effectiveness Centralization Subcommittee (15)  
Employee Educational Assistance Policy (5)  
Enrollment (3,14)  
Faculty Secretary position (22)  
Final Exam Formula (18)  
FLSA Regulation Change (8,13)  
General Education Assessment Committee (25)  
General Education Requirements (14,24)  
Graduate Admissions (12)  
Human Trafficking (11)  
Infrastructure changes, Division of (8)  
Immigration (4,15,16,18,19)

- Main Discussion (19)
- Task Force (Brewick, Crowley, Brandt, Evans, Dallas)(15,16,18)

Jazz Festival, Lionel Hampton (3,4)  
Judicial Committees (21)  
Law, 3+3 BA/BS, JD (15)  
Leave Policy (19,20)  
Marketing and Communications (10)  
Ombuds Annual Report (10)  
Payment Card Processing (13)  
Plus/Minus Grading (26)  
Policy Group, Faculty & Staff (19)  
Position Descriptions, Faculty (6,7,8)  
Prize Competitions (11)  
Probation, Promotion, Demotion and Transfer of Classified Employees (4)  
Program Prioritization (17, 20)  
Research, Economic Development and (13)

Residency (11)  
Retreat Review, Senate (3,4)  
Safety & Security, Office of Public (12)  
Security Problems, data/technology (11)  
Space, University (21)  
Student Appeals Committee (12)  
Student Disciplinary Review Board (12)  
Student Evaluation of Teaching (8)  
Subawards/subcontracts (21)  
Swim Center, Campus Recreation (13)  
Teaching & Advising Committee (26)  
Teaching & Learning Excellence, Center (5,15)  
Tenure Extension (22)  
University Budget and Finance Committee (2,11,25-restructure)  
University Faculty Meeting, First Fall Meeting (5,13)  
University Promotions Committee (12)  
Unmanned Aircraft Systems (23)  
Upper-division credits (15)  
Zoom (5)

**III. The Faculty Senate also took the Following Actions or addressed Requests for Committee/Task Force Volunteers:**

Acknowledgements (27)  
Alumni Association seeking faculty member for board (27)  
Benefits Advisory Group (5,9,14,16,18)  
Brink Lounge Use Group (11,14 dedication)  
Campus Planning & Advisory Committee – Greg Donohoe (2), Dean Panttaja (4)  
Committee Appointments, Senate (4,7,25,26)  
Distinguished Professor 912)  
Elections, Chair/Vice Chair Faculty Senate, elected professors Brandt and Hrdlicka (1)  
Executive Session, Faculty Secretary Nominations (26)  
Faculty Annual Evaluation Narrative Form Motion (6,7)  
Final Exam Schedule (11) Formula (18)  
Graduates – Summer 2016 (2) Fall 2016 (12), Spring 2017 (25)  
Institutional Planning and Effectiveness Committee (IPE) (3,4,5,6,10,11,20,23)

- Institutional Efficiency Workgroup (10)
- Institutional Incentives (10)
- University Budget & Finance Committee (2)

Paul J. Joyce Lounge Dedication (14)  
President's Athletic Advisory Committee (4,5)  
Program Prioritization

- Criteria Workgroups (9)
- Senate Workgroup (22,23)
- Context Statements Program Prioritization Workgroup (27)

Sabbatical Leave 2017-18 (13), 2018-19 (26)  
Secretary to the Faculty Senate – Don Crowley (2)  
Student Appeals Committee – Caroline Payant, John Cannon (2,3,4)  
University Budget & Finance Committee - Patrick Hrdlicka, Mike Anderson (2,3)  
Vandal Strategic Loan (14)  
Violence against Women Grant awarded to Women’s Center project, senate volunteer (21)

#### **IV. Announcements:**

Academic Regalia (7)

Administrative Positions/Changes:

- Deans: Art & Architecture (Shauna Corry, Interim), College of Graduate Studies (Jerry McMurtry), Science (Ginger Carney)(2,6,9,11,16,18,20,21,23,24,26)
- Faculty, Vice Provost (15)
- General Education, Director of (24)
- Strategic Enrollment Management, Vice Provost (Dean Kahler) (8,9)
- Academic Initiatives, Vice Provost (3,5,8,9,15,18,23,24,26,27)
- Faculty Secretary position (15,18,22,23,26,27)
- Reorganization Provost Office (9)

Athletic Deficit (18)

Brink (18)

Budget Requests, State (JFAC)(14)

- Education Week
- Computer Science Program in Coeur d’Alene
- Dairy Initiative
- Idaho CAFÉ (Center for Agriculture, Food and the Environment)
- 3% CEC (change in compensation)

Center for Teaching & Learning (15)

Climate Survey (HERI, Chronicle of Higher Education) (3,6,7,8)

Committees, Senate (preference request) (12)

Communications, Today’s Register reorganization (11)

Compensation Task Force (3)

Doceo Center (7)

Education, College Ribbon Cutting (7)

Elections to Senate 2017-18 (19,20,23,24)

Enrollment (3,8,10)

Envision Idaho Events (6)

Faculty Excellence Awards (25)

‘Go On’ rate (9)

Great Places/Colleges to Work (14,15,22,27)

Health Fair (7)

Health Insurance Open Enrollment (7,9)

Homecoming and Alumni (7)

Honorary Degrees (11)

Institutional Research Office to Institutional Effectiveness and Accreditation (4)  
International Development Awards (11)  
IRIC Applications (7)  
Jazz Festival (18)  
Navitas (16,23)  
Northwest Committee on Colleges and Universities (19,25)  
Program Prioritization (2,6,7,10,11,12,13,14,16,17,18,19,20,22,23,24,25,27)  
Question, Persuade, Refer (training program mental health crisis)(15)  
Regalia (7)  
Register, Today's (12)  
Safety Week (5)  
Senators, new (15,21)  
Spread Pay (3,18)  
Teaching & Advising Award (12)  
Today's Register reorganization, Facebook for UI employees (11,12)  
Training requirements, University (12)  
Tribal Nations Lounge (11)  
University Address (6,7)  
University Awards for Excellence (11,12,26)  
University Faculty Meeting – Fall meeting (2)  
University Faculty Meeting (12,13,18,24,26)  
University Promotions Committee (11,12)  
Vandal Ideas (VIP) Program "Engage" (9,15)

**V. Resolutions:**

Brink Lounge Rename, Paul J. Joyce (10)  
Classroom Space (26)

# Shared Governance

- ▶ Territorial Act (1889): The faculty, the president, and the regents are jointly responsible for governing the university.
- ▶ NWCCU, Standard 2.A.1: (The institution) decision-making structures and processes make provision for the consideration of the views of faculty, staff, administrators, and students on matters in which they have a direct and reasonable interest.

President

University Faculty – FSH 1520 & 1540

Faculty Senate - FSH 1580

University Committees Reporting to Senate

FSH 1620 & 1640

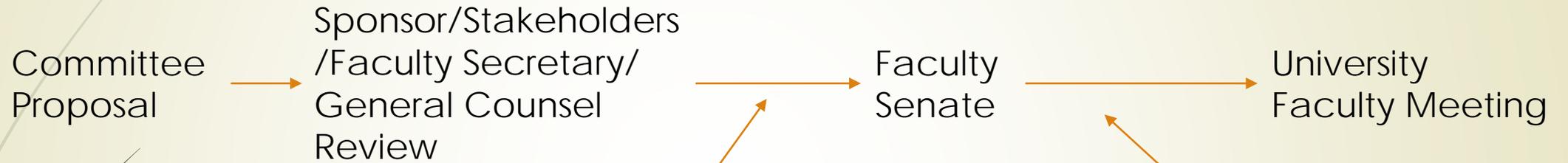
- |  |  |
|--|--|
| Academic Hearing Board                             | Information Technology Committee                 |
| Academic Petitions Committee                       | Intellectual Property Committee                  |
| Administrative Hearing Board                       | Library Affairs Committee                        |
| Admissions Committee                               | Officer Education Committee                      |
| Americans with Disabilities Act Advisory Committee | Parking Committee                                |
| Arts Committee                                     | Sabbatical Leave Evaluation Committee            |
| Borah Foundation Committee                         | Safety and Loss-Control Committee                |
| Campus Planning Advisory Committee                 | Student Appeals Committee                        |
| Commencement Committee                             | Student Disciplinary Review Board                |
| Committee on Committees                            | Student Financial Aid Committee                  |
| Dismissal Hearings Committee                       | Teacher Education Coordinating Committee         |
| Facilities Scheduling Policy Committee             | Teaching and Advising Committee                  |
| Faculty and Staff Policy Group                     | Ubuntu   |
| Faculty Affairs Committee                          | University Budget & Finance Committee            |
| Faculty Appeals Hearing Board                      | University Committee for General Education       |
| General Education Assessment Committee             | University Curriculum Committee                  |
| Honors Program Committee                           | University Multi-Campus Communications Committee |

Almost anyone at the university

# Shared Governance

- Structure
- Process

# Timeline



Allow a minimum of 2 weeks for FS & GC review – longer if they have not been previously consulted on the policy!

The last Faculty Senate meeting at which policies can be approved for inclusion on the UFM Agenda is 2 weeks prior to the UFM.

# 2017-2018 Policy Dates & Deadlines

- ▶ FS – every Tuesday 3:30-5:00 beginning 8/29
- ▶ November 2 – last possible date to submit a policy to the Faculty Secretary's Office for possible inclusion on the Fall UFM Agenda. Note, more than two weeks for review may be required and the policy may be returned to the committee for further consideration. Also, be aware controversial policies have taken 2+ Senate meetings to discuss.
- ▶ November 14 – Last Faculty Senate meeting to approve policies for possible inclusion on the Fall UFM Agenda
- ▶ November 29 – Fall UFM meeting – 3:00-4:30
- ▶ March 27 -- last possible date to submit a policy to the Faculty Secretary Office for possible inclusion on the Spring UFM Agenda. Note, more that two weeks for review may be required and the policy may be returned to the committee for further consideration or forwarded to others for review.
- ▶ April 10 -- Last Faculty Senate meeting to approve policies for possible inclusion on the Spring UFM Agenda
- ▶ April 25 – Spring UFM meeting – 3:00-4:30

# Role of Faculty Senate

- ▶ Rely on the work of committees and avoid drafting or re-drafting policy (other than minor changes)
- ▶ Communicate with and provide feedback from constituents on pending policy changes
- ▶ Suggest and encourage productive interactions with administration and stake-holders

# “Rules” of the Senate Road

- ▶ We follow (although not slavishly) Robert’s Rules of Order
- ▶ Raise your hand to speak. Each interested person gets to speak once before we take a second question (some back and forth in response to the original question is fine). Be conscious of time and other interested participants -- brevity is important!
- ▶ Represent your constituents (college reps represent college faculty (along with other reps from the same college), center reps represent the center and its employees, staff represent staff through staff council and the Dean representative and Provost provide an administrative perspective).

## Senate Retreat 8/15/17

**Present:** Miranda Anderson, Olaniyi Arowojolu, Lynn Baird, Liz Brandt, Katie Brown, Allan Caplan, Joseph De Angelis, Terry Grieb, Patrick Hrdlicka, Clinton Jeffery, Aaron Johnson, Anne Kern, Chuck Morrison, Jodie Nicotra, Lee Ostrom, Dean Panttaja, Rich Seamon, Charles Tibbals, Jesse Watson, John Wienczek

**Absent:** Mike Anderson, James Barbour, Danny Bugingo, John Cannon, Brian Ellison, James Foster, Penny Morgan, Irma Sixtos, Chantal Vella, Cooper Wright, Haiyan Zhao

### Provost:

- Staff parallel to Faculty Senate – staff feel their voice isn't heard
- Territorial Act – isn't about who governs, it is about moving UI forward
- Market Based Compensation being competitive does not mean everyone will be moved to market. Criteria such as longevity will be used.
- Ctr. for Teaching & Learning –think about other assessment approaches than student evaluations
- Great Colleges to Work for – small group needed (Rula will be presenting to Faculty Senate in the near future)
- Provost's areas of importance – compensation and support for teaching
- Marketing & Communications' importance in attracting students, faculty, staff
- Enrollment – to be revealed/communicated second week of October (due to High School dual credit postings)
- Program Prioritization– ongoing process. Board zeroed out all institutions' budgets, creating a level playing field. President's Annual report is due to the Board in April. Resources gained will be put towards top two UBFC initiatives – market based compensation & support of Teaching Assistants. Programs funded by contracts/grants are restricted.
- Gainsharing 6.8% of gen ed (x budgets) to be utilized for recommended one-time (pilot) UBFC initiatives

### Senator's Role:

- **Nominate members for Taskforce/Committees:** Nomination requests for taskforce/workgroups are often needed on short notice (e.g., Institutional Planning & Effectiveness Committee (IPEC), and the two program prioritization workgroups). Typically put together at the administrative level and move fast with meetings scheduled immediately. We will try to email the charge/expectations/requests by email so you can forward to your constituents.
- **Representative and Reporting:** We are all representatives for our constituent bodies, college/center/staff/students. You were elected by your colleagues to attend and **report back** – that is your major role. In the past some colleges have done this well, others not. This year the Faculty Secretary will attempt to create a short bulleted list for you all to revise, as fits your constituency, so you can sent out each week following a meeting.
- **Review Policy:** Senate's Role is to review/return or approve/disapprove items that come before it -- we are not a policy making body. The worker bees are the Senate committees where most policy changes come as seconded motions. Occasionally other units, HR, VP Finance, Infrastructure etc. will send policy changes through -- *Faculty-Staff Handbook* (FSH) which typically go through senate committees or other bodies, but *Administrative Procedures Manual* (APM) are for purposes of communicating new and/or changes to policy/procedures (predominantly non-academic procedures), e.g. smoking, concealed carry, drone use, etc.

- **Proactive:** You are the boots on the ground, keep your ears open and alert Senate Leadership of any issues/concerns/positive events. Example: something that is important to you or any concerns you have please bring these forward; last year a faculty member brought forward awareness of the classroom shortage to which Senate passed a resolution; earlier in the year the handling of animals on campus situation came from an employee and local residents. You can send a private email to any of the Senate Leaders or to the Senate as a body at a meeting under Announcements and Communications. Please give the Faculty Secretary/Senate Chair a heads-up.

#### Topics List:

Communication of decisions out to staff and faculty (Great Colleges to work for survey listed this as an issue).

- Consider alternative approaches for communication (Facebook, group chats, or other to reach more)
- Alternative to emails for internal communications vs. external and marketing approaches. **Liz plans to do a weekly summary email to help Senators keep up-to-date and to help Senators keep colleagues informed of ongoing developments.**
- Emphasize representative role of senators.
- Provost will ask deans/VPs to support senators by arranging for some communication tool by which you will be able to send to your college and/or constituent body.

#### Program Prioritization:

- Concerns about results of PP ranking and what will be done with those rankings.
- What will we know prior to the President's report in April?
- Fallout, lower quintile targets of opportunity? Either a plan or an OK

#### Employment-related issues:

- help people integrate well to the university/community; improve quality of life
- spousal accommodation (HR efforts have not been helpful)
- improve work/life balance, e.g., exercise release time and better communication of wellness opportunities.
- Disability Advocacy – not just compliance. Money, place in administration, committee? **Ask Ubuntu to Revisit this issue.**
- Quantify and make visible the unnecessary obstruction, bureaucracy → shadow work
- Culture of – yes-we-can, yes-you-may, respect and collaboration.

#### Teaching/Advising:

- Evaluations: **Teaching & Advising Committee (TEAC) is working on all these issues.**
  - fix the online participation rate
  - approaches and incentives vs. rigor (beyond just the form);
  - revisit process/timing
- Revisit rubric for credit hours considering online vs. face-to-face:
  - Awareness of/clarification
  - Seat time
  - Workload
  - Rigor to credit hours for online
  - Support/resources for online content (DEE)

- Help facilitate new Distance Education opportunities for all colleges. **Follow-up with Cher Hendricks on support for DE.**
- Classroom Spaces and hoarding/fractional sharing. **Outreach to Registrar and Facilities has started.**
- +/- grading system, revisit topic, survey more students (Centers; Facebook polls, other outlets). **This is on the TEAC agenda.**
- What is/will be done to help transition International students to be successful at the UI? **NAVITAS is a resource. IPO will be presenting to faculty senate on this issue.**
- What are the University's plans if enrollment targets are met? How are resources, support, rooms, etc. to be distributed.

#### Faculty Issues

- Administration's position on tenure (in light of forces in some states wishing to remove tenure system, e.g., Wisconsin)
- Conceal/open carry weapons law – provide support for the anxiety, concerns, fear that some employees feel
- Alternative career path – teaching or research. **FAC may consider this issue.**
- Availability of start-ups for social sciences and humanities
- Strategies to improve and facilitate faculty interdisciplinary collaboration
- Digital Measures vs. Alternatives. **For now, Senate Leadership is participating in info sessions from vendors about the possibilities. This may be a future topic for FAC.**
- New faculty evaluation form revisit/discussion, evaluation form relationship to FSH (policy). **FAC is considering small changes to the form and will update the PD and AE policies to conform.**

#### Centers and Off-Site

- Stronger representation and voice of Centers
- Opportunities for engagement for offsite faculty, staff, students. **Senate/Staff Leadership is following up with the Director of Extension to build connections there.**

#### Misc.:

- Facilities – issues with snow and ice, slow response time
- University Senate vs. Faculty Senate



**2017-2018  
FACULTY SENATE AGENDA - Meeting #1  
4:30 p.m., May 9, 2017**

Paul J. Joyce Brink Hall Faculty-Staff Lounge

**Order of Business**

**I. Call to Order.**

**II. Special Orders.**

- Suspend Rules - Nomination and Election of Chair and Vice Chair of the 2017-2018 Senate (see FSH 1580 IV)

Faculty Senate FAQs

**III. Adjournment.**

**President's Designee**

## Faculty Senate FAQs

### ***Nomination/Election of Chair & Vice Chair [FSH 1580 Article IV](#):***

Section 1. Nomination. Each spring, as soon as practicable following the appointment and election of new members of the senate, the president of the university or the president's designated representative calls and presides at a meeting of those who will be members during the ensuing year for the purpose of nominating candidates for the offices of chair and vice chair. Nominations are by secret ballot, and no other official business is transacted at this meeting.

Section 2. Election. Not less than three days following the nominating meeting referred to in section 1, above, the president or the president's designated representative calls and presides at a second meeting of the same group for the purpose of electing the chair and the vice chair for the ensuing term. No other official business is transacted at this meeting. The requirement that there be no less than three days between the two meetings may be suspended only by the unanimous consent of the members in attendance. The procedures for the election are as follows:

Clause A. Additional Nominations. Before balloting begins for each office, additional nominations may be made for that office.

Clause B. Procedure for Balloting. Elections for officers of the senate are by secret ballot, and a majority of all votes cast is necessary for election, a quorum being present [see [V-3](#)]. In the event that more than two candidates are nominated for either office and none receives a majority of the votes cast on the first ballot, balloting continues with the name of the candidate receiving the fewest votes being dropped from the ballot after each vote. In the event that there is no candidate with the fewest votes, balloting continues with all names included until such time as a candidate receives a majority of votes (in which case he or she is declared elected) or until a candidate receives the fewest votes (in which case his or her name is dropped from the ballot and the balloting continues).

***Appointment of Secretary - [FSH 1520, Article V](#):*** Section 3. Officers. Each year the senate elects a chair and a vice chair from among the elected faculty members of the senate. Also, each year a secretary is appointed by the chair, subject to confirmation by the senate, from among the members of the senate or from the membership of the university faculty. The appointment of a person who is not a member of the senate to serve as secretary does not carry with it membership on the senate.

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

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

### ***How long is my term on Faculty Senate?***

[FSH 1520, Article V, Section 4. Terms of Office.](#) Elected faculty members of the senate serve for three years. The academic dean shall serve one year, the staff representatives shall serve for staggered two year terms. The terms of office for student members are as established by the senate. [See 1580 VI.] Newly elected members take office each year on September 1 or on the official opening date of the academic year, whichever is earlier. To carry out the requirement that approximately one-third of the elected faculty members are to take office each year, the senate may shorten the initial term of office of faculty senators elected to fill new positions in the senate to conform to a balanced

rotation plan. When members are elected to fill a vacancy, they take office at the first meeting after the election and serve for the unexpired term of the vacancy. A faculty member elected to the senate may serve two consecutive terms. After serving two consecutive terms the faculty senate member must wait one full year before they are again eligible for election.[see also FSH 1580 III-3].

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

FSH 1520. Article V, Section 7. Vacancies.

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

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

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

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

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

1580 Article III, Section 3. Members Completing Unexpired Terms. A member who has been elected or appointed to complete the unexpired term of another member and has served more than half of that term will be considered to have served one full term.

***Can you send someone in your place, if you will be absent?*** Yes, but **not** with vote.

FSH 1580, Article V, Section 7. Alternates. Alternates participate in meetings of the Senate only as permitted by the constitution of the university faculty [see 1520 V-7]. This rule does not preclude a member from having another person attend the meeting in his or her stead as an auditor.

***Are proxy votes allowed?*** No

***How are abstentions handled?***

FSH 1580, Article V. Section 11. Voting. Voting on motions is by raising a hand. Proxy votes are not allowed. (According to a standing rule of the senate, the chair does not ask how many members abstained from voting on a particular motion, and abstentions are not recorded in the minutes unless a member requests that his or her abstention be recorded.)