Present: Ahmadzadeh, Chapman (Vice Chair), Fairley, Fuerst, Gauthier, Haltinner, Hickman, Hoffmann, Hunter, Justwan, Kolok, Torrey Lawrence (w/o vote), Kindall, Long, Mittelstaedt, Murphy, Pfeifer, Quinnett (Chair), Raney, Rinker, Sammaruca (w/o vote), Schiele, Schwarzlaender, Silsby, Thorne, Tibbals, Wargo, Walsh, Webb
Absent: Roberson

Guests/Speakers: Ryanne Pilgeram, Julia McIlroy

Call to Order: Chair Quinnett called the meeting to order at 3:32 pm.

Approval of Minutes (vote):
Minutes of the 2022-23 Meeting #6 September 27, 2022 – Attach. #1
The minutes of the 2022-23 Meeting #6 September 27, 2022 were approved with the correction of a typographical error.

Chair’s Report:
• Chair Quinnett expressed appreciation for the intense yet graceful conversation with General Counsel (GC) last week. We are in an information-gathering phase and look forward to additional communication and to invite GC to Senate again. Faculty Affairs plans to prepare a statement and present it to Senators for their endorsement.
• Our shared success stories - Liz Wargo, Leadership and Counseling
Throughout her career, Liz has served Idaho education, which is her job and her passion. One of the exciting on-going projects is the Idaho Building Capacity project, well into its 3rd year of serving vulnerable schools in districts across Idaho. Presentations were made at the National Rural Education Association – many thanks to Taylor Raney! Partnerships with local community organizations in one school district in northern Idaho, aimed at reuniting schooling with nature, are receiving attention from USDA, SBOE, and more. Both academic and non-academic outcomes have improved.
• Taylor Raney will be the next to present one of “Our shared success stories.”
• Call for ad hoc senate committee for spread pay. This committee will be charged with researching spread pay records from 2015 and proposing solutions. Senators Murphy, Thorne, and Haltinner volunteered to join the committee.
• Additional members on the University Advising Committee. This group is charged by the Provost and the Senate with taking a deeper look at advising issues of concern to academic units and SEM, and suggesting ways towards a better partnership between departments and SEM. They will also develop a survey. The additional members are needed to represent all colleges and Senate. Colleges that need representation are: COB, CAA, EHHS, and CNR. This is not a permanent policy change in FSH 1640.88. Senator Ahmadzadeh volunteered to be on this ad hoc committee as the Senate representative.
• APM 30.16 IT Committee Report – Eric Mittelstaedt Attach. #2
Senator Mittelstaedt went over the IT committee report, see attachment #2. The main committee concerns are the protection and security of university data and the independence of individual faculty members’ research. The committee is also concerned about the data security or data management software currently installed on faculty computers, and encourages OTI/ITS to provide clarification because this could result in violations of the Idaho State Board of Education’s academic freedom policy. Although APM 30.16 covers everything, routine/minor purchases automatically qualify for exemption. But computers are restricted to a particular brand, Lenovo, which OIT found to have the most competitive prices. Exemptions are possible if required by the grant. See attachment #2 for additional information, including a link to items that can be purchased.

A Senator argued that, in their experience, the OIT/ITS prices are typically twice what one can get from stores or online.

In the interest of moving the meeting forward, Chair Quinnett suggested to continue this conversation in the new business part of the meeting.

• Women’s Center 50th anniversary is next week!  
  https://www.uidaho.edu/diversity/edu/womens-center/events/50th-anniversary-keynote
• Many thanks to Kristin Haltinner for her help in putting together the Black Lives Matter Speaker Series: Fall 2022.

Provost’s Report:

• General Counsel continues to work on a FAQs regarding abortion guidance.
  Discussion:
  A Senator asked if and how the other universities in the state are addressing the impact of the abortion law. Provost Lawrence explained that institutions are handling it differently and not currently coordinated.

Committee Reports:

• Faculty Affairs Committee
  FSH 3500 Promotion and Tenure (vote); Ryanne Pilgeram Attach. #3
  This proposed interim policy revision allows the formation of an additional University Promotion and Tenure Committee if, at the discretion of the provost, the number of dossiers to be considered exceeds the capacity of a single committee. The University Promotion and Tenure Committee has approximately 85 dossiers for consideration this cycle, a number which exceeds its capacity. An additional committee is needed in order to ensure a high quality of review. This revision is requested as an interim policy, to be effective immediately, because committee assignments need to begin in Fall 2022.
  Vote:
  22/22 in favor; 0/22 against. Motion passes.

Other Policy Business:

• FSH 3710 Paid Parental Leave – Brandi Terwilliger Attach. #4
  Brandi Terwilliger started with a brief overview/history of the Paid Parental Leave (PPL) policy. Originally, they were tasked with developing a cost-neutral option. The survey that went out to all employees offered three options – 1. A plan modelled after ISU and BSU; 2. Make no changes; 3. A plan modelled after WSU. The outcome of the survey was overwhelmingly in favor of the last option. (Note: WSU doesn’t actually have a PPL policy – it uses the state program.) A bank of PPL has been established, from which full-time approved board-appointed employees can use 432 hours (prorated for part-time) to be used within the first 12 weeks from the birth,
adoption, or foster placement of a child. 432 hours come from 90% of 40 hours per week for 12 weeks. Brandi proceeded to describe the additional flexibility in our program as compared to WSU. Also, they are not implementing a cap, unlike WSU.

**Discussion:**
In response to a question, Brandi clarified that, while annual leave can be donated, we cannot donate family or sick leave.

There was an inquiry about fiscal impact and, more broadly, the impact on units when an employee takes family leave and how that would be managed. The Senator would have liked to see more information about that. Brandi and Brian noted that the external consultant performed a very robust cost analysis shared with the Athena/Senate subcommittee and presented to the leadership. The consultant’s estimate was just below $200K of being cost neutral, which President Green found to be sufficiently close to be worked into the budget. The consultant’s analysis is extremely thorough and accounts for the need to hire replacements. Brian will check the consultant’s analysis and report back any information that may be missing.

They are committed to move the policy through the shared governance process in time for an implementation date of January 1, 2023.

Retroactive implementation presents serious challenges and will not be available. However, Brandi noted that an eligibility review will occur and any remaining eligibility will be prorated in some cases – for instance, a full-time employee who has had a baby one week prior to the implementation date may be entitled to receive 11 weeks of PPL at 90% pay.

In response to a question, Brian replied that WWAMI will participate in the program.

To the question of why more flexibility could not be incorporated, Brandi responded that they mirrored the option favored by more than 70% of the employees (the WSU approach) as closely as possible.

Crystal Callahan spoke for Staff Council, who reviewed the policy and had similar questions/comments as those brought up by faculty. She looks forward to continue working with Senate.

Additional questions can be emailed to Brandi Terwilliger.

**Other Announcements and Communications:**
- **Jaggaer Purchasing Software** – Julia McIlroy, Director, Purchasing Services
  JAGGAER is a web-based procurement software that manages purchases of goods and services from request to payment. Employees will access JAGGAER through Single Sign-On. The Idaho State Board of Education tasked the four higher education institutions to implement a shared procurement software to generate savings and efficiency. U of I, BSU, ISU and LCSC will go live simultaneously, although the individual JAGGAER sites will be specific to each institution. Employees who purchase goods and/or services for U of I using a purchase order, service agreement or P-card will now shop and buy goods and services through JAGGAER. JAGGAER will improve request-to-purchase order time by streamlining the order
process. Purchasing policies regarding bid limits, bid waivers, etc. will remain the same. All purchase orders and service agreements will be generated and managed in JAGGAER.

Discussion:
In response to questions concerning the purchase of computers and the restriction on the brand discussed earlier, Julia noted that Jaggaer does not remove those restrictions, but can help with any other purchase. Additional questions can be addressed to Julia McIlroy juliam@uidaho.edu

New Business:
Chair Quinnett noted the late hour and welcomed a few more comments to reconnect to the IT discussion. The main concern is about the data security/management software installed on faculty computers, and what kind of information is being monitored. This conversation will continue. We’ll invite General Counsel to clarify those questions.

Adjournment:
The agenda being completed, Chair Quinnett adjourned the meeting at 5:02pm.

Respectfully Submitted,

Francesca Sammarruca
Secretary of the University Faculty & Secretary to Faculty Senate
University of Idaho
2022 – 2023 Faculty Senate Agenda

Meeting # 07

Tuesday, October 4, 2022 at 3:30 pm
Zoom Only

I. Call to Order

II. Approval of Minutes (Vote)
   • Minutes of the 2022-2023 Faculty Senate Meeting #6 (September 27, 2022) Attach. #1

III. Chair’s Report
   • Our shared success story - Liz Wargo, Leadership and Counseling
   • APM 40.16 IT Committee Report – Eric Mittelstaedt Attach. #2
   • Call for ad hoc senate committee for spread pay
   • Women’s Center 50th Anniversary Keynote Address

IV. Provost’s Report

V. Committee Reports
   • Faculty Affairs Committee
     o FSH 3500 Promotion and Tenure (vote); Ryanne Pilgeram Attach. #3

VI. Other Policy Business
   • FSH 3710 Paid Parental Leave – Brandi Terwilliger, Director of Human Resources Attach. #4
   • APM 55.09 Employee Leave Benefits Attach. #5

VII. Other Announcements and Communications
   • Jaggaer Purchasing Software – Julia McIlroy, Director, Purchasing Services Attach. #6

VIII. New Business

IX. Adjournment
Attachments:

- **Attach. #1** Minutes of the 2022-2023 Faculty Senate Meeting #6 (September 27, 2022)
- **Attach. #2** IT Committee Report
- **Attach. #3** FSH 3500 G-1
- **Attach. #4** FSH 3710
- **Attach. #5** APM 55.09
- **Attach. #6** Jaggaer FAQs

*Changes to the Administrative Procedures Manual (APM): Please forward any questions or comments directly to both the policy coordinator at ui-policy@uidaho.edu and to the policy originator (listed on the cover sheet) within five working days of the senate meeting at which the APM item is presented.*
Present: Ahmadzadeh, Chapman (Vice Chair), Fairley, Fuerst, Gauthier, Haltinner, Hickman, Hoffmann, Hunter, Justwan, Kolok, Torrey Lawrence (w/o vote), Long, Mittelstaedt, Murphy, Quinnett (Chair), Raney, Rinker, Sammarruca (w/o vote), Schiele, Schwarzlaender, Silsby, Thorne, Tibbals, Wargo, Webb

Absent: Kindall, Roberson, Pfeifer (excused), Walsh

Guests/Speakers: Keith Hanson, Jeneba Hoene, Kent Nelson

Call to Order: Chair Quinnett called the meeting to order at 3:30 pm.

Approval of Minutes (vote):
Minutes of the 2022-23 Meeting #5 September 20, 2022 – Attach. #1
The minutes of the 2022-23 Meeting #5 September 20, 2022 were approved with two friendly amendments: Senator Haltinner’s absence should be reported as excused; Senator Tibbals’ name was misspelled.

Consent Agenda:
• Summer Graduates– Attach. #2
There was no request to take this item out of the consent agenda for discussion. The list of Summer Graduates stands approved by unanimous consent.

Chair’s Report:
• Guidance on Abortion Laws Memo - Kent Nelson, General Counsel Attach. #3
Acting General Counsel (GC) Kent Nelson came to Senate to clarify aspects of the memo and answer questions on the impact of the laws on public institutions. A deeper analysis, including FAQs, is in the works. The laws being addressed criminalize behaviors specific to public institutions and their employees, and therefore GC must provide guidance on how the laws apply to public institutions and their employees. Laws are subject to challenges, and GC will continue to review any changes and provide more information to the university community on additional perspectives. General Counsel invited questions.

A recurrent question Senators conveyed on behalf of their constituents concerns the neutrality mandate for instructors in discussions of abortion and reproductive rights, possibly in violation of the SBOE Academic Freedom policy. General Counsel stated that the law prohibits the use of public funds for the purpose of promoting abortion, but no definition is provided of what amounts to promoting abortion. That element in the memo was meant to advise employees that, if they choose not to remain neutral in classroom discussions about abortion, they run the risk of being seen as promoting abortion, which is prohibited by the statute. Because there are no set boundaries to the meaning of promoting abortion, GC decided to include language about neutrality when employees are within the scope and the course of their employment. At this stage, one cannot say what constitutes promotion of abortion – it depends on the facts, the circumstances, and the nature of the classroom discussion. A deeper analysis is needed.
Some Senators are concerned because the law leaves large room to interpretation, which is the source of the problems. Employees should be told clearly what they can or cannot do. General Counsel explained that there is no certainty at this point – the memo is an advisory tool to help address the risks.

The issue of neutrality was raised in conjunction with its impact on faculty research agendas and media interviews about their research. General Counsel replied that the answer would depend on the specific circumstances. There are no restrictions when speaking as a private citizen. When you speak in public, make clear whether you are (or are not) speaking as a member of the university.

Again, confusion among faculty was brought up about infringement on their First Amendment rights. General Counsel noted that some unique interpretations can be made about this law. Thus, they decided it was best to stay on the conservative side. They will continue to communicate as we move forward.

Is it possible that this law is in conflict with the First Amendment or State Board policy? If so, how is the conflict resolved? General Counsel responded that it is possible and the resolution would depend on the conflict. A conflict with the Constitution will be resolved in favor of the Constitution. A conflict with institutional policy or state agency policy is likely to be resolved in favor of the law.

Some faculty felt that the memo should have been announced with an appropriate statement from university leadership.

There were some questions about the prosecution process at the university level. Will falsely accused employees receive legal assistance from the university? General Counsel reiterated that these questions cannot be answered at this stage. University employees will be informed about the institution’s expectations.

Chair Quinnett reported confusion and fear, especially among untenured faculty. Any effort to help faculty get more clarity would be appreciated.

General Counsel concluded by emphasizing that there was no intention to address institutional policy in the memo. The intent was to address the risks associated with the law. Ultimately, the courts will interpret the law from case to case. More communications to come.

- Women’s Center 50th anniversary is next week!  
  [https://www.uidaho.edu/diversity/edu/womens-center/events/50th-anniversary-keynote](https://www.uidaho.edu/diversity/edu/womens-center/events/50th-anniversary-keynote)
- Annual Required Training: following up on a question raised in an earlier meeting, Chair Quinnett reported that requiring all employees to do all modules every year is a matter of compliance with state and federal law. It is possible to test out of the IT portion of the training.
- Please give your input on employee compensation guidance by filling out the Staff Compensation Committee Survey – Attach. #3
- College-specific & Pre-Health Networking Nights – Oct. 4
- Fall 2022 Career Fair – Oct. 5th, 2-6 p.m.  
  [https://www.uidaho.edu/current-students/career-services/events?trumbaEmbed=view%3Devent%26eventid%3D161278804](https://www.uidaho.edu/current-students/career-services/events?trumbaEmbed=view%3Devent%26eventid%3D161278804)
Provost’s Report:
- Borah Symposium: Former Peru President Francisco Rafael Sagasti will deliver the opening keynote address at 7 p.m. on Sept. 27 in the Pitman Center International Ballroom. Three-Star Gen. Erik Peterson, a U of I alum, will deliver “War and Peace in the Twenty-Century” at 12:30 p.m. on Sept. 28 in the Pitman Center International Ballroom.
- Homecoming is this weekend. [https://www.uidaho.edu/events/signature-events/homecoming](https://www.uidaho.edu/events/signature-events/homecoming)
- All students who had been placed in hotels have been moved to campus.

Discussion:
In response to additional questions about the abortion laws memo, the Provost confirmed that additional guidance will come from the university. General Counsel is collecting all questions into a FAQ document, and Senators are encouraged to have their constituents send questions to GC (counsel@uidaho.edu). The Provost and the President are committed to help employees as much as possible. As promised at the UFM, GC has provided legal guidance with the intent to help employees understand Idaho’s new laws that apply to them and possible consequences.

Other Policy Business:
- APM 30.13 Networked Computing Device Standards Attach. #5 – Postponed
- APM 30.32 Computer Security Violations Attach. #6 – Postponed
- APM 45.02 Sponsored Projects Proposal Preparation and Authorization Attach. #7
  The correct version is attached. Senators should look at it and raise any questions at the next meeting.

Other Announcements and Communications:
- Alcohol Awareness Presentation - Keith Hanson, Counseling & Testing Center, Jeneba Hoene, Alcohol and Other Drug Program Coordinator Attach. #8
  Keith and Jeneba showed data from our university community about use of alcohol and other drugs. They suggested actionable steps faculty can take to help with substance abuse problems and talked about available resources.
  The presentation slides are attached to the binder for meeting #6.
  Contacts: Jeneba Hoene jenebah@uidaho.edu
  Keith Hansen rkhansen@uidaho.edu
  Substance Use Resources:
  [https://www.uidaho.edu/aod](https://www.uidaho.edu/aod)
  [https://www.uidaho.edu/echeckup](https://www.uidaho.edu/echeckup)
  [https://www.uidaho.edu/ctc](https://www.uidaho.edu/ctc)
  Latah Recovery and Crisis Center: [https://latahrecoverycenter.org](https://latahrecoverycenter.org)
- Jaggaer Purchasing Software – Julia McIlroy, Director, Purchasing Services – Postponed

New Business:
Chair Quinnett enthusiastically acknowledged Erin Chapman and all who worked on the Paid Parental Leave policy. Currently, we are gathering input from Staff Council. We expect to have the policy in the binder for the next meeting. We hope to have Brandi Terwilliger at Senate October 4 for discussion, and to be ready to vote on the 11th.

Adjournment:
The agenda being completed, Chair Quinnett adjourned the meeting at 5:02pm.
Respectfully Submitted,

Francesca Sammarruca
Secretary of the University Faculty & Secretary to Faculty Senate
The University Information Technology (UI-IT) committee and the faculty senate leadership team met with Teresa Amos from the Office of Information Technology/Information Technology Services (OIT/ITS) on Wednesday, September 21, 2022 (3:00 pm - 4:00 pm). Teresa Amos provided very helpful feedback and important comments regarding APM.30.16 or 30.16 - Technology Hardware Lifecycle Management (uidaho.edu), which was rewritten in the summer of 2022 and has been posted since July 01, 2022. We, the university information technology committee, hereby submit a summary of our comments.

- The committee understands the goal of APM.30.16 is to make sure assets and intellectual property/products can be protected for the University and the faculty.

- The committee is concerned about the issue of data security or data management software currently installed on faculty computers. Although the committee understands the importance of data security and management for the University and the faculty, the committee would encourage OIT/ITS to clarify in more detail since this could probably result in possible violations of the Idaho State Board of Education’s academic freedom policy III.B. - Academic Freedom and Academic Responsibility | Idaho State Board of Education.

- OIT/ITS suggests faculty members carefully review the list of hardware and equipment specifications on the website below and comply with policies or restrictions at the federal, state, and university levels. https://support.uidaho.edu/TDClient/40/Portal/Requests/ServiceDet?ID=640: the OIT/ITS is willing to work with individual faculty members more closely for the part of equipment procurement in grant proposals. The committee appreciates the support and raises concerns regarding a timely submission of grant proposals.

- The committee appreciates the comment that there are no intentions to intervene in individual faculty members’ research projects and faculty members can acquire any equipment (e.g., a 3D printer) that is not listed on the website of OIT/ITS if these purchases comply with the APM 30.16 policy and most of these purchases have automatically been considered exceptions.

- OIT/ITS has been building a stock of spare parts and computers. The committee believes this will help faculty members acquire the equipment needed for instruction, research, and service/outreach amid an emergency (e.g., the faculty member’s computer is not functioning in the middle of the semester).

- OIT/ITS has been addressing special computing needs such as a dual boot OS (e.g., windows plus Linux) on a case-by-case basis. Faculty computers are on the employee network with faster speed and increased bandwidth, as compared to computers on the student network. The committee very much appreciates the support and clarification.
Appendix: University Information Technology Committee Members

<table>
<thead>
<tr>
<th>Faculty</th>
<th>Chair</th>
<th>Liao</th>
<th>Haifeng Felix</th>
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<td>Harner</td>
<td>Archibald</td>
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<td><a href="mailto:aharner@uidaho.edu">aharner@uidaho.edu</a></td>
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<tr>
<td>Registrar or Designee</td>
<td>w/o vote</td>
<td>Miller</td>
<td>Tammy</td>
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<td><a href="mailto:tmiller@uidaho.edu">tmiller@uidaho.edu</a></td>
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POLICY COVER SHEET
For instructions on policy creation and change, please see https://www.uidaho.edu/governance/policy

All policies must be reviewed, approved, and returned by the policy sponsor, with a cover sheet attached, to ui-policy@uidaho.edu.

Faculty Staff Handbook (FSH)
☐ Addition ☐ Revision* ☐ Deletion* ☐ Interim ☐ Minor Amendment
Policy Number & Title: FSH 3500 PROMOTION AND TENURE

Administrative Procedures Manual (APM)
☐ Addition ☐ Revision* ☐ Deletion* ☐ Interim ☐ Minor Amendment
Policy Number & Title:

*Note: If revision or deletion, request original document from ui-policy@uidaho.edu. All changes must be made using “track changes.”

Originator: Ryanne Pilgeram, FAC Chair
Policy Sponsor, if different from Originator: Diane Kelly-Riley, Vice Provost for Faculty

Reviewed by General Counsel Yes ☒ No ☐ Name & Date:

1. Policy/Procedure Statement: Briefly explain the reason for the proposed addition, revision, and/or deletion.

This proposed interim policy revision provides for the formation of an additional University Promotion and Tenure Committee in years when, in the discretion of the provost, the number of dossiers to be considered exceeds the capacity of a single committee. The University Promotion and Tenure Committee has approximately 85 dossiers for consideration this cycle, a number which exceeds its capacity. An additional committee is needed in order to ensure a high quality of review. This revision is requested as an interim policy, to be effective immediately, because committee assignments need to begin in Fall 2022.

The timeline for the standard review and approval process for this revision is as follows: The revision will be submitted to Faculty Senate for approval as a permanent change on October 3, 2022, and then go to the following University Faculty Meeting in fall semester 2022.

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

None.

3. Related Policies/Procedures: Describe other UI policies or procedures related or similar to this proposed change, or that will be impacted by it.

None.

4. Effective Date: This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 H) unless otherwise specified.
To be effective immediately upon approval.
A. INTRODUCTION. FSH 3500 contains all official University promotion and tenure procedure and supersedes any promotion or tenure procedure contained in college or unit bylaws.

A-1. Definitions.

a. Academic Administrator. “Academic administrator” means the president, provost, vice provosts, deans, associate deans, and department chairs/directors of academic units, and vice president for research, and shall not include persons occupying other administrative positions. (RGP II.G.6.i.i.)

b. Board. “Board” refers to the State Board of Education and Board of Regents of the University of Idaho.

c. Faculty Member. “Faculty member” means any member of the university faculty who holds one of the following ranks: instructor, senior instructor, assistant professor, associate professor, or professor.

d. Period under Review. The “period under review” includes all years since appointment to the candidate’s current rank.

e. Unit. “Unit” means a school, division, department, or program (i.e., the first organizational unit below the college level), but the College of Law, WWAMI, Library, and the Counseling and Testing Center shall be considered to be units. For Extension educators, the unit shall be the Extension district.

f. Unit Administrator. The “unit administrator” is the administrator of the unit that holds faculty member’s appointment. In the case of an interdisciplinary appointment, the administrator of the unit that holds the majority of the appointment shall be considered the unit administrator.

g. University. “University” and “UI” refer to the University of Idaho.

A-2. Faculty Promotion.

a. Purpose. Academic rank represents and rewards the individual’s performance as a scholar, teacher, and faculty member. Promotion to a higher rank is not automatic but is a decision made on an individual basis subject to university, college, and unit criteria.

b. Criteria. Promotion to a rank requires the candidate to meet the requirements for that rank. Promotion is awarded only to candidates who effectively perform in the responsibility areas contained in FSH 1565 C as specified in the candidate’s position description, and who meet university, college and unit criteria for promotion. Decisions are based on thorough and uniform evaluation of the candidate’s performance and granted only when there is reasonable assurance, based on performance, that the candidate will continue to meet the criteria for promotion. The faculty of each college and unit shall establish in their bylaws substantive promotion criteria for all types of faculty existing within that college or unit (e.g. regular faculty, clinical faculty, research faculty, etc.), consistent with university requirements. The criteria shall include a statement regarding the role of interdisciplinary activity and shall be included in college or unit bylaws (see FSH 1590).

c. Non-Tenure Track Faculty Promotion. Non-tenure track positions at the assistant and associate professor level are eligible for promotion to the next rank. Full-time instructors are eligible for promotion
A-3. Faculty Tenure.

a. Purpose. Tenure is intended to protect academic freedom in order to maintain a free and open intellectual atmosphere. The justification for tenure lies in the need for protection from improper influences from either outside or inside the university. Tenure strengthens UI’s ability to attract and retain superior teachers and scholars as members of the faculty. UI’s tenure policy improves the quality of the faculty by requiring that each faculty member’s performance be carefully scrutinized before tenure is granted.

b. General Provisions. Tenure is a condition of presumed continuing employment accorded to a faculty member, usually after a probationary period, on the basis of an evaluation and recommendation by a unit committee and administrator, a college committee and dean, a university committee, the provost, and the president. Prior to the award of tenure, employment beyond the annual term of appointment may not be legally presumed (RGP II.G.1.b). After tenure has been awarded, the faculty member’s service can be terminated only for adequate cause, the burden of proof resting with UI (FSH 3910), except under conditions of financial exigency as declared by the board (FSH 3970), in situations where extreme shifts of enrollment have eliminated the justification for a position, or where the board has authorized elimination or substantial reduction in an academic program (RGP II.G.6.a).

c. Criteria. Tenure is granted only to full-time faculty members (RGP II.G.6.a) who demonstrate that they have made and will continue to make significant contributions in their disciplines through effective performance in the responsibility areas contained in FSH 1565 C as specified in their position description and consistent with university, college and unit criteria. The faculty of each college and unit shall establish substantive tenure criteria consistent with the university requirements for tenure. The criteria shall include a statement regarding the role of interdisciplinary activity and shall be included in college or unit bylaws (see FSH 1590).

d. Tenurable Ranks. The tenurable ranks are assistant professor, associate professor, and professor. Research professors, extension faculty, psychologists, and licensed psychologists can be either tenure track or non-tenure track. See FSH 1565.

A-4. Consideration of Promotion or Tenure Alone. The procedures in this policy apply to all cases including applications for only tenure or only promotion. As used in this policy, “promotion or tenure” means promotion or tenure or both.

B. GENERAL PROVISIONS.

B-1. Delegation. The provost may delegate any of their responsibilities in this policy to a designee.

B-2. Provost’s Administrative Guidance. The process of promotion and tenure is administered by the provost. The provost shall publish guidance necessary for the administration of the promotion and tenure system that is consistent with the Faculty Staff Handbook (FSH) and the Regents of the University of Idaho Governing Policies and Procedures (RGP). This guidance shall be mandatory. The provost’s administrative guidance shall include:

a. Deadlines for the promotion and tenure process;

b. The forms required to document the promotion and tenure process (e.g. dossier submission form, unit voting forms, etc.);

c. Procedures for requesting early consideration for promotion;

d. Requirements for curriculum vitae;
e. Requirements regarding the submission of promotion and tenure dossiers including format, order of materials, page limits for materials, etc.;

f. Requirements for the selection of external reviews for scholarly work;

g. The timing of appointments and relative representation of faculty on the university promotion & tenure committee pursuant to section G-1 herein; and

h. Other matters necessary to ensure the appropriate administration of the promotion and tenure process.

B-3. Committee Problem Resolution. If the unit administrator or the college dean is not able to fill membership on a committee required under this policy, the provost, in consultation with the dean, shall appoint an appropriate faculty member to fill any opening in order to comply with the requirements of this policy. If the provost takes such action under this provision, documentation of the action shall be maintained by the provost.

B-4. Procedural Error Remediation. In the event of a procedural error, the provost shall confer with the dean, unit administrator, and candidate and the parties shall attempt to come to an agreement that resolves the error. Following this process, the provost shall decide the resolution of the procedural error and communicate the decision to the candidate in writing. If the candidate agrees to the resolution in writing, he or she may not later object to the resolution. If the candidate does not agree to the resolution in writing, he or she retains the right to appeal the final institutional decision based on that procedural ground (see H-3 herein). These procedural rules are intended to guide the orderly and fair administration of the promotion and tenure process and should be followed carefully, but a promotion or tenure denial may not be set aside merely because there was a procedural error unless the procedural error materially impacted the outcome.

B-5. Confidentiality. Except as specifically provided herein or in the provost’s administrative guidance, all materials generated in consideration of candidates for promotion or tenure shall not be disclosed to the candidate or to persons having no role in the administration of promotion and tenure policy unless required by law or approved by the provost. Faculty participating in tenure or promotion cases must maintain confidentiality regarding all aspects of the procedure. This prohibition applies not only during the promotion or tenure process but also indefinitely into the future.

B-6. Recusal.

a. Disclosure required. Prior to consideration of candidates, each committee member shall disclose in writing to the other committee members the nature and extent of any relevant relationships and working arrangements with each candidate who will be considered by the committee.

b. Recusal due to conflict of interest. A committee member with a conflict of interest as defined in this policy shall recuse themselves from consideration of each candidate with whom they have a conflict of interest.

c. Conflict of interest defined. For purposes of this policy, conflict of interest means:
   i. The committee member has a “relationship” with the candidate as defined by FSH 6241 Nepotism, or
   ii. The committee member has a conflict of interest as defined by FSH 6240 Conflicts of Interest or Commitment.

d. Objection; disqualification; final decision. Objection to a committee member’s participation based on conflict of interest as defined by this policy or on other grounds may be raised by the candidate, any member of the committee, by the chair of the candidate’s unit, or by the dean of the candidate’s college, and shall be communicated to the provost. If an objection is raised and the committee member refuses to recuse themselves, the dean of the candidate’s college shall decide whether the committee member shall be disqualified from participation, unless the dean is the party raising the objection, in which case the provost shall decide. The decision of the dean or provost, as applicable, is final.
**e. Recusal on other grounds.** A committee member shall recuse themselves from consideration of a candidate if the committee member subjectively determines that they cannot fairly evaluate that candidate’s performance as required by University policy.

**C. SCHEDULE FOR PROMOTION AND TENURE CONSIDERATION.**

**C-1. Promotion.**

**a. Timing of Promotion.** A faculty member shall apply and be considered for promotion according to the schedule below.

1. **Instructors.** Full-time instructors shall be considered for promotion to senior instructor during their sixth year of continuous, full-time service as an instructor. Part-time instructors are not eligible for promotion.

2. **Tenure Track Assistant Professors.** Assistant professors who are on a tenure track shall be considered for promotion at the same time that they are considered for tenure and shall be promoted if they receive tenure (C-2.a herein).

3. **Non-Tenure Track Assistant Professors** Assistant professors who are not on a tenure track shall be considered for promotion during their sixth full year as an assistant professor.

4. **Tenure Track and Non-Tenure Track Associate Professors.** Faculty may be considered for promotion during their sixth full year of service, or thereafter, as an associate professor.

**b. Early Consideration for Promotion.** A faculty member may be considered for promotion at an earlier time than permitted by this policy with the approval of the dean. The process for requesting early consideration for promotion shall be set forth in the provost’s administrative guidance pursuant to B-2 herein.

**c. Reconsideration for Promotion.** When a faculty member has been considered for promotion and not promoted, he or she may apply and be considered again during their third full year of service or later after denial of promotion unless earlier consideration is approved in writing by the dean.

**C-2. Tenure.**

**a. Timing of Tenure.** A faculty member shall apply and be considered by the university for tenure during the sixth full year of probationary service. Consideration at that time is mandatory (RGP II.G.6.b.ii.). If an associate or full professor is not appointed with tenure, they are considered for tenure during the fifth full year of service. Satisfactory service in any tenurable rank may be used to fulfill the probationary period.

**b. Early Consideration for Tenure.** A faculty member may be considered for tenure at an earlier time than permitted by this policy (RGP II.G.6.d.iv.1), with the approval of the provost. The process for requesting early consideration for tenure shall be set forth in the provost’s administrative guidance pursuant to section B-2 herein.

**C-3. Special Circumstances.**

**a. Late Appointments.** When the appointment begins after the eighth week of the start of the academic year (for academic year appointments) or after the eighth week of the fiscal year (for fiscal year appointments) then the timeline for promotion and tenure consideration begins the following year.
b. Transfer between Units.

1. Approval Process. When a faculty member transfers to another unit within UI, the transfer must be approved by the provost in consultation with the units and college dean(s).

2. Impact on Time to Promotion and Tenure. The extent to which service in the first unit counts toward promotion or tenure in the new unit must be communicated to the faculty member in writing by the provost at the time of the transfer. (RGP II.G.6.i.ii.)

3. Tenure Status. Tenure status does not change when a tenured faculty member transfers from one unit to another within UI.

c. Effect of Lapse in Service. A non-tenured faculty member who has left the institution and is subsequently reappointed after a lapse of not more than three (3) years may have their prior service counted toward eligibility for the award of tenure. Eligibility for the award of tenure must be clarified in writing before reappointment. A tenured faculty member who has left the institution and is subsequently reappointed after a lapse of not more than three (3) years must have tenure status clarified in writing by the president before appointment. The faculty member may be reappointed with tenure, or may be required to serve additional years before being reviewed for tenure status. (RGP II.G.6.i)

d. Credit toward Promotion or Tenure at Time of Appointment. Credit toward promotion or tenure may be granted at the time of appointment with the approval of the provost. Such credit must be documented in the letter offering the candidate employment at UI. Where credit toward promotion or tenure is approved, all evidence of success in the faculty member’s areas of responsibility having arisen during the years for which credit is given shall be included in the candidate’s dossier and must be considered in evaluating whether the candidate has demonstrated success in the applicable areas of responsibility. Credit toward promotion and tenure may be granted under the following circumstances:

1. After review of the candidate’s qualifications, the faculty in the unit vote that the candidate meets UI criteria for the rank to be offered, and

2. The candidate has demonstrated outstanding performance of responsibilities relevant to the position for which the person is being appointed through service at another institution, or has made substantial contributions to their field of specialization, and

3. The candidate must complete one full year of employment at UI prior to applying for promotion or tenure.

e. Appointment with Tenure. Appointment with tenure may be offered under the following circumstances:

1. The candidate has attained tenure at another college or university, and

2. After review of the candidate’s qualifications, the faculty in the unit vote that the candidate meets UI criteria for tenure and the rank to be offered, and

3. The candidate has demonstrated performance of responsibilities relevant to the position for which the person is being appointed.

f. Administrative Appointment.

1. The role of an administrator is not tenurable.

2. A faculty member who serves as an academic administrator retains membership in their academic department and their academic rank and tenure. (RGP II.G.6.i.i) The faculty member may resume duties in their academic department when the administrative responsibilities end. (RGP II.G.6.i.iv)
3. A candidate may be initially appointed as an associate or full professor with tenure with the approval of the president. (RGP II.G.6.i.iii) If an administrative appointment carries academic rank, evaluation for tenure is conducted by the unit in which the rank is held.

g. Unit Administrator under Review for Promotion or Tenure. If the unit administrator is scheduled to be evaluated for promotion or tenure, the dean shall fulfill all the responsibilities under this policy normally fulfilled by the unit administrator.

C-4. Extensions.

a. Childbirth or Adoption: A faculty member who becomes the parent of a child by birth or adoption, may request an automatic one-year extension of the timeline for promotion or tenure or both. (RGP II.G.6.d.iv.2.)

b. Other Circumstances: An extension of the timeline for promotion or tenure or both may be granted in other exceptional circumstances (RGP II.G.6.d.iv.2) that may impede a faculty member’s progress toward achieving promotion or tenure, including but not limited to significant responsibilities with respect to elder or dependent care, child care, custody, disability or chronic illness, problems beyond the faculty member’s control relating to their research or scholarly activities, or such other reasons deemed by the provost to be exceptional and likely to impede the faculty member’s progress.

c. Third-Year Review. In the event that an extension is requested and granted before the third-year review, the review is also automatically delayed for one year.

d. Length of Extension. In most cases, extension of the time to tenure or promotion shall be for one year; however, longer extensions may be granted upon a showing of need by the faculty member. Multiple extension requests may be granted.

e. Option to Shorten Extension. A faculty member may choose to be considered for promotion or tenure on their original timeline, even if an extension has been granted.

f. Procedure for Requesting an Extension:

1. The faculty member must request the extension from the provost in writing by March 15 of the calendar year in which the review process begins, as set forth in the provost’s administrative guidance (B-2 herein). The written request must include appropriate documentation of the childbirth, adoption, or other exceptional circumstance.

2. Except to obtain necessary consultative assistance on medical or legal issues, only the provost shall have access to documentation pertaining to a request related to disability or chronic illness. The provost shall, in their discretion, determine if consultation with the dean or unit administrator is appropriate.

3. The approval decision shall be made without regard to whether or not the faculty member takes a leave related to the same circumstances presented for the extension.

4. The provost shall notify the faculty member, unit administrator, and dean of the action taken. The candidate may choose to provide information regarding the extension in their Personal Statement of Accomplishment; otherwise, no information regarding the extension shall be included in the candidate’s dossier, unless such information already exists in the materials to be provided by the unit administrator, as detailed in D-2. If such information already exists in the D-2 materials, the candidate may choose to have that information redacted. Committee and administrator reports shall not mention the extended timeline.
g. **Effect of Extension.** No additional productivity is expected when a faculty member extends the timeline for promotion or tenure. For example, if a tenure decision would customarily take place in the sixth year, and it is extended to the seventh year, the standard of productivity would remain the same as for a tenure decision made in the sixth year.

**D. PROMOTION AND TENURE DOSSIER.** All materials provided by the candidate and by the unit administrator shall be compiled together into a single dossier in the manner prescribed by the provost’s administrative guidance (B-2 herein).

**D-1. Materials to be Provided by the Candidate.** The candidate shall submit the following materials:

- **a. Current Curriculum Vitae.** The curriculum vitae shall be in the required UI format.

- **b. Candidate Statements.** This section is limited to eight pages with an optional one-page COVID impact statement for a maximum of nine pages.

   1. **Context Statement.** The Context Statement is written by the candidate and describes the candidate’s academic unit and the candidate’s responsibilities within their unit as established in the position description. It is intended to inform reviewers about the candidate’s academic environment so that reviewers may consider the similarities and differences between their own academic unit and that of the candidate. The context statement should also describe the expectations placed on the candidate by interdisciplinary programs or research centers, the requirements of joint appointments or other special circumstances. If applicable, the candidate shall indicate their choice of unit criteria for promotion and tenure under which to be evaluated, pursuant to D-2.a.2.

   2. **Personal Statement of Accomplishment.** The Personal Statement of Accomplishment is written by the candidate and interprets their record of accomplishment relevant to the responsibilities in their position description and the criteria for promotion or tenure, but should not duplicate other materials in the dossier. The statement may explain and analyze materials submitted and include a philosophical vision as it relates to the broader impact of accomplishments. The statement should explain the nature of the candidate’s activities so that others will understand them fully for purposes of assessment. The format and method of presentation is a matter of candidate choice.

   3. **COVID Impact Statement (Optional)** In one page, the candidate may describe the effects of the pandemic on their work activities and outcomes during the period of review. Candidates may describe such effects across the four areas of consideration: teaching; scholarship and creative activity; outreach and extension; and university service and leadership.

- **c. Evidence of Accomplishment.** The candidate may provide evidence of accomplishment for each area of responsibility in the position description. Evidence may include examples of scholarly work; evidence of teaching effectiveness as provided in FSH 1565 C-1.a. (note that student course evaluations, and, if applicable, peer evaluations are provided by the unit administrator; see D-2.c.); letters of support, etc. Evidence of Accomplishment shall not include additional narrative regarding promotion or tenure. This section has no page limit.

**D-2. Materials Provided by the Unit Administrator.** The unit administrator shall provide to the candidate items a-d below, in the format prescribed by the provost’s administrative guidance (B-2 herein), at least five business days prior to the beginning of the semester in which the promotion or tenure review is scheduled to begin. After the dossier has been finalized, as described in D-3.c, the unit administrator shall add the external peer review letters described in D-2.e and forward the dossier for the first level of review.

- **a. Bylaw Sections.** College and unit bylaw sections that cover the following areas:

   1. Annual review process and annual performance criteria.
2. Criteria for promotion and tenure. If criteria change during the period under review, the candidate shall choose the version of the criteria by which he or she will be evaluated. If a candidate does not select a version, the version in effect at the time of submission shall be used.

b. Position Descriptions and Annual Evaluations. Copies of the candidate’s position description(s) (FSH 3050) and annual evaluations (FSH 3320) for the period under review.

c. Teaching Effectiveness. If teaching is included in the candidate’s position descriptions, copies of all of the candidate’s student course evaluation summaries (RGP II.G.6.e) for the period under review and peer evaluations of teaching for the period under review as prescribed by the provost’s administrative guidance (B-2 herein).

d. Prior Reports. Copies of any third-year review committee reports and periodic review reports made during the period under review, along with the associated unit administrator’s and dean’s reports (as applicable) and any responses by the candidate to the reports.

e. External Peer Reviews. The unit administrator shall obtain three to five external reviews of the candidate’s performance in the area of scholarly and creative activity, as defined by FSH 1565 C-2. External review shall not be conducted for faculty undergoing third-year review or for nontenure track candidates for promotion with an average of 5% or less responsibility for scholarship or creative activity in their position description during the review period. In the case of tenurable and tenured faculty in Extension, the external review shall focus on the candidate’s performance in the areas of scholarship and creative activity and outreach and extension. All review letters received shall be included in the dossier.

1. Qualifications of Reviewers. External reviewers shall be tenured faculty members who have expertise in areas closely related to the candidate’s expertise. If the review is to be in support of promotion, each reviewer shall be at, or above, the rank the candidate is seeking. Because reviewers are asked to provide independent and objective review, reviewers shall not have a personal or professional relationship with the candidate that could prevent an unbiased assessment.

2. Selection. The reviewers to be solicited shall be chosen by the unit administrator, but at least two reviewers shall come from a list of at least eight qualified reviewers provided by the candidate in writing to the unit administrator by the deadline provided in B-2 herein. If the unit administrator cannot obtain letters from two reviewers on the candidate’s list, the unit administrator shall ask the candidate to identify further potential reviewers. The candidate may also provide the unit administrator with the names of up to two individuals who shall be excluded from consideration as an external reviewer. If the candidate fails to submit either list, the unit administrator shall select reviewers without that input from the candidate. These lists shall not be included in the dossier but shall be kept on record by the unit administrator.

3. Request Letters to the External Reviewers. The letters of request to the reviewers shall be based on a template provided by the provost.

4. Materials Provided to the External Reviewers. The unit administrator shall provide only the candidate’s CV, position descriptions for the period under review, candidate statements from D-1.b herein, up to four examples of the candidate’s scholarly and creative activity chosen by the candidate, and the sections of college and unit bylaws setting forth criteria for promotion or tenure. In the case of tenure-line faculty appointments with extension, the four examples shall include the candidate’s scholarly and creative activity and extension and outreach work chosen by the candidate. The unit administrator shall not provide the complete dossier or any additional materials to external peer reviewers.

5. Criteria for External Review.

a) The review shall be limited to the candidate’s scholarly and creative activity in relation to the applicable tenure and/or promotion criteria and the faculty member’s position description(s). In
the case of tenurable Extension faculty, this review shall encompass scholarship and creative activity and outreach and extension.

b) Reviewers may not be asked to evaluate the candidate pursuant to external criteria such as those at the reviewer’s institution or other professional organizations.

c) The university shall make every effort to keep the names of the reviewers confidential from the candidate. The candidate may request to view the external reviewers’ anonymized evaluations after the final institutional decision is made. Such requests shall be directed to the provost.


1. In the case of interdisciplinary appointments, administrators of units holding the minority of the candidate’s appointment (see A-1.d herein) may provide an additional review letter.

2. In the case of a candidate based at a UI center, the center executive officer may provide an additional review letter.


a. Deadlines for Submission of Candidate Material and Unit Materials. Materials to be provided by the candidate in support of tenure and/or promotion, as described in section D-1, shall be submitted to the unit administrator either prior to the beginning of the semester in which the review is scheduled to begin or prior to the submission of the candidate’s materials to the external reviewers, whichever is earlier. In the event a unit administrator fails to provide materials within the timeline referenced in D-2 above, the candidate’s deadline for submission shall extend to ten days after the provision of materials by the unit administrator.

1. External peer reviews need not be submitted as part of the dossier prior to the deadline, but must be received, if required, prior to any consideration of the dossier.

2. The dossier may be supplemented with scholarship or creative accomplishments occurring after submission. Supplementation must be made pursuant to the provost’s administrative guidance.

b. Failure to Submit Candidate Materials by Deadline. Candidates are expected to follow the submission timeline contained in the provost’s administrative guidance. A candidate who does not submit the materials described in D-1 by the deadline described in D-3.a of the mandatory year, or of the tenure consideration year as adjusted pursuant to an extension under section C-4, is deemed to have been denied tenure as of the deadline.

c. Finalization of Dossier. Submission is final when the candidate has signed a dossier submission form and provided the signed dossier submission form to the unit administrator. Other than supplementation provided in D-3.a herein, the dossier is final when submitted and may not be supplemented or altered after submission.

E. UNIT LEVEL REVIEW.

E-1. Unit Promotion and Tenure Committee.

a. Membership. The unit faculty shall elect a promotion and tenure committee for each candidate according to the criteria below. The unit faculty may delegate the selection of committee members to the unit administrator.
1. The committee shall be composed of five faculty members. At least three members shall be tenured faculty members in the unit. At least one member shall be a tenured faculty member from outside the unit.

2. The committee shall elect a chair from among their tenured members.

3. Because the promotion and tenure committee is a personnel committee, students and non-university employees shall not serve on the committee.

4. In cases considering promotion to full professor, the committee shall include at least one full professor.

5. Neither the unit administrator nor the dean may serve as a member of a unit promotion and tenure committee.

6. If there are not three tenured faculty members available to serve on the committee, or a full professor in a case considering promotion to full professor, the unit administrator, in consultation with the dean, shall designate appropriate faculty members from other units whose areas of expertise are as closely related as possible to the work of the candidate. One such member may chair the committee if there is not a tenured member from the unit available to serve as chair.

7. Upon request by the candidate to the unit administrator, the unit administrator shall provide the candidate with the names of the committee members.

**b. Basis for Evaluation.** The unit administrator shall submit the completed dossier to the chair of the unit promotion and tenure committee. The review shall be based on the dossier. The committee shall not meet until the dossier has been available to all members for a minimum of five business days. The committee shall evaluate the candidate in light of the unit, college and university criteria for tenure and/or promotion.

**c. Unit Promotion and Tenure Committee Report.** The committee shall write a report recommending whether the candidate should be promoted and/or tenured. For each candidate, the report shall include a brief rationale for the committee’s recommendations and an anonymized record of the committee’s vote for or against tenure or promotion of each candidate. Abstentions are not allowed. The chair of the committee shall deliver the report to the unit administrator. The report shall not be shared with faculty who are not members of the college or university promotion and tenure committees.

**E-2. Unit Faculty Voting.**

**a. General.**

1. The dossier must be made available a minimum of five business days prior to any voting.

2. Faculty who are eligible to vote may assemble to deliberate prior to voting.

3. Voting shall occur using a signed, written ballot in a format provided in the provost’s administrative guidance in B-2 herein.

4. Faculty members may submit evaluative comments as part of their ballot to the unit administrator.

5. Unit faculty voting results shall not be shared with the candidate’s promotion and tenure committee.

6. Faculty are not required to vote but are encouraged to do so.

**b. Voting by Tenured Faculty.** In the case of tenure, the unit administrator shall solicit the vote of all tenured faculty members of the candidate’s unit regarding whether the candidate should be granted tenure. Non-tenured faculty shall not be eligible to vote.
c. Voting by Promoted Faculty. In the case of promotion, the unit administrator shall solicit the vote of all faculty members of the candidate’s unit of the same or higher rank as that to which the candidate seeks promotion. Faculty members of lower rank shall not be eligible to vote.

E-3. Unit Administrator.

a. Unit Administrator’s Report. The unit administrator shall prepare a written report after considering the tenure and/or promotion dossier, the unit promotion and tenure committee report, and the unit voting results. The unit administrator’s report shall include the anonymized voting results as well as the administrator’s recommendation for or against tenure and/or promotion in light of the unit, college and university criteria for tenure and/or promotion. In the event that the administrator submitting the recommendation has not had at least one year to evaluate the candidate, he or she shall disclose this as part of the report.

b. Transmission of Reports to the Candidate and Written Response. The unit administrator shall provide the candidate with copies of the unit administrator’s report and the report of the unit promotion and tenure committee. The candidate may provide a written response to the reports within five business days after receiving the reports.

E-4. Forwarding Materials. The unit administrator shall forward the tenure and/or promotion dossier and all reports and the candidate’s response, if any, to the dean.

F. COLLEGE LEVEL REVIEW.

F-1. College Promotion and Tenure Committee. Each college having more than one unit shall have a standing promotion and tenure committee. The members shall be tenured and shall serve staggered three-year terms. Each unit within the college shall be represented by one faculty member, to be selected as follows: Each unit shall nominate two faculty members, from which the dean shall select one, giving consideration to representational balance in the makeup of the committee. The committee shall elect its chair from among its members or may elect the dean or associate dean to serve as chair without vote. For the College of Business and Economics each major area shall serve as a “unit” for purposes of section F. Names of committee members shall be provided to the candidate upon request to the dean.

F-2. College Promotion and Tenure Committee Evaluation and Report. The committee shall not meet until the dossier has been available to all members for a minimum of five business days. The committee shall evaluate the dossier in light of the unit, college and university criteria. The committee chair shall write a report for each candidate recommending whether the candidate should be promoted and/or tenured. For each candidate, the report shall include a brief rationale for the committee’s recommendations and an anonymized record of the committee’s vote for or against tenure and/or promotion of each candidate. Abstentions are not allowed. A tie vote will result in a recommendation of “undecided.”

F-3. Dean’s Report. The dean shall evaluate the candidate in light of the unit, college and university criteria for tenure and/or promotion then make a written recommendation as to whether each candidate should be promoted and/or tenured after considering the materials presented in the dossier (including all reports, responses and polling information), and advice of the college committee. The dean may also confer individually or collectively with unit administrators about the qualifications of the candidate.

F-4. Transmission of Reports to Candidate and Written Response. The dean shall provide the candidate with copies of the dean’s report and the college promotion and tenure committee report. The candidate may provide a written response to the reports within five business days after receiving the reports.

F-5. Forwarding Materials. The dean shall forward the completed tenure and/or promotion dossier and all reports, recommendations, and responses to the provost.

G. UNIVERSITY LEVEL REVIEW.
G-1. University Promotion and Tenure Committee Composition. A university promotion and tenure committee of faculty members, chaired by the provost without vote, is appointed each year. If, in the discretion of the provost, the number of dossiers to be considered exceeds the capacity of the committee, one or more additional University Promotion and Tenure Committees may be formed using the procedure below.

a. Nominations. One-third of the committee’s membership shall be selected by the provost from the previous year’s committee; the remaining members shall be selected by the provost and the chair and vice chair of the Faculty Senate from nominations submitted by the senators. The delegation representing the College of Letters, Arts and Social Sciences on Faculty Senate nominates four faculty members who should be representative of the breadth of the disciplines within the college. The delegation representing the College of Agricultural & Life Sciences on Faculty Senate nominates four faculty members from the college comprising two each from (a) faculty with greater than 50% teaching and research appointments and (b) faculty with greater than 50% University of Idaho Extension appointments. The Faculty Senate delegations from the other colleges and the Faculty-at-Large each nominate two faculty members from their constituencies. If senators from a college do not submit nominations by the deadline announced by the provost, the provost shall appoint members from that college, as specified in G-1-b-2 herein.

b. Membership. The membership of the committee shall be as follows:

1. The vice president for research, the dean of the College of Graduate Studies and the provost’s designee with primary responsibility for faculty promotion and tenure, to serve ex officio (without vote).

2. Two representatives from the College of Letters, Arts and Social Sciences, two representatives from the College of Agricultural & Life Sciences, and one representative from each of the other colleges and the Faculty-at-Large.

3. The committee shall include at least one tenured faculty member (RGP II.G.6.e).

4. Upon request by the candidate to the provost, the provost shall provide the candidate with the names of the committee members.

G-2. University Promotion and Tenure Committee Vote. The committee shall not meet until the dossier has been available to all members for at least two weeks. The committee shall deliberate and vote for or against tenure and/or promotion of each candidate in light of the unit, college and university criteria for tenure and/or promotion. Abstentions are not allowed.

G-3. Provost’s Report. The provost shall write a report to the president making a recommendation regarding tenure and/or promotion of each candidate in light of the unit, college and university criteria for tenure and/or promotion. The report shall include a rationale for each recommendation and the anonymized results of voting from the university promotion and tenure committee.

H. DECISION.

H-1. Presidential Approval. The president shall confer with the provost and make the decision regarding tenure and/or promotion for each candidate in light of the unit, college and university criteria for tenure and/or promotion. The awarding of tenure and/or promotion to an eligible faculty member is made only by a positive action of approval by the president.

H-2. Notice to the Candidate. The president shall give notice in writing to the candidate of the granting or denial of tenure and/or promotion by May 1 of the academic year in which the decision is made. (RGP II.G.6.c.) The provost’s recommendation shall be forwarded to the candidate at that time. Notwithstanding any provisions in this section to the contrary, no person is deemed to have been awarded tenure solely because notice is not given or received by the prescribed times. If the president fails to notify the candidate of the decision within the required timeframe, it is the responsibility of the candidate to inquire as to the decision.
**H-3. Appeals.** Appeals regarding promotion or tenure may be filed only after the final decision of the president, which shall be considered the institutional decision (see FSH 3840 B-2).

**H-4. Denial of Tenure.** If a faculty member is not awarded tenure, the president, at their discretion, may:

a. Notify the faculty member that the contract year in which the tenure decision is made is the terminal year of employment (RGP II.G.6.k.), or

b. Issue a contract for a terminal year of employment following the year in which the tenure decision is made (RGP II.G.6.j), or

c. Issue to the faculty member contracts of employment for successive periods of one (1) year each. Such appointment for faculty members not awarded tenure must be on an annual basis, and such temporary appointments do not vest in the faculty member any of the rights inherent in tenure and there shall be no continued expectation of employment beyond the annual appointment (RGP II.G.6.j).

d. A candidate who is denied tenure is still eligible for employment at the University in nontenurable positions.

**Version History**

**Amended July 2022.** In response to feedback collected from faculty and administrators, extensive revisions, clarifications, and editorial changes were made. In addition, the May 2021 temporary emergency changes were permanently adopted.

**Amended May 2021.** President Green adopted temporary emergency changes affecting sections D-1.b. and D-2.e.

**Amended July 2021.** Section A-2.a. was revised to state the purpose of promotion; D-2.e.4. to clarify contents of packet for external review; and F-1 to require consideration of representational balance.

**Adopted January 2020.** The university’s promotion and tenure policies were comprehensively revised in order to unify all provisions regarding procedure in the Faculty Staff Handbook and to help faculty and reviewers by clarifying the procedure. The following changes were approved: Deletion of FSH 3520, 3560, and 3570; revision of FSH 3530; and addition of new FSH 3500 and 3510.
POLICY COVER SHEET
For instructions on policy creation and change, please see https://www.uidaho.edu/governance/policy

All policies must be reviewed, approved, and returned by the policy sponsor, with a cover sheet attached, to ui-policy@uidaho.edu.

Faculty Staff Handbook (FSH)
☐ Addition ☐ Revision* ☐ Deletion* ☐ Interim ☐ Minor Amendment
Policy Number & Title: FSH 3500 PROMOTION AND TENURE

Administrative Procedures Manual (APM)
☐ Addition ☐ Revision* ☐ Deletion* ☐ Interim ☐ Minor Amendment
Policy Number & Title:

*Note: If revision or deletion, request original document from ui-policy@uidaho.edu. All changes must be made using “track changes.”

Originator: Ryanne Pilgeram, FAC Chair

Policy Sponsor, if different from Originator: Diane Kelly-Riley, Vice Provost for Faculty

Reviewed by General Counsel ☐ Yes ☒ No ☐ Name & Date:

1. **Policy/Procedure Statement:** Briefly explain the reason for the proposed addition, revision, and/or deletion.

   This revision provides for the formation of an additional University Promotion and Tenure Committee in years when, in the discretion of the provost, the number of dossiers to be considered exceeds the capacity of a single committee.

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

   None.

3. **Related Policies/Procedures:** Describe other UI policies or procedures related or similar to this proposed change, or that will be impacted by it.

   None.

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

   To be effective immediately upon approval.
FSH 3500
PROMOTION AND TENURE

A. INTRODUCTION. FSH 3500 contains all official University promotion and tenure procedure and supersedes any promotion or tenure procedure contained in college or unit bylaws.

A-1. Definitions.

a. Academic Administrator. “Academic administrator” means the president, provost, vice provosts, deans, associate deans, and department chairs/directors of academic units, and vice president for research, and shall not include persons occupying other administrative positions. (RGP II.G.6.i.i.)

b. Board. “Board” refers to the State Board of Education and Board of Regents of the University of Idaho.

c. Faculty Member. “Faculty member” means any member of the university faculty who holds one of the following ranks: instructor, senior instructor, assistant professor, associate professor, or professor.

d. Period under Review. The “period under review” includes all years since appointment to the candidate’s current rank.

e. Unit. “Unit” means a school, division, department, or program (i.e., the first organizational unit below the college level), but the College of Law, WWAMI, Library, and the Counseling and Testing Center shall be considered to be units. For Extension educators, the unit shall be the Extension district.

f. Unit Administrator. The “unit administrator” is the administrator of the unit that holds faculty member’s appointment. In the case of an interdisciplinary appointment, the administrator of the unit that holds the majority of the appointment shall be considered the unit administrator.

g. University. “University” and “UI” refer to the University of Idaho.

A-2. Faculty Promotion.

a. Purpose. Academic rank represents and rewards the individual’s performance as a scholar, teacher, and faculty member. Promotion to a higher rank is not automatic but is a decision made on an individual basis subject to university, college, and unit criteria.

b. Criteria. Promotion to a rank requires the candidate to meet the requirements for that rank. Promotion is awarded only to candidates who effectively perform in the responsibility areas contained in FSH 1565 C as specified in the candidate’s position description, and who meet university, college and unit criteria for promotion. Decisions are based on thorough and uniform evaluation of the candidate’s performance and granted only when there is reasonable assurance, based on performance, that the candidate will continue to meet the criteria for promotion. The faculty of each college and unit shall establish in their bylaws substantive promotion criteria for all types of faculty existing within that college or unit (e.g. regular faculty, clinical faculty, research faculty, etc.), consistent with university requirements. The criteria shall include a statement regarding the role of interdisciplinary activity and shall be included in college or unit bylaws (see FSH 1590).

c. Non-Tenure Track Faculty Promotion. Non-tenure track positions at the assistant and associate professor level are eligible for promotion to the next rank. Full-time instructors are eligible for promotion
to senior instructor. Senior instructor is not a rank from which a faculty member may be promoted (FSH 1565 D-1.b).

A-3. Faculty Tenure.

a. **Purpose.** Tenure is intended to protect academic freedom in order to maintain a free and open intellectual atmosphere. The justification for tenure lies in the need for protection from improper influences from either outside or inside the university. Tenure strengthens UI’s ability to attract and retain superior teachers and scholars as members of the faculty. UI’s tenure policy improves the quality of the faculty by requiring that each faculty member’s performance be carefully scrutinized before tenure is granted.

b. **General Provisions.** Tenure is a condition of presumed continuing employment accorded to a faculty member, usually after a probationary period, on the basis of an evaluation and recommendation by a unit committee and administrator, a college committee and dean, a university committee, the provost, and the president. Prior to the award of tenure, employment beyond the annual term of appointment may not be legally presumed (RGP II.G.1.b). After tenure has been awarded, the faculty member’s service can be terminated only for adequate cause, the burden of proof resting with UI (FSH 3910), except under conditions of financial exigency as declared by the board (FSH 3970), in situations where extreme shifts of enrollment have eliminated the justification for a position, or where the board has authorized elimination or substantial reduction in an academic program (RGP II.G.6.a).

c. **Criteria.** Tenure is granted only to full-time faculty members (RGP II.G.6.a) who demonstrate that they have made and will continue to make significant contributions in their disciplines through effective performance in the responsibility areas contained in FSH 1565 C as specified in their position description and consistent with university, college and unit criteria. The faculty of each college and unit shall establish substantive tenure criteria consistent with the university requirements for tenure. The criteria shall include a statement regarding the role of interdisciplinary activity and shall be included in college or unit bylaws (see FSH 1590).

d. **Tenurable Ranks.** The tenurable ranks are assistant professor, associate professor, and professor. Research professors, extension faculty, psychologists, and licensed psychologists can be either tenure track or non-tenure track. See FSH 1565.

A-4. Consideration of Promotion or Tenure Alone. The procedures in this policy apply to all cases including applications for only tenure or only promotion. As used in this policy, “promotion or tenure” means promotion or tenure or both.

B. GENERAL PROVISIONS.

B-1. **Delegation.** The provost may delegate any of their responsibilities in this policy to a designee.

B-2. **Provost’s Administrative Guidance.** The process of promotion and tenure is administered by the provost. The provost shall publish guidance necessary for the administration of the promotion and tenure system that is consistent with the *Faculty Staff Handbook (FSH)* and the *Regents of the University of Idaho Governing Policies and Procedures (RGP)*. This guidance shall be mandatory. The provost’s administrative guidance shall include:

a. Deadlines for the promotion and tenure process;

b. The forms required to document the promotion and tenure process (e.g. dossier submission form, unit voting forms, etc.);

c. Procedures for requesting early consideration for promotion;

d. Requirements for curriculum vitae;
e. Requirements regarding the submission of promotion and tenure dossiers including format, order of materials, page limits for materials, etc.;

f. Requirements for the selection of external reviews for scholarly work;

g. The timing of appointments and relative representation of faculty on the university promotion & tenure committee pursuant to section G-1 herein; and

h. Other matters necessary to ensure the appropriate administration of the promotion and tenure process.

B-3. Committee Problem Resolution. If the unit administrator or the college dean is not able to fill membership on a committee required under this policy, the provost, in consultation with the dean, shall appoint an appropriate faculty member to fill any opening in order to comply with the requirements of this policy. If the provost takes such action under this provision, documentation of the action shall be maintained by the provost.

B-4. Procedural Error Remediation. In the event of a procedural error, the provost shall confer with the dean, unit administrator, and candidate and the parties shall attempt to come to an agreement that resolves the error. Following this process, the provost shall decide the resolution of the procedural error and communicate the decision to the candidate in writing. If the candidate agrees to the resolution in writing, he or she may not later object to the resolution. If the candidate does not agree to the resolution in writing, he or she retains the right to appeal the final institutional decision based on that procedural ground (see H-3 herein). These procedural rules are intended to guide the orderly and fair administration of the promotion and tenure process and should be followed carefully, but a promotion or tenure denial may not be set aside merely because there was a procedural error unless the procedural error materially impacted the outcome.

B-5. Confidentiality. Except as specifically provided herein or in the provost’s administrative guidance, all materials generated in consideration of candidates for promotion or tenure shall not be disclosed to the candidate or to persons having no role in the administration of promotion and tenure policy unless required by law or approved by the provost. Faculty participating in tenure or promotion cases must maintain confidentiality regarding all aspects of the procedure. This prohibition applies not only during the promotion or tenure process but also indefinitely into the future.

B-6. Recusal.

a. Disclosure required. Prior to consideration of candidates, each committee member shall disclose in writing to the other committee members the nature and extent of any relevant relationships and working arrangements with each candidate who will be considered by the committee.

b. Recusal due to conflict of interest. A committee member with a conflict of interest as defined in this policy shall recuse themselves from consideration of each candidate with whom they have a conflict of interest.

c. Conflict of interest defined. For purposes of this policy, conflict of interest means:
   i. The committee member has a “relationship” with the candidate as defined by FSH 6241 Nepotism, or
   ii. The committee member has a conflict of interest as defined by FSH 6240 Conflicts of Interest or Commitment.

d. Objection; disqualification: final decision. Objection to a committee member’s participation based on conflict of interest as defined by this policy or on other grounds may be raised by the candidate, any member of the committee, by the chair of the candidate’s unit, or by the dean of the candidate’s college, and shall be communicated to the provost. If an objection is raised and the committee member refuses to recuse themselves, the dean of the candidate’s college shall decide whether the committee member shall be disqualified from participation, unless the dean is the party raising the objection, in which case the provost shall decide. The decision of the dean or provost, as applicable, is final.
e. Recusal on other grounds. A committee member shall recuse themselves from consideration of a candidate if the committee member subjectively determines that they cannot fairly evaluate that candidate’s performance as required by University policy.

C. SCHEDULE FOR PROMOTION AND TENURE CONSIDERATION.

C-1. Promotion.

a. Timing of Promotion. A faculty member shall apply and be considered for promotion according to the schedule below.

1. Instructors. Full-time instructors shall be considered for promotion to senior instructor during their sixth year of continuous, full-time service as an instructor. Part-time instructors are not eligible for promotion.

2. Tenure Track Assistant Professors. Assistant professors who are on a tenure track shall be considered for promotion at the same time that they are considered for tenure and shall be promoted if they receive tenure (C-2.a herein).

3. Non-Tenure Track Assistant Professors Assistant professors who are not on a tenure track shall be considered for promotion during their sixth full year as an assistant professor.

4. Tenure Track and Non-Tenure Track Associate Professors. Faculty may be considered for promotion during their sixth full year of service, or thereafter, as an associate professor.

b. Early Consideration for Promotion. A faculty member may be considered for promotion at an earlier time than permitted by this policy with the approval of the dean. The process for requesting early consideration for promotion shall be set forth in the provost’s administrative guidance pursuant to B-2 herein.

c. Reconsideration for Promotion. When a faculty member has been considered for promotion and not promoted, he or she may apply and be considered again during their third full year of service or later after denial of promotion unless earlier consideration is approved in writing by the dean.

C-2. Tenure.

a. Timing of Tenure. A faculty member shall apply and be considered by the university for tenure during the sixth full year of probationary service. Consideration at that time is mandatory (RGP II.G.6.b.ii.). If an associate or full professor is not appointed with tenure, they are considered for tenure during the fifth full year of service. Satisfactory service in any tenurable rank may be used to fulfill the probationary period.

b. Early Consideration for Tenure. A faculty member may be considered for tenure at an earlier time than permitted by this policy (RGP II.G.6.d.iv.1), with the approval of the provost. The process for requesting early consideration for tenure shall be set forth in the provost’s administrative guidance pursuant to section B-2 herein.

C-3. Special Circumstances.

a. Late Appointments. When the appointment begins after the eighth week of the start of the academic year (for academic year appointments) or after the eighth week of the fiscal year (for fiscal year appointments) then the timeline for promotion and tenure consideration begins the following year.
b. Transfer between Units.

1. Approval Process. When a faculty member transfers to another unit within UI, the transfer must be approved by the provost in consultation with the units and college dean(s).

2. Impact on Time to Promotion and Tenure. The extent to which service in the first unit counts toward promotion or tenure in the new unit must be communicated to the faculty member in writing by the provost at the time of the transfer. (RGP II.G.6.i.ii)

3. Tenure Status. Tenure status does not change when a tenured faculty member transfers from one unit to another within UI.

c. Effect of Lapse in Service. A non-tenured faculty member who has left the institution and is subsequently reappointed after a lapse of not more than three (3) years may have their prior service counted toward eligibility for the award of tenure. Eligibility for the award of tenure must be clarified in writing before reappointment. A tenured faculty member who has left the institution and is subsequently reappointed after a lapse of not more than three (3) years must have tenure status clarified in writing by the president before appointment. The faculty member may be reappointed with tenure, or may be required to serve additional years before being reviewed for tenure status. (RGP II.G.6.i)

d. Credit toward Promotion or Tenure at Time of Appointment. Credit toward promotion or tenure may be granted at the time of appointment with the approval of the provost. Such credit must be documented in the letter offering the candidate employment at UI. Where credit toward promotion or tenure is approved, all evidence of success in the faculty member’s areas of responsibility having arisen during the years for which credit is given shall be included in the candidate’s dossier and must be considered in evaluating whether the candidate has demonstrated success in the applicable areas of responsibility. Credit toward promotion and tenure may be granted under the following circumstances:

1. After review of the candidate’s qualifications, the faculty in the unit vote that the candidate meets UI criteria for the rank to be offered, and
2. The candidate has demonstrated outstanding performance of responsibilities relevant to the position for which the person is being appointed through service at another institution, or has made substantial contributions to their field of specialization, and
3. The candidate must complete one full year of employment at UI prior to applying for promotion or tenure.

e. Appointment with Tenure. Appointment with tenure may be offered under the following circumstances:

1. The candidate has attained tenure at another college or university, and
2. After review of the candidate’s qualifications, the faculty in the unit vote that the candidate meets UI criteria for tenure and the rank to be offered, and
3. The candidate has demonstrated performance of responsibilities relevant to the position for which the person is being appointed.

f. Administrative Appointment.

1. The role of an administrator is not tenurable.
2. A faculty member who serves as an academic administrator retains membership in their academic department and their academic rank and tenure. (RGP II.G.6.i) The faculty member may resume duties in their academic department when the administrative responsibilities end. (RGP II.G.6.i.iv)
3. A candidate may be initially appointed as an associate or full professor with tenure with the approval of the president. (RGP II.G.6.i.iii) If an administrative appointment carries academic rank, evaluation for tenure is conducted by the unit in which the rank is held.

g. Unit Administrator under Review for Promotion or Tenure. If the unit administrator is scheduled to be evaluated for promotion or tenure, the dean shall fulfill all the responsibilities under this policy normally fulfilled by the unit administrator.

C-4. Extensions.

a. Childbirth or Adoption: A faculty member who becomes the parent of a child by birth or adoption, may request an automatic one-year extension of the timeline for promotion or tenure or both. (RGP II.G.6.d.iv.2.)

b. Other Circumstances: An extension of the timeline for promotion or tenure or both may be granted in other exceptional circumstances (RGP II.G.6.d.iv.2) that may impede a faculty member’s progress toward achieving promotion or tenure, including but not limited to significant responsibilities with respect to elder or dependent care, child care, custody, disability or chronic illness, problems beyond the faculty member’s control relating to their research or scholarly activities, or such other reasons deemed by the provost to be exceptional and likely to impede the faculty member’s progress.

c. Third-Year Review. In the event that an extension is requested and granted before the third-year review, the review is also automatically delayed for one year.

d. Length of Extension. In most cases, extension of the time to tenure or promotion shall be for one year; however, longer extensions may be granted upon a showing of need by the faculty member. Multiple extension requests may be granted.

e. Option to Shorten Extension. A faculty member may choose to be considered for promotion or tenure on their original timeline, even if an extension has been granted.

f. Procedure for Requesting an Extension:

1. The faculty member must request the extension from the provost in writing by March 15 of the calendar year in which the review process begins, as set forth in the provost’s administrative guidance (B-2 herein). The written request must include appropriate documentation of the childbirth, adoption, or other exceptional circumstance.

2. Except to obtain necessary consultative assistance on medical or legal issues, only the provost shall have access to documentation pertaining to a request related to disability or chronic illness. The provost shall, in their discretion, determine if consultation with the dean or unit administrator is appropriate.

3. The approval decision shall be made without regard to whether or not the faculty member takes a leave related to the same circumstances presented for the extension.

4. The provost shall notify the faculty member, unit administrator, and dean of the action taken. The candidate may choose to provide information regarding the extension in their Personal Statement of Accomplishment; otherwise, no information regarding the extension shall be included in the candidate’s dossier, unless such information already exists in the materials to be provided by the unit administrator, as detailed in D-2. If such information already exists in the D-2 materials, the candidate may choose to have that information redacted. Committee and administrator reports shall not mention the extended timeline.
g. **Effect of Extension.** No additional productivity is expected when a faculty member extends the timeline for promotion or tenure. For example, if a tenure decision would customarily take place in the sixth year, and it is extended to the seventh year, the standard of productivity would remain the same as for a tenure decision made in the sixth year.

**D. PROMOTION AND TENURE DOSSIER.** All materials provided by the candidate and by the unit administrator shall be compiled together into a single dossier in the manner prescribed by the provost’s administrative guidance (B-2 herein).

**D-1. Materials to be Provided by the Candidate.** The candidate shall submit the following materials:

a. **Current Curriculum Vitae.** The curriculum vitae shall be in the required UI format.

b. **Candidate Statements.** This section is limited to eight pages with an optional one-page COVID impact statement for a maximum of nine pages.

   1. **Context Statement.** The Context Statement is written by the candidate and describes the candidate’s academic unit and the candidate’s responsibilities within their unit as established in the position description. It is intended to inform reviewers about the candidate’s academic environment so that reviewers may consider the similarities and differences between their own academic unit and that of the candidate. The context statement should also describe the expectations placed on the candidate by interdisciplinary programs or research centers, the requirements of joint appointments or other special circumstances. If applicable, the candidate shall indicate their choice of unit criteria for promotion and tenure under which to be evaluated, pursuant to D-2.a.2.

   2. **Personal Statement of Accomplishment.** The Personal Statement of Accomplishment is written by the candidate and interprets their record of accomplishment relevant to the responsibilities in their position description and the criteria for promotion or tenure, but should not duplicate other materials in the dossier. The statement may explain and analyze materials submitted and include a philosophical vision as it relates to the broader impact of accomplishments. The statement should explain the nature of the candidate’s activities so that others will understand them fully for purposes of assessment. The format and method of presentation is a matter of candidate choice.

   3. **COVID Impact Statement (Optional)** In one page, the candidate may describe the effects of the pandemic on their work activities and outcomes during the period of review. Candidates may describe such effects across the four areas of consideration: teaching; scholarship and creative activity; outreach and extension; and university service and leadership.

c. **Evidence of Accomplishment.** The candidate may provide evidence of accomplishment for each area of responsibility in the position description. Evidence may include examples of scholarly work; evidence of teaching effectiveness as provided in FSH 1565 C-1.a. (note that student course evaluations, and, if applicable, peer evaluations are provided by the unit administrator; see D-2.c); letters of support, etc. Evidence of Accomplishment shall not include additional narrative regarding promotion or tenure. This section has no page limit.

**D-2. Materials Provided by the Unit Administrator.** The unit administrator shall provide to the candidate items a-d below, in the format prescribed by the provost’s administrative guidance (B-2 herein), at least five business days prior to the beginning of the semester in which the promotion or tenure review is scheduled to begin. After the dossier has been finalized, as described in D-3.c, the unit administrator shall add the external peer review letters described in D-2.e and forward the dossier for the first level of review.

a. **Bylaw Sections.** College and unit bylaw sections that cover the following areas:

   1. Annual review process and annual performance criteria.
2. Criteria for promotion and tenure. If criteria change during the period under review, the candidate shall choose the version of the criteria by which he or she will be evaluated. If a candidate does not select a version, the version in effect at the time of submission shall be used.

b. Position Descriptions and Annual Evaluations. Copies of the candidate’s position description(s) (FSH 3050) and annual evaluations (FSH 3320) for the period under review.

c. Teaching Effectiveness. If teaching is included in the candidate’s position descriptions, copies of all of the candidate’s student course evaluation summaries (RGP II.G.6.e) for the period under review and peer evaluations of teaching for the period under review as prescribed by the provost’s administrative guidance (B-2 herein).

d. Prior Reports. Copies of any third-year review committee reports and periodic review reports made during the period under review, along with the associated unit administrator’s and dean’s reports (as applicable) and any responses by the candidate to the reports.

e. External Peer Reviews. The unit administrator shall obtain three to five external reviews of the candidate’s performance in the area of scholarly and creative activity, as defined by FSH 1565 C-2. External review shall not be conducted for faculty undergoing third-year review or for nontenure track candidates for promotion with an average of 5% or less responsibility for scholarship or creative activity in their position description during the review period. In the case of tenurable and tenured faculty in Extension, the external review shall focus on the candidate’s performance in the areas of scholarship and creative activity and outreach and extension. All review letters received shall be included in the dossier.

   1. Qualifications of Reviewers. External reviewers shall be tenured faculty members who have expertise in areas closely related to the candidate’s expertise. If the review is to be in support of promotion, each reviewer shall be at, or above, the rank the candidate is seeking. Because reviewers are asked to provide independent and objective review, reviewers shall not have a personal or professional relationship with the candidate that could prevent an unbiased assessment.

   2. Selection. The reviewers to be solicited shall be chosen by the unit administrator, but at least two reviewers shall come from a list of at least eight qualified reviewers provided by the candidate in writing to the unit administrator by the deadline provided in B-2 herein. If the unit administrator cannot obtain letters from two reviewers on the candidate’s list, the unit administrator shall ask the candidate to identify further potential reviewers. The candidate may also provide the unit administrator with the names of up to two individuals who shall be excluded from consideration as an external reviewer. If the candidate fails to submit either list, the unit administrator shall select reviewers without that input from the candidate. These lists shall not be included in the dossier but shall be kept on record by the unit administrator.

   3. Request Letters to the External Reviewers. The letters of request to the reviewers shall be based on a template provided by the provost.

   4. Materials Provided to the External Reviewers. The unit administrator shall provide only the candidate’s CV, position descriptions for the period under review, candidate statements from D-1.b herein, up to four examples of the candidate’s scholarly and creative activity chosen by the candidate, and the sections of college and unit bylaws setting forth criteria for promotion or tenure. In the case of tenure-line faculty appointments with extension, the four examples shall include the candidate’s scholarly and creative activity and extension and outreach work chosen by the candidate. The unit administrator shall not provide the complete dossier or any additional materials to external peer reviewers.

   5. Criteria for External Review.

       a) The review shall be limited to the candidate’s scholarly and creative activity in relation to the applicable tenure and/or promotion criteria and the faculty member’s position description(s). In
the case of tenurable Extension faculty, this review shall encompass scholarship and creative activity and outreach and extension.

b) Reviewers may not be asked to evaluate the candidate pursuant to external criteria such as those at the reviewer’s institution or other professional organizations.

c) The university shall make every effort to keep the names of the reviewers confidential from the candidate. The candidate may request to view the external reviewers’ anonymized evaluations after the final institutional decision is made. Such requests shall be directed to the provost.


1. In the case of interdisciplinary appointments, administrators of units holding the minority of the candidate’s appointment (see A-1.d herein) may provide an additional review letter.

2. In the case of a candidate based at a UI center, the center executive officer may provide an additional review letter.


a. Deadlines for Submission of Candidate Material and Unit Materials. Materials to be provided by the candidate in support of tenure and/or promotion, as described in section D-1, shall be submitted to the unit administrator either prior to the beginning of the semester in which the review is scheduled to begin or prior to the submission of the candidate’s materials to the external reviewers, whichever is earlier. In the event a unit administrator fails to provide materials within the timeline referenced in D-2 above, the candidate’s deadline for submission shall extend to ten days after the provision of materials by the unit administrator.

1. External peer reviews need not be submitted as part of the dossier prior to the deadline, but must be received, if required, prior to any consideration of the dossier.

2. The dossier may be supplemented with scholarship or creative accomplishments occurring after submission. Supplementation must be made pursuant to the provost’s administrative guidance.

b. Failure to Submit Candidate Materials by Deadline. Candidates are expected to follow the submission timeline contained in the provost’s administrative guidance. A candidate who does not submit the materials described in D-1 by the deadline described in D-3.a of the mandatory year, or of the tenure consideration year as adjusted pursuant to an extension under section C-4, is deemed to have been denied tenure as of the deadline.

c. Finalization of Dossier. Submission is final when the candidate has signed a dossier submission form and provided the signed dossier submission form to the unit administrator. Other than supplementation provided in D-3.a herein, the dossier is final when submitted and may not be supplemented or altered after submission.

E. UNIT LEVEL REVIEW.

E-1. Unit Promotion and Tenure Committee.

a. Membership. The unit faculty shall elect a promotion and tenure committee for each candidate according to the criteria below. The unit faculty may delegate the selection of committee members to the unit administrator.
1. The committee shall be composed of five faculty members. At least three members shall be tenured faculty members in the unit. At least one member shall be a tenured faculty member from outside the unit.

2. The committee shall elect a chair from among their tenured members.

3. Because the promotion and tenure committee is a personnel committee, students and non-university employees shall not serve on the committee.

4. In cases considering promotion to full professor, the committee shall include at least one full professor.

5. Neither the unit administrator nor the dean may serve as a member of a unit promotion and tenure committee.

6. If there are not three tenured faculty members available to serve on the committee, or a full professor in a case considering promotion to full professor, the unit administrator, in consultation with the dean, shall designate appropriate faculty members from other units whose areas of expertise are as closely related as possible to the work of the candidate. One such member may chair the committee if there is not a tenured member from the unit available to serve as chair.

7. Upon request by the candidate to the unit administrator, the unit administrator shall provide the candidate with the names of the committee members.

b. Basis for Evaluation. The unit administrator shall submit the completed dossier to the chair of the unit promotion and tenure committee. The review shall be based on the dossier. The committee shall not meet until the dossier has been available to all members for a minimum of five business days. The committee shall evaluate the candidate in light of the unit, college and university criteria for tenure and/or promotion.

c. Unit Promotion and Tenure Committee Report. The committee shall write a report recommending whether the candidate should be promoted and/or tenured. For each candidate, the report shall include a brief rationale for the committee’s recommendations and an anonymized record of the committee’s vote for or against tenure or promotion of each candidate. Abstentions are not allowed. The chair of the committee shall deliver the report to the unit administrator. The report shall not be shared with faculty who are not members of the college or university promotion and tenure committees.

E-2. Unit Faculty Voting.

a. General.

1. The dossier must be made available a minimum of five business days prior to any voting.

2. Faculty who are eligible to vote may assemble to deliberate prior to voting.

3. Voting shall occur using a signed, written ballot in a format provided in the provost’s administrative guidance in B-2 herein.

4. Faculty members may submit evaluative comments as part of their ballot to the unit administrator.

5. Unit faculty voting results shall not be shared with the candidate’s promotion and tenure committee.

6. Faculty are not required to vote but are encouraged to do so.

b. Voting by Tenured Faculty. In the case of tenure, the unit administrator shall solicit the vote of all tenured faculty members of the candidate’s unit regarding whether the candidate should be granted tenure. Non-tenured faculty shall not be eligible to vote.
c. Voting by Promoted Faculty. In the case of promotion, the unit administrator shall solicit the vote of all faculty members of the candidate’s unit of the same or higher rank as that to which the candidate seeks promotion. Faculty members of lower rank shall not be eligible to vote.

E-3. Unit Administrator.

a. Unit Administrator’s Report. The unit administrator shall prepare a written report after considering the tenure and/or promotion dossier, the unit promotion and tenure committee report, and the unit voting results. The unit administrator’s report shall include the anonymized voting results as well as the administrator’s recommendation for or against tenure and/or promotion in light of the unit, college and university criteria for tenure and/or promotion. In the event that the administrator submitting the recommendation has not had at least one year to evaluate the candidate, he or she shall disclose this as part of the report.

b. Transmission of Reports to the Candidate and Written Response. The unit administrator shall provide the candidate with copies of the unit administrator’s report and the report of the unit promotion and tenure committee. The candidate may provide a written response to the reports within five business days after receiving the reports.

E-4. Forwarding Materials. The unit administrator shall forward the tenure and/or promotion dossier and all reports and the candidate’s response, if any, to the dean.

F. COLLEGE LEVEL REVIEW.

F-1. College Promotion and Tenure Committee. Each college having more than one unit shall have a standing promotion and tenure committee. The members shall be tenured and shall serve staggered three-year terms. Each unit within the college shall be represented by one faculty member, to be selected as follows: Each unit shall nominate two faculty members, from which the dean shall select one, giving consideration to representational balance in the makeup of the committee. The committee shall elect its chair from among its members or may elect the dean or associate dean to serve as chair without vote. For the College of Business and Economics each major area shall serve as a “unit” for purposes of section F. Names of committee members shall be provided to the candidate upon request to the dean.

F-2. College Promotion and Tenure Committee Evaluation and Report. The committee shall not meet until the dossier has been available to all members for a minimum of five business days. The committee shall evaluate the dossier in light of the unit, college and university criteria. The committee chair shall write a report for each candidate recommending whether the candidate should be promoted and/or tenured. For each candidate, the report shall include a brief rationale for the committee’s recommendations and an anonymized record of the committee’s vote for or against tenure and/or promotion of each candidate. Abstentions are not allowed. A tie vote will result in a recommendation of “undecided.”

F-3. Dean’s Report. The dean shall evaluate the candidate in light of the unit, college and university criteria for tenure and/or promotion and make a written recommendation as to whether each candidate should be promoted and/or tenured after considering the materials presented in the dossier (including all reports, responses and polling information), and advice of the college committee. The dean may also confer individually or collectively with unit administrators about the qualifications of the candidate.

F-4. Transmission of Reports to Candidate and Written Response. The dean shall provide the candidate with copies of the dean’s report and the college promotion and tenure committee report. The candidate may provide a written response to the reports within five business days after receiving the reports.

F-5. Forwarding Materials. The dean shall forward the completed tenure and/or promotion dossier and all reports, recommendations, and responses to the provost.

G. UNIVERSITY LEVEL REVIEW.
G-1. University Promotion and Tenure Committee Composition. A university promotion and tenure committee of faculty members, chaired by the provost without vote, is appointed each year. If, in the discretion of the provost, the number of dossiers to be considered exceeds the capacity of the committee, one or more additional University Promotion and Tenure Committees may be formed using the procedure below.

a. Nominations. One-third of the committee’s membership shall be selected by the provost from the previous year’s committee; the remaining members shall be selected by the provost and the chair and vice chair of the Faculty Senate from nominations submitted by the senators. The delegation representing the College of Letters, Arts and Social Sciences on Faculty Senate nominates four faculty members who should be representative of the breadth of the disciplines within the college. The delegation representing the College of Agricultural & Life Sciences on Faculty Senate nominates four faculty members from the college comprising two each from (a) faculty with greater than 50% teaching and research appointments and (b) faculty with greater than 50% University of Idaho Extension appointments. The Faculty Senate delegations from the other colleges and the Faculty-at-Large each nominate two faculty members from their constituencies. If senators from a college do not submit nominations by the deadline announced by the provost, the provost shall appoint members from that college, as specified in G-1-b-2 herein.

b. Membership. The membership of the committee shall be as follows:

1. The vice president for research, the dean of the College of Graduate Studies and the provost’s designee with primary responsibility for faculty promotion and tenure, to serve ex officio (without vote).

2. Two representatives from the College of Letters, Arts and Social Sciences, two representatives from the College of Agricultural & Life Sciences, and one representative from each of the other colleges and the Faculty-at-Large.

3. The committee shall include at least one tenured faculty member (RGP II.G.6.e).

4. Upon request by the candidate to the provost, the provost shall provide the candidate with the names of the committee members.

G-2. University Promotion and Tenure Committee Vote. The committee shall not meet until the dossier has been available to all members for at least two weeks. The committee shall deliberate and vote for or against tenure and/or promotion of each candidate in light of the unit, college and university criteria for tenure and/or promotion. Abstentions are not allowed.

G-3. Provost’s Report. The provost shall write a report to the president making a recommendation regarding tenure and/or promotion of each candidate in light of the unit, college and university criteria for tenure and/or promotion. The report shall include a rationale for each recommendation and the anonymized results of voting from the university promotion and tenure committee.

H. DECISION.

H-1. Presidential Approval. The president shall confer with the provost and make the decision regarding tenure and/or promotion for each candidate in light of the unit, college and university criteria for tenure and/or promotion. The awarding of tenure and/or promotion to an eligible faculty member is made only by a positive action of approval by the president.

H-2. Notice to the Candidate. The president shall give notice in writing to the candidate of the granting or denial of tenure and/or promotion by May 1 of the academic year in which the decision is made. (RGP II.G.6.c.) The provost’s recommendation shall be forwarded to the candidate at that time. Notwithstanding any provisions in this section to the contrary, no person is deemed to have been awarded tenure solely because notice is not given or received by the prescribed times. If the president fails to notify the candidate of the decision within the required timeframe, it is the responsibility of the candidate to inquire as to the decision.
H-3. Appeals. Appeals regarding promotion or tenure may be filed only after the final decision of the president, which shall be considered the institutional decision (see FSH 3840 B-2).

H-4. Denial of Tenure. If a faculty member is not awarded tenure, the president, at their discretion, may:

a. Notify the faculty member that the contract year in which the tenure decision is made is the terminal year of employment (RGP II.G.6.k.), or

b. Issue a contract for a terminal year of employment following the year in which the tenure decision is made (RGP II.G.6.j), or

c. Issue to the faculty member contracts of employment for successive periods of one (1) year each. Such appointment for faculty members not awarded tenure must be on an annual basis, and such temporary appointments do not vest in the faculty member any of the rights inherent in tenure and there shall be no continued expectation of employment beyond the annual appointment (RGP II.G.6.j).

d. A candidate who is denied tenure is still eligible for employment at the University in nontenurable positions.

Version History

Amended July 2022. In response to feedback collected from faculty and administrators, extensive revisions, clarifications, and editorial changes were made. In addition, the May 2021 temporary emergency changes were permanently adopted.

Amended May 2021. President Green adopted temporary emergency changes affecting sections D-1.b. and D-2.e.

Amended July 2021. Section A-2.a. was revised to state the purpose of promotion; D-2.e.4. to clarify contents of packet for external review; and F-1 to require consideration of representational balance.

Adopted January 2020. The university’s promotion and tenure policies were comprehensively revised in order to unify all provisions regarding procedure in the Faculty Staff Handbook and to help faculty and reviewers by clarifying the procedure. The following changes were approved: Deletion of FSH 3520, 3560, and 3570; revision of FSH 3530; and addition of new FSH 3500 and 3510.
POLICY COVER SHEET
For instructions on policy creation and change, please see https://www.uidaho.edu/governance/policy

All policies must be reviewed, approved, and returned by the policy sponsor, with a cover sheet attached, to ui-policy@uidaho.edu.

Faculty Staff Handbook (FSH)
□ Addition □ Revision* □ Deletion □ Emergency □ Minor Amendment
Policy Number & Title: FSH 3710 LEAVE POLICIES FOR ALL EMPLOYEES

Administrative Procedures Manual (APM)
□ Addition □ Revision* □ Deletion □ Emergency □ Minor Amendment
Policy Number & Title:

*Note: If revision or deletion, request original document from ui-policy@uidaho.edu. All changes must be made using “track changes.”

Comprehensive Review was Conducted

Originator: Brandi Terwilliger, Director of Human Resources
Policy Sponsor, if different from Originator: Brian Foisy, VP Finance and Administration

Reviewed by General Counsel  X Yes ___No Name & Date: Kim Rytter, 9/18/2022

1. Policy/Procedure Statement: Briefly explain the reason for the proposed addition, revision, and/or deletion.
   Update language and addition of paid parenting leave under FML

2. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have?
   Fiscal impact has been provided by external consultants and shared with senior leadership

3. Related Policies/Procedures: Describe other UI policies or procedures related or similar to this proposed change, or that will be impacted by it.

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

LAST REVISION: January 2020

CONTENTS:

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

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

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

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

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

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

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

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

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

b. Individuals who are employed at least half time or greater as temporary help (TH) and who are expected to complete five (5)-months or more of continuous university service and are eligible to participate in the Public Employers Retirement Plan for Idaho (PERSI) are eligible for limited benefits, including annual leave, sick leave and pay for holidays on which they do not work [FSH 3090].
A-7. Leave may not be taken in advance of accrual and may not be taken in excess of 80 hours in a pay period.

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

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

a. completing application for leave with supervisor or Human Resources as appropriate and providing any medical evidence to HR and other requested information;

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

c. returning to work following expiration of approved leave.

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

A-10. Exempt employees (full-time 40 hours per week expectation per FLSA) who work at least four (4) hours in a day will be paid regular pay for the full day. If they work fewer than four (4) hours, the difference will be charged to the appropriate accrued leave. If the employee is on approved intermittent Family and Medical Leave (FML) they must report each hour missed.

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

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

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

A-13. Attendance at work is a job requirement for all positions at the university. Excessive absenteeism can affect job performance and the employee may be subject to disciplinary action.
**A-14.** Departmental administrators are responsible for approving and ensuring the reporting of leave, via Banner, taken by the employees in their respective units. For procedures regarding reporting and monitoring leave see APM 55.09. The Banner system and Human Resources records are the official university leave records.

**A-15.** Human Resources is responsible for coordinating requests and reviewing compliance with all types of leave other than sick, annual and medical appointment leave discussed in this section. [APM 55.09]

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

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

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

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

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

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

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

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

Commented [TB(1)]: This contradicts A-7. Personal leave would be appropriate in cases where no leave is available and there is a need to be out. This paragraph is not necessary.
Leave Accrual Example:

Annual leave accrues based only on hours worked.
62 hours worked times .04625 results in 2.90 hours of accrual and may accumulate to a maximum of 192 hours.

B-4. Annual leave accrual is temporarily suspended when the accumulation reaches the maximum allowance. Once the leave accumulation drops below the allowed maximum, accruals resume.

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

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

B-7. At the employee’s option, accrued annual leave may be used during any approved leave that could otherwise be taken as sick leave. See E-3. Parenting Leave for the requirement to use sick leave prior to use of annual leave. [RGP II.L2.]

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

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

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

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

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

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

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

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

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

B-10. Any individual, regardless of type of appointment, with an annual leave balance who transfers or who is reassigned to another unit within the university may be required to exhaust all existing annual leave prior to starting the new assignment.

B-11. Payment in lieu of annual leave taken for any reason other than separation from employment is granted only by exception or under other special circumstances within the business needs of the university.

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

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

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

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

C-3. Sick leave may be accumulated without limit.
C-4. Sick leave cannot be taken in advance of accrual. If, at the end of a bi-weekly pay cycle, absences exceed sick leave accumulation, the hours will be charged to compensatory time first, if available, and then to annual leave. If there is no leave accumulation, time will be unpaid.

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

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

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

a. **Illness or Serious Medical Condition of Employee.** An employee’s own illness, injury, or childbirth that prevents the employee from performing his or her assigned duties; or in the event of exposure to contagious disease if, in the opinion of responsible authority, the health of others would be jeopardized in the workplace.

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

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

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

e. **Medical Appointments.** Personal or family appointments for medical, dental, optical treatment or examination, or meeting with an Employee Assistance Program professional, including time for travel to and from such appointments. An employee is allowed up to two hours of time off per month for such appointments without charge to sick leave provided satisfactory arrangements have been made with the employee’s supervisor regarding the needed time away (medical information need not be shared only the need for leave). If the employee has absences totaling more than two hours in a month, such absences must be reported and charged to sick leave. There is no carryover balance from month-to-month.

f. **Parenting/Adoption/fostering.** All eligible employees are entitled to use sick leave for parenting, adoption, and fostering as provided in E. Parenting Leave.

g. **Organ Donation.** Full-time employees may use up to five (5) workdays of prior approved organ donation leave to serve as a bone marrow donor and may use up to thirty (30) workdays of prior approved organ donation leave to serve as a human organ donor. Documentation must be provided to Human Resources in advance of the use of Bone
Marrow or Organ Donation leave. Bone Marrow or Organ Donation leave does not reduce the employee’s leave balances and is with continued pay and benefits up to the limits noted. Additional leave may be requested through an approved family medical [ML] or personal [ON] leave.

C-8. Documentation may be required to be submitted to Human Resources to support absences. Absences that occur during an approved family medical leave [ML] are exempt from these requirements.

C-9. The federal Family Medical Leave Act of 1993 (FMLA) was adopted as law to protect the best interest and job security of employees. The university may initiate family medical leave (FML) and will apply FML concurrently with sick leave when the employee’s own illness, work-related injuries, or an illness of a family member is covered by FML.

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

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

C-12. Employees who retire and then return to work at the university may not be entitled to reinstatement of sick leave balances. In this instance, only the unused portion of sick leave that was converted at the time of retirement [C-13 and FSH 3730 6] to pay for retiree health benefits may be reinstated for employees who separate for retirement purposes and later return to work at the university.

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

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

D-1. The university is closed at least eleven (11) holidays each fiscal year. [FSH 3460 F-2]
D-2. Benefit-eligible employees [A-6.a.] who are employed full time (87.5 percent or greater) receive holiday pay based on eight (8) hours for each holiday. An employee who works a compressed work schedule to include more than eight (8) hours each day, such as four (4) ten-hour workdays in one week, will still receive only eight (8) hours of holiday pay. With supervisor approval, the employee may make up the difference between their regular hours of work and the holiday pay for that day (two (2) hours in this example) through a flexible work schedule within the same work week [FSH 3460], or may use accrued compensatory time or annual leave, or take the time as unpaid.

D-3. Benefit-eligible employees [A-6.a.] who are employed at least half time but less than full-time, are entitled to receive holiday pay, pro-rated based on the average number of hours scheduled each week. The number of hours scheduled on a routine basis (not the hours worked in the week in which the holiday falls) is divided by five (5) days. For example:

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

D-4. The university embraces diversity and recognizes that our workforce is derived from many diverse cultures to include many different religious preferences. An individual may be absent from work to observe a religious holiday consistent with his or her individual’s own religious beliefs and practices when the day is not consistent with the university’s official holidays, provided advance notice is given. Pay for these absences are as follows:

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

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

D-5. Benefit-eligible employees are entitled to holiday pay while they are on other approved paid leave, or during any portion of paid or unpaid family medical leave. Extended medical leave and non-FML parenting leave are not family medical leave. Employees on unpaid extended medical leave or unpaid non-FML parenting leave are not entitled to holiday pay.

E. PARENTING LEAVE (paid or unpaid). Parenting leave is available to UI employees listed in A-6 (a) who also meet the specific eligibility criteria as described in Section ML. Eligible University of Idaho employees may use up to 432 hours (full-time employee's prorated for less than full time employees) of paid parental leave due to the birth, adoption, or foster placement of the child. Parenting Leave is Family and Medical Leave. [FMLA allows for 480 hours of unpaid leave for a full-time employee]. See FMLA section M for definition of parenting leave

E-1. Definitions.
**A.** “Parenting” is defined as the period of bonding that occurs within the first twelve (12) months of the birth, adoption or foster placement of the child in the family.

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

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

**E-2.** Employees are eligible for paid Parenting Leave if they meet the criteria under M-L-3 on or after 180 days from their date of hire. Employees must also successfully complete any applicable initial probationary period or (extension thereof) to be eligible. Eligible employees are entitled to 12 weeks of job-protected leave with continuation of group health insurance coverage within 12 months of the birth, adoption, or foster placement of a son or daughter. This is considered non FML parenting leave. Parenting Leave used under Section E provides some compensation for Parenting Leave under Family Medical Leave and is Family Medical Leave.

**A.** Eligible employees will receive a maximum of 432 hours (full-time employees) of paid parental leave for the birth, adoption, or foster placement of a child that must be used within 12 weeks immediately after the birth, adoption, or foster placement of a child. Eligible employees working less than full-time will receive a pro-rated portion of paid parental leave corresponding to the percentage of hours they normally are scheduled to work.

**B.** An employee may not receive more than twelve (12) weeks of parental (paid or unpaid) leave in a rolling 12-month period. Multiple births within twelve months or adoptions within 12 months do not increase the length of parental leave. Employees may use paid parental leave continuously for up to twelve (12) weeks or as a predefined reduced work schedule as long as it is used within 12 weeks of the birth or adoption of the child. Employees may not use paid parental leave intermittently. Adoptive or foster parents are not entitled to use more than twelve (12) weeks of parental leave in a rolling 12-month period but are exempt from the continuous leave requirement if the adoption is not final.

**C.** Paid parental leave is compensated using up to the maximum allotted paid parental leave balance (432 hours for full-time) in the first
12 weeks following the birth, adoption, or foster placement of a child. Paid parental leave will be paid on regularly scheduled pay dates.

d. Paid parental leave shall run concurrently with leave under the FMLA. Any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or adoption or foster placement of a child, will be counted toward the 12 weeks of available FMLA leave per a 12-month period. The employee must apply for and use Parenting Leave/FMLA.

e. If a holiday occurs while an employee is on parental leave, such day will be coded to holiday pay and will not count towards the employee’s parental leave entitlement or FMLA hours. If the employee is on parental leave/FMLA when the University authorizes paid administrative or emergency closure leave due to inclement weather and/or an office closure, that time will be recorded as parental leave/FMLA. Administrative and emergency closure leave will not extend the parental leave entitlement.

E-3. If both parents are employees of the university and eligible for FMLA leave under Section ML, the leave must be shared between parents and not exceed 480 hours (12 weeks) of total leave (paid or unpaid), each is entitled to take the same amount of parenting leave as allowed for a single employee. Only one employee is entitled to parenting leave if both parents, as employees, have not met FMLA eligibility requirements as stated in M-3.

E-4. Employees can use parental leave as outlined or choose to use a combination of accrued paid leave or unpaid leave if all other leave is exhausted (See Section ON regarding use of unpaid leave). Employees must first use accrued sick leave (see FSH 3710 M-2). However, when the combination of the employee’s remaining sick leave, plus any additional accrued paid leave that may be available to the employee falls below 80 hours, then the employee may elect to use unpaid leave for parenting. Any leave taken under this policy sections E or L, that falls under the definition of circumstances qualifying for leave due to the birth, adoption, or foster placement of a child, is FMLA leave. See section ML for FMLA criteria. Unpaid leave will be considered in accordance with FMLA and other applicable federal and state laws.

E-5. Parenting Leave shall be applied for through Benefit Services. When the need for Parenting Leave is foreseeable, an employee must request an application at least thirty (30) days in advance of the need for leave. When events are not foreseeable, employees must provide as much notice as is possible. If an employee is eligible for FMLA leave under Section ML, the Parenting Leave described in this section E is intended to encompass the university’s obligation to provide Family Medical Leave under the federal Family Medical Leave Act. See Section ML for return-to-work requirements following approved leave.
E-6. Health benefits continue during Parenting Leave on the same basis as for any similarly-situated employee who is actively at work, regardless of whether the employee is using other forms of accrued leave or taking leave unpaid. The employee’s share of cost for health coverage is the amount that is typically payroll-deducted for the employee’s own coverage and/or coverage for his/her the employee’s dependents. The employee is responsible for payment of these amounts during leave. Payroll deductions will be continued for any portion of the leave that is paid. During any portion of leave when no pay is received, the employee must make arrangements to self-pay these amounts. Retirement plan contributions, leave accruals, holiday pay, and credit toward vesting are suspended during unpaid portions of Parenting Leave.

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

E-8. Leave may not be used for both foster care and adoption consecutively if foster placement leads to that the adoption of the son or daughter child.

E-9. Alternate or reduced work schedules are addressed in FSH 3710 ML-13_b.

E-10. See FSH 3710 R-1 for exceptions to university leave policies.

F. MILITARY LEAVE. When an employee goes on military leave it is not considered a break in service. (Available to all UI employees as described in Section F)

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

F-2. Any employee who is called to active duty and/or is required to serve more than one hundred twenty (120) hours is eligible for up to five (5) years of military leave. Eligibility for employee health coverage will continue at a minimum through the first thirty (30) calendar days of service while on an approved military leave. The employee will be required to pay the employee share of the health care costs, as well as the costs for his/her the employee’s dependents.
F-3. An employee may choose to use annual leave and/or accrued compensatory time for military service and continue to receive pay and benefits at any time.

F-4. Military leave beyond the first one hundred twenty (120) hours is generally granted without pay and benefits. Health care coverage will end for the individual who is called to active duty after the first thirty (30) days of service. However, coverage for his/her employee’s dependents may continue and are subject to the applicable benefits based on the university’s current Summary Plan Document at the time of reinstatement: contact Benefit Services.

F-5. An employee may also have the right to life insurance portability or conversion to an individual life insurance policy following termination of benefits in the group plan.

F-6. Upon reinstatement to active university employment, the employee’s health plan will resume as if their employment had not been interrupted.

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

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

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

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

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

F-8. Retirement benefit contributions are suspended while the employee is on unpaid military leave when the one hundred twenty (120) hours per F-1 have been exceeded. Upon reinstatement to active university employment after military leave, reenrollment in the retirement plan will be accomplished in accordance with the plan documents.
a. Credited state service continues during military leave as though no break in employment has occurred.

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

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

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

F-9. This policy is intended to comply with applicable state and federal laws, including the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. To the extent that any provision of this policy is ambiguous and/or contradicts the Act or any other law, the applicable law or Act will prevail.

G. LEAVE FOR COURT REQUIRED SERVICE AND VOTING. (Available to all UI employees as described in Section G)

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

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

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

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

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

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

**H. LEAVE FOR CAMPAIGNING FOR OR SERVING IN PUBLIC OFFICE.** Available to UI employees as described in Section H.

**H-1.** The president approves requests for leaves of absence for the purpose of campaigning for or serving in public office [RGP II.I.5.]. See FSH 6230 E for provisions concerning leave for campaigning and serving in public office.

**H-2.** It is the Board of Regent’s intent that state salary not be duplicated to an employee serving as a member of the Idaho Legislature. Any leave for serving as a member of the Idaho State Legislature will be unpaid when the Legislature is in session [RGP II.I.5.]. Certain benefits may continue during the unpaid leave; however, the employee must pay the full cost of coverage.

**I. ADMINISTRATIVE OR EMERGENCY LEAVE.** (Available to all UI employees as described in Section I)

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

**I-2.** At the discretion of the president or his/her designee, an employee may be granted administrative leave when the state or the university will benefit as a result of such leave. [RGP II.I.5.; FSH 3470 B]

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

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

**I-5.** In all cases involving administrative leave, payroll will coordinate with the department for the appropriate process based on the anticipated duration of the administrative leave. With a duration that is more than one bi-week, an electronic personnel action form (EPAF) must be processed. When leave is less than one full bi-week, hours attributed to administrative leave shall be coded as “Administrative DLave” on the time/leave record and in the payroll system.

**I-6.** In the absence of a written agreement to the contrary, an employee on administrative leave must be available for recall to work during regular university business hours in the event that the employee’s services are required or otherwise requested to return to work.
J-7. Under certain circumstances, the university may require the use of accrued annual leave and/or compensatory time.

J-8. **Administrative-Emergency Leave with Pay.** When the president or designee makes a decision to close, cancel classes, or postpone the opening, employees will be authorized **Administrative-Emergency Leave with pay** (see APM95.21 and FSH3470). When approved, employees will enter hours as follows for emergency closure days:

- Classified and PERSI-eligible TH will enter the hours they would have worked. Exempt and faculty enter leave if leave taken is more than 4-four hours and will record leave only if they were out more than 4-four hours.
  
  a. (TH) Temporary Help (PERSI-eligible only) – enter hours regularly scheduled but not worked due to the closure under the Administrative-Emergency Leave code, up to **eight** hours.

  b. Classified – enter hours not worked due to closure under the Administrative-Emergency Leave code, up to **eight** hours.

  c. Exempt & Faculty – enter hours not worked, if over 4-four, due to closure under the Administrative-Emergency Leave code, up to **eight** hours.

J. **ACADEMIC TRANSITIONAL LEAVE.** (Available to all UI employees as described in Section J)

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

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

K. **TERMINAL LEAVE.** (Available to all UI employees as described in Section K)

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

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

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

**L K. SHARED LEAVE.** (Available to employees listed in A-6 (a) subject to specific eligibility criteria described in Section LK)

**L K-1.** University employees who earn annual leave may donate annual leave hours to shared leave. Shared leave may be donated to a shared leave pool or to the benefit of a specific eligible recipient. See FSH 3710 L-5 below and APM 55.07 C-5 for conversion of donated leave to shared leave.

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

**a. Qualifying Events.** If any benefit-eligible employee [A-6.1] who has a health condition [L-2.a.1] or whose immediate family member [A-3] has such a condition and the employee is required to take time away from work, and has exhausted all leave, the employee may apply for shared leave.

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

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

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

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

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

LK-3. Donating Annual Leave.

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

b. Leave donations made for a specific individual will be drawn from donors’ accounts based on a first-received basis. The first donation request received by Benefit Services will be processed before a second donation from other recipients or before hours are withdrawn from the shared leave pool. Donations will be drawn from the donor’s annual leave account.

c. Leave donations may be made in any amount of not less than ½-hour (.50) increments.

d. Shared leave donations may not cause the donor’s annual leave balance to fall below forty (40) hours at the time the donation is processed, unless the donor is terminating active employment from the university. Donors should be aware that any shared leave not used by the intended recipient will be returned to the Shared Leave Pool, not returned to the donor(s). Leave donors who desire to donate only as much leave as the intended recipient needs are encouraged to work with HR to make incremental donations to that person.

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

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

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

-LK-5. Funding and Conversion.

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

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

ML. FAMILY MEDICAL LEAVE. (Available to all UI employees subject to specific eligibility criteria described in Section ML) Federal Family and Medical Leave Act 29 U.S.C 2601 and amendments will be followed when administering FMLA. Upon exhaustion of FMLA, when there is a continued need for leave for an employee’s own serious health condition, federal and state guidance will be followed.

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

a. the birth of a son or daughter of the employee and/or in order to care for such son or daughter;

b. the placement of a son or daughter with the employee for adoption or foster care;
c. to care for an immediate family member as defined in [ML-5] of this policy with a serious health condition as defined in [ML-4] of this policy;

d. because of the employee’s own serious health condition [ML-5]; or

e. to serve as a human organ or bone marrow donor.

The entitlement to leave under subparagraphs (a) and (b) of this section ML-1 for a birth or placement of a son or daughter is encompassed in the Parenting Leave described in Section E, of this policy. Parenting Leave taken under Section E, is Family Medical Leave and by an employee who is also eligible for Family Medical Leave shall be counted as Family Medical Leave. to the full extent of the employee’s eligibility for Family Medical Leave at the time the leave is taken. Parenting Leave that falls outside of the requirements of the Family Medical Leave Act does not count against an employee’s Family Medical Leave entitlement.

ML-2. Family medical leave and/or service member family medical leave is generally leave without pay. However, when the absence also qualifies for the use of sick leave, if available, employees must first use accrued sick leave. See Parenting Leave for wage replacement. When the combination of the employee’s remaining sick leave plus any other accrued paid leave that may be available to the employee falls below 80 hours, the employee may then elect unpaid leave for the Family Medical Leave. When the type of absence does not qualify for the use of sick leave, the employee must use other available accrued paid leave until the employee’s remaining sick leave plus any other accrued paid leave that may be available to the employee falls below 80 hours before the employee may use unpaid leave for the Family Medical Leave.

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

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

ML-5. Definitions.

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

1. treatment two (2) or more times by or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen of treatment; or

2. pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; or

3. chronic serious health condition, which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g. asthma, diabetes). A visit to a health care provider is not necessary for each absence; or

4. permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or

5. absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g. chemotherapy or radiation treatments for cancer).

6. Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not serious health conditions unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this section are met. Mental illness or allergies may be serious health conditions, but only if all the conditions of this section are met.

Health benefits continue during family medical leave on the same basis as for any similarly situated employee who is actively at work, regardless of whether the employee is using other forms of compensation including accrued leave or taking leave unpaid. The employee’s share of cost for health coverage is the amount that is typically payroll-deducted for the employee’s own coverage and/or coverage for his/her the employee’s dependents. The employee is responsible for payment of these amounts during leave. Payroll deductions will be continued for any portion of the leave that is paid. During any portion of leave when no pay is received, the employee must make arrangements to self-pay these amounts. Retirement plan contributions, accruals for sick and annual leave and credit toward vesting are suspended during unpaid portions of family medical leave.
ML-7. All qualified absences, including those due to a work-related injury, will be considered as family medical leave.

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

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

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

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

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

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

a. Shared leave (if granted) may be used for the disability period related to childbirth. See Section E for Parenting Leave and Section LK for Shared Leave and Section E for Parenting Leave requirements.

b. Intermittent leave or reduced work schedule requests for parenting may not be granted, or may be cancelled by the university with thirty (30) days written notice, based on business needs of the university.

ML-14. Family medical leave taken by two (2) university employees to care for a family member who has a serious health condition consists of a maximum twelve (12) weeks of
leave for each employee. See Section E for Parenting Leave requirements. Family medical leave for parenting is addressed in FSH 3710 E.

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

- a. revoke leave;
- b. not grant leave;
- c. require new evidence to support the leave request;
- d. require the employee to return to work if the leave is not substantiated; and/or
- e. when appropriate under applicable employee discipline policies [FSH 3910, 3920, and 3930], take disciplinary action, up to and including dismissal.

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

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

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

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

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

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

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

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

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

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

1. A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the armed forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; or
2. A physical or mental condition for which the covered veteran has received a U.S Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or

3. A physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or

4. An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the U.S Department of Veteran’s Affairs Program of Comprehensive Assistance for Family Caregivers.

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

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

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

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

ON. PERSONAL LEAVE. (Available to UI employees listed in A-6.1(a) and A-6.2(b) as described in Section ON.)

ON-1. Any employee not covered by another university leave type within this policy may request a personal leave of absence.

ON-2. Personal leave is leave without pay and without benefits. However, the university supervisor may require the use of sick, annual or any other type of accrued leave if the absence qualifies and leave is available. Personal leave may be taken with pay and benefits when other paid leave such as annual leave is taken concurrently. In rare circumstances, leave may be approved without pay, with continued benefits, but only when approved as an exception and only when doing so meets the business needs of the university. Hiring units are responsible for funding the benefits under these circumstances. [APM 55.38]

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

ON-4. All requests for personal leave must be made to the supervisor in writing. A leave of three (3) working days or less can be approved by the supervisor and are recorded by the timekeeper on the employee’s time record as Leave Without Pay with Benefits. The president or his/her
designee (i.e., provost) must approve a personal leave which exceeds three (3) working days. Personal leave is not guaranteed and is granted on a case-by-case basis, with the approval of the supervisor and the unit administrator, based on the business needs of the university.

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

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

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

ON-8. An employee who has received approval from the president or his/her designee for a personal leave without pay without paid benefits may not continue to contribute toward and receive the benefits of the institution’s insurance and retirement programs, if the laws, rules, regulations, policies and procedures governing the administration of such insurance and retirement programs permit. [RGP II.I.5]. Employees should consult Benefits Services for more detailed information on how personal leave without pay will impact their benefits and their rights to continue coverage through COBRA and life insurance conversion or portability. [APM 55.09 and 55.38]

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

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

P. EXTENDED MEDICAL LEAVE. (Available to all UI employees subject to specific eligibility criteria described in Section P)

P-1. Extended medical leave (EML) extends job protection and health benefits beyond the expiration of family medical leave. EML is not family medical leave. EML is intended for the following:
a. Individuals who plan to return to work and have a prognosis to support return to work with assumption of full duties and responsibilities of their position, with or without reasonable accommodation, within a total absence period of no more than twelve (12) consecutive months; or

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

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

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

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

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

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

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

- P.5. Sick and all other available paid leave must be used concurrently with and taken first before any period on unpaid leave during EML. EML is leave with benefits but without pay, unless accrued sick or annual leave or compensatory time is used. Employees are not eligible for holiday pay while on extended medical leave without pay.

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

- P.7. Health benefits will continue during an approved EML in the same manner afforded to any employee of the same classification who is actively at work.
a. The employee must make arrangements to self-pay his/her share of employee and dependent benefit costs during any portion of EML that is unpaid.

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

c. Short and/or long-term disability wage replacement payments and/or actively at work provisions for death and other benefits provisions within PERSI and similar contracts refer to an employee being actively at work (employed and not on leave) on the date in which the disability has first begun. An employee whose condition began before taking a leave of absence and who has qualified or met the conditions in accordance with provisions set by the carrier will continue to receive benefits and/or remain eligible for such benefits during Extended Medical Leave, and/or upon separation from employment if unable to return to work. [Refer to Disability and Retirement Plan Handbooks]

P-8. Employees who have been granted EML are required to provide documentation to human resources to support progressive medical improvement. Medical certification and other documentation may include temporary restrictions of duties and/or periods of part-time work. However, restrictions of job duties and/or part-time work restrictions must be approved by Human Resources and the hiring authority, and must intend and attempt to phase an employee back to work to a level of full assumption of job duties, with or without reasonable accommodation.

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

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

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

QO. LEAVE FOR PROFESSIONAL IMPROVEMENT. (Available to faculty with instructor rank or above, exempt employees and classified staff as described in Section QO.)

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

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

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

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

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

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

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

**QQ-6.** The employee may request approval to use accrued annual leave and to have an equal amount of administrative leave with pay granted to permit his or her participation in a program of professional improvement.

**RP. EXCEPTIONS.**

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

Amended January 2020. Changes were made pursuant to FSH 1460 C-3 to comply with Idaho Code 59-1608 and 67-5343 and for clarification purposes.

Amended July 2017. Edits were made for clarification purposes and cleanup.

Amended July 2016. Many changes were made to comply with federal regulation changes on family medical leave. The section on Parenting Leave was revised, and changes were made to allow employees more flexibility in leave use.

Amended July 2015. Changes were made to comply with federal regulation changes on family medical leave, a new section on Parenting Leave was added, and to allow employees more flexibility in leave use.

Amended July 2011. Section R was removed and a new policy, FSH 3450, was created to address employment actions such as temporary furloughs.

Amended July 2010. Section R was added to address the Fiscal Year 2010 Furlough.

Amended July 2008. Changes were approved following work involving Faculty and Staff Affairs, General Counsel, and Human Resources and a new section M was added on servicemember family leave due to a federal law change.

Amended 2002. Extensive changes were made to subsection K that reflected Regent policy and current practice.

Adopted 1979.
Attach. #5

POLICY COVER SHEET
For instructions on policy creation and change, please see
https://www.uidaho.edu/governance/policy

All policies must be reviewed, approved, and returned by the policy sponsor, with a cover sheet attached, to ui-policy@uidaho.edu.

**Faculty Staff Handbook (FSH)**
- [ ] Addition
- [ ] Revision*
- [ ] Deletion*
- [ ] Emergency
- [ ] Minor Amendment

Policy Number & Title:

**Administrative Procedures Manual (APM)**
- [ ] Addition
- [ ] Revision*
- [ ] Deletion*
- [ ] Emergency
- [ ] Minor Amendment

Policy Number & Title: APM55.09 Employee Leave Benefits

*Note: If revision or deletion, request original document from ui-policy@uidaho.edu. All changes must be made using "rack changes."

Comprehensive Review was Conducted

Originator: Brandi Terwilliger, Director of Human Resources

Policy Sponsor, if different from Originator: Brian Foisy, VP Finance and Administration

Reviewed by General Counsel X Yes ___No Name & Date: Kim Rytter, 9/23/2022

1. **Policy/Procedure Statement:** Briefly explain the reason for the proposed addition, revision, and/or deletion.
   Updated language and addition of paid parenting under FML

2. **Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?
   Fiscal impact has been provided by external consultants and shared with senior leadership

3. **Related Policies/Procedures:** Describe other UI policies or procedures related or similar to this proposed change, or that will be impacted by it.
   FSH3710

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

Owner:

- Position: Director of Human Resources
- Name: Brandi Terwilliger
- Email: brandit@uidaho.edu

Last updated: July 01, 2016

A. General. Leave benefits are available to UI employees, if eligible. Benefits for specific leave types available are fully described in FSH 3710.

B. Process. Annual (vacation) and compensatory leave is generally to be taken at times mutually agreeable between the employee and the supervisor. Other leave for personal needs and responsibilities of the employee outside the work environment require communication with, but not necessarily approval of, the employee’s supervisor and Human Resources (HR), see FSH 3710 for the various leave types.

C. Procedure.

C-1. Annual (Vacation) Leave. Employees should submit written requests for annual leave, as far in advance as possible, to allow the unit sufficient time to cover the employee’s absence. Longer advance notice is generally expected when leave is desired for more than a week. Annual leave is subject to the approval of the supervisor, such approval not to be unreasonably withheld. Employees whose salaries are funded by grants or contracts are expected to use all annual leave earned while paid from the grant or contract before expiration of the grant or contract or termination of employment. Employees are expected to take all annual leave prior to converting from fiscal year to academic year appointments. Board policy will be followed for any leave remaining following a transition to ineligible position. [See RGP II.G.3. and FSH 3710]

C-2. Sick Leave. Sick leave (See FSH 3710 C) is taken when the employee is unable to work because of illness and, to a limited extent, when it is necessary for the employee to provide care for a member of the immediate family, or in the event of death of a family member. When sick leave is exhausted other accumulated leave may be required to be used first before taking personal leave (FSH 3710 ON).

C-3. Parental Leave. Parental leave is allowable under the Family and Medical Leave Act (FML) and may be, if the employee is eligible employees may use it in, a combination of with accrued leave and/or leave without pay may be used prorated for employees working less than full time. The employee should consult in advance with the supervisor and with Benefit Services. Job and benefit protection available under FML is not afforded until acceptable documentation has been provided and the employee is so advised in writing. [See FSH 3710].
C-4. **Military Leave.** The employee should present a copy of his or her military orders to their supervisor. The department timekeeper processes the request for military leave on an Electronic Personnel Action Form (EPAF) and provides a copy of the military orders to Benefit Services as documentation. The number of hours is entered as “MIL” on the timesheet. Military leave with pay is limited to 120 hours per calendar year [See **FSH 3710**]. If more than 120 hours per calendar year of military leave are needed, the employee may elect to use eligible paid time off and/or they will be placed on leave without pay for the duration of the military leave [See 55.38].

C-5. **Leave for Jury or Other Legal Duty.** The employee should inform his or her supervisor, and provide a copy of the legal document requiring the employee’s presence for jury or other legal duty to Payroll. Employees process a leave of absence with pay for the required period by entering the code “JRY” on the timesheet. The employee is entitled to keep fees and mileage reimbursement in addition to regular salary [See **FSH 3710**].

C-6. **Leave for Campaigning for or Serving in Public Office.** [See **FSH 3710, 6620**, also and RGP P2-I1.P.Board of Education Policy]. If leave for campaigning or for serving in public office involves personal leave: [See 55.38].

C-7. **Sabbatical Leave.** [See **FSH 3720**] If the sabbatical leave involves a reduction in appointment percentage (for example, a full year sabbatical at half pay), see 55.38.

C-8. **Professional Improvement Leave.** [See **FSH 3710**]

C-9. **Personal Leave** (leave without pay). [See **FSH 3710 ON**]. Personal Leave impacts other benefits [See 55.38], thus employees contemplating a period of Personal Leave need to contact Benefit Services (208) 885-3638.

C-10. **Administrative Leave.** [See **FSH 3710**]

C-11. **Shared Leave.** Forms for donating and receiving shared leave are available on the Benefits website, [http://www.uidaho.edu/human-resources/benefits](http://www.uidaho.edu/human-resources/benefits). See “forms” within the appropriate section under “time away from work.” [Also see 55.07 and **FSH 3710**].

C-12. **Family Medical Leave.** [FSH 3710] FML is leave without pay with continuation of group health insurance benefits, if applicable. See **FSH 3710** for requirements of using accrued sick and other leave. Job and benefit protection available under FML is not afforded until acceptable documentation has been provided and the employee is so advised in writing. Leave request and medical certification forms are available on Benefit Services website. [See **FSH 3710**]. If family medical leave involves leave without pay: [See 55.38].

D. **Information.** Leave benefits are discussed at Employee Benefits Orientation [See 55.31]. For further information or questions on leave benefits, call Benefit Services at (208) 885-3638.
**JAGGAER -- FAQ**

**What is JAGGAER?**

JAGGAER is a web-based, procurement software that manages purchases of goods and services from request to payment. Employees will access JAGGAER through Single Sign-On (SSO). JAGGAER has three modules: eProcurement (goods) module, Contracts+ (services) module and A/P (invoices) module. Employees will access eProcurement and Contracts+ modules. Most employees will have the “Shopper” role in JAGGAER. Employees who handle financial tasks will have the “Shopper” and “Requester” roles.

**Why are we implementing JAGGAER?**

The Idaho State Board of Education (SBOE) tasked the four higher education institutions to implement a shared procurement software to generate cost savings and efficiencies. U of I, BSU, ISU and LCSC will go live simultaneously, though the individual JAGGAER sites will be specific to each institution.

**How will JAGGAER impact me?**

Employees who purchase goods and/or services for U of I using a purchase order, service agreement or P-card will now shop and buy goods and services through JAGGAER. JAGGAER will improve request-to-purchase order time by streamlining the order process. Purchasing policies regarding bid limits, bid waivers, etc. will remain the same.

All purchase orders and service agreements will be generated and managed in JAGGAER.

**Which vendors will be in JAGGAER?**

For eProcurement there will be two vendor types: PunchOut Vendors and Non-PunchOut (Non-Catalog) Vendors. PunchOut vendors are negotiated and discounted contracts. U of I, BSU, ISU and LCSC will use the same PunchOut Vendors. At the time the system goes live, there will be 12 PunchOut Vendors. Over time, more PunchOut Vendors will be added to JAGGAER.

Vendors who were used in the previous 36 months will be available in JAGGAER as Non-PunchOut (Non-Catalog) Vendors.

**What if a local vendor I use is not in JAGGAER?**

Departments should utilize JAGGAER for most purchases. However, if a local vendor is not in JAGGAER, employees may use their P-cards for purchases. Beginning Sept. 30, 2022, new vendors will be added to JAGGAER via PaymentWorks.
What if I need to make an emergency purchase?

Please see APM 60.43.

Can I continue to use the U of I Amazon account for purchasing with my P-card?

No. Amazon will be a PunchOut Vendor. Employees must use JAGGAER to shop Amazon. The process will be like shopping Amazon today, but employees will not use a P-card. They will create a cart which will go to their department’s financial person to approve. Employees should include their indexes/funds on their shopping cart. Detailed training will be provided.

What are other benefits of purchasing through JAGGAER?

U of I, BSU, ISU and LCSC are using the same, jointly negotiated contracts, to maximize saving for all institutions.

What is the go live date?

The expected go live date is Nov. 1, 2022. More information will be communicated in the period leading up to the expected go live date.

Will there be training sessions?

Yes. Training will be specific to JAGGAER roles. Training sessions will be held in mid-October. Stay tuned for future communications.

Where should I send questions about JAGGAER?

Email Contracts and Purchasing Services at jaggaer@uidaho.edu