

2023 – 2024 Faculty Senate – Pending Approval**Approved at Mtg #14
November 28, 2023****Meeting # 13**

Tuesday, November 14, 2023, 3:30 pm – 5:00 pm

Zoom only

Present: Barannyk, Blevins, Chapman, Gauthier (Chair), Haltinner (Vice Chair), Justwan, Kirchmeier, Torrey Lawrence (w/o vote), McKenna, Miller, Mischel, Murphy, Raney, Roberson, Rode, Rinker, Sammarruca (w/o vote), Schiele, Schwarzlaender, Shook, Strickland, Tibbals.

Absent: Kenyon (excused), Long (excused), Mittelstaedt, Ramirez, Reynold

Guests/Speakers: Alistair Smith, Cari Fealy

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

Approval of Minutes (vote):

The minutes of the 2023-24 Meeting #11, October 31, 2023, were approved as distributed.

Chair's Report:

- We honor the memories of Madison Mogen, Kaylee Goncalves, Xana Kernodle, and Ethan Chapin with a minute of silence.
- I would like to propose a few ideas about APM and FSH policies in shared governance. I hope that the following questions can be addressed in the next months. With the current process, we have the opportunity to comment on APM items when they come through Faculty Senate. How can we improve the process for APMs impacting directly faculty activities? Can we have some control on what goes into the APM? Can we propose changes to APM policies that impact academic activities?

Provost's Report:

- We faced new challenges last week with both internet and natural gas outages. Thank you all for your patience. Please extend your thanks to any Facilities staff who worked long hours during the outage.
- Faculty gathering today, 4:30 – 6:30, in the Vandal Ballroom. Hosted by Dean Sean Quinlan, CLASS.
- "Talks with Torrey" series: November 16, 11:30am - 12:30pm.
<https://www.uidaho.edu/provost/talks-with-torrey>
- Winter Commencement is Saturday, December 9. There will be two ceremonies, at 9:30am and at 2:00pm, at the ICCU Arena. All faculty are encourage to attend the ceremony for their college. Details about the events: <https://www.uidaho.edu/events/commencement/winter>

Committee Reports (vote):

- FSH 1620 University-Level Committees & FSH 1640 Committee Directory – Francesca Sammarruca, Faculty Secretary
FSH 1620 has been revised to clarify procedures for university-level committees. The changes to FSH 1640 are needed for consistency. The two policies must be taken as a package.
An audit of the university-level committees is in progress with the Committee on Committees, and a comprehensive review will follow.

Vote: 18/18 yes. Motion passes.

- FSH 1565 Academic Ranks and Responsibilities – Alistair Smith
Changes to FSH 1565 D-8 University Distinguished Professor are proposed to make Extension faculty eligible for the rank of University Distinguished Professor.
Vote: 16/18 yes; 2/18 no. Motion passes.
- FSH 3320 Annual Performance Evaluations and Salary Determination of Faculty Members and Performance Evaluation of Academic Administrators – Alistair Smith
Change to A-1.d is proposed to clarify that chairs may confer with deans during the evaluation process, to align with standard practices.
Vote: 20/20 yes. Motion passes.

Other Voting Items:

- Spread Pay Task Force Recommendations – Kristin Haltinner
Vice Chair Haltinner heard from some of the 122 faculty currently on the old “spread pay” system. They expressed serious concerns about the transition to the new “deferred pay” system happening in summer 2024 – saving between now and June 2024 in preparation for the paycheck gap would be a heavy burden. They requested to wait a year. The other source of concern is the shift from 19.5 units to 20 units pay schedule.

Current proposal: we can have everyone on standard pay and keep the 19.5 pay factors or offer deferred pay to anyone qualified who wants it and resetting of the payroll schedule to 20 pay factors, but we can't mix the two options. Provost Lawrence confirmed that the university (not the individual) can choose one or the other.

Some senators reported that their constituents are very unhappy about the shift to 20 units, which amounts to three pay cuts because: it effectively reduces the AY pay, lowering hourly pay by asking faculty to work another contract week for the same total amount; it reduces the hourly rate used to compute summer salary; it reduces the total number of weeks available for summer salary from 13 to 12. Would it be possible to go from 19.5 to 19 units instead?

Linda Campos explained that the deferred pay system cannot use partial schedules, because it creates a discrepancy between hourly rates for faculty on spread pay and faculty on standard pay. The payroll system needs to bring all AY faculty on the same schedule. However, she cannot speak for a scenario where the university moves to a schedule of 19 pay factors. The Provost added that a 38 week AY may be something to look into. The problem is that our payroll system does not align with the academic year calendar.

Some senators felt strongly that the transition should happen in summer 2025. For some, saving sufficient funds to cover the pay gap in summer 2024 would be impossible without falling in debt. Others replied that faculty currently on standard pay have had to set money aside for the summer for many years.

There was confusion about the 19.5 vs. 20 pay factors. A Senator was unclear as to why the shift requires a reduction of the summer period during which people can earn salary. They argue that, if the total number of hours in a full-year contract is 2080, and the total number of hours in the AY is still 1560, the difference – 520 hours – is the maximum number of hours (13 weeks)

faculty can earn salary during the summer. Provost Lawrence explained that 40 hours are moved from the summer period into the nine-month contract period (which would then contain 1600 hours). It's important to keep in mind that exempt employees don't work by hours – their responsibilities are set in the PD for the AY, outside of the payroll system, and do not change with the addition of 0.5 weeks. Hourly rates are introduced for the only purpose of calculating summer salaries, because some summer contracts require salary calculations based on an hourly rate. Basically, our payroll system and the AY faculty contracts do not line up.

Some senators argued that, if this transition is going to happen regardless, there is no point in waiting a year. The issue of 19.5 vs. 20 pay factors is a separate one and will not be resolved by procrastinating.

In response to a question about timelines, Linda Campos said that moving the implementation down by one year is possible. However, if the transition has to happen in summer 2024, a decision within the next few weeks is desirable.

The option of postponing the decision until after the fall break and, in the meantime, seeking clarification, was discussed. There was a consensus that options where faculty must take a pay cut are not acceptable.

Moved (Barannyk/Justwan) to accept the recommendations of the task force, with summer 2025 as the implementation date.

During the discussion that followed, the option of postponing the decision until the next Faculty Senate meeting gained traction. Aspects to learn more about are: Can we move to 19 units instead of 20 or keep hourly wages the same and increase salaries instead?

The motion was withdrawn. New motion (Roberson/Murphy) to postpone the decision by two weeks to get clarification on the aspects raised above.

Vote: 19/20 yes; 1/20 no. Motion passes.

Announcements and Communications:

- Promotion and Tenure Nomination Process – Provost Lawrence
Nominations are open for individuals to serve on this year's University-Level Promotion and Tenure Committees (see [FSH 3500 G-1](#)). Two committees will be convened this year due to the large number of dossiers to be reviewed. Nomination deadline: Friday, November 17, 2023. The nomination form for senators to complete can be found at https://forms.office.com/pages/responsepage.aspx?id=Y2u8fpJXGUqyCwS4JgSIU8wgEFrYhyNOn_qCDVIL5jNUREVSNURESkRCUzFFVlpUSFMxNFdNVk0xOS4u

- FSH 2300 Student Code of Conduct & Resolution Process – Cari Fealy
Comprehensive review/rewrite. FSH 2300 Student Code of Conduct and FSH 2400 University Disciplinary Process for Alleged Violations of Student Code of Conduct have been combined into one policy, FSH 2300 Student Code of Conduct and Resolution Process. This policy revision is accompanied by the proposed deletion of FSH 2400.
The following are the major changes to the policy:
 - The policy was rewritten using language more accessible and understandable for students.

- The Code of Conduct and conduct process were combined in a single policy for easier use.
- Processes related to Title IX sexual harassment were removed to align with the recently revised FSH 6100. Added clarifying language around academic dishonesty resolution.
- Language aligning with case law was added to follow best practices in student conduct policies.
- A section on free speech was included.

This item will be voted on at the November 28 Faculty Senate meeting.

New Business:

- From Erin Chapman: The deadline for the Athena Mentorship Program has been extended to December 1, 2023 https://uidaho.co1.qualtrics.com/jfe/form/SV_9tA1uFgedGAATk

With some time remaining, Chair Gauthier moved back to the University of Phoenix Financial Flow Chart (previously deferred). Provost Lawrence went over Attachment #7. On p.2, there is a flow chart for the U of I/UOPX affiliation, describing in a simple way the financial transaction.

Adjournment:

The agenda being completed, Chair Gauthier adjourned the meeting at 4:50pm.

Respectfully Submitted,

Francesca Sammaruca
Secretary of the University Faculty & Secretary to Faculty Senate

University of Idaho
2023 – 2024 Faculty Senate Agenda

Meeting # 13

Tuesday, November 14, 2023 at 3:30 pm
Zoom Only

- I. Call to Order
- II. Approval of Minutes
 - Minutes of the 2023-24 Faculty Senate Meeting #11 October 31, 2023 **Attach. #1**
- III. Chair's Report
 - We honor the memories of Madison Mogen, Kaylee Goncalves, Xana Kernodle, and Ethan Chapin with a minute of silence.
- IV. Provost's Report
- V. Committee Reports (vote)
 - FSH 1620 University-Level Committees – Francesca Sammarruca, Faculty Secretary **Attach. #2**
 - FSH 1640 Committee Directory – Francesca Sammarruca, Faculty Secretary **Attach. #3**
 - FSH 1565 Academic Ranks and Responsibilities – Alistair Smith, Department Chair, Earth and Spatial Sciences **Attach. #4**
 - FSH 3320 Annual Performance Evaluations and Salary Determination of Faculty Members and Performance Evaluation of Academic Administrators – Alistair Smith, Department Chair, Earth and Spatial Sciences **Attach. #5**
- VI. Other Voting Items
 - Spread Pay Task Force Recommendations – Kristin Haltinner, Vice Chair Faculty Senate **Attach. #6**
- VII. Announcements and Communications
 - University of Phoenix Financial Flow Chart – Torrey Lawrence, Provost & Executive Vice President **Attach. #7**
 - Promotion and Tenure Nomination Process – Diane Kelly-Riley, Vice Provost for Faculty **Attach. #8**
 - FSH 2300 Student Code of Conduct & Resolution Process – Cari Fealy, Associate Dean of Students
 - FSH 2300 – Second interim revision **Attach. #9**
 - FSH 2300 – Comprehensive rewrite **Attach. #10**
- VIII. New Business
- IX. Adjournment

Attachments

- **Attach. #1** Minutes of the 2023-24 Faculty Senate Meeting #11 October 31, 2023

- **Attach. #2** FSH 1620
- **Attach. #3** FSH 1640
- **Attach. #4** FSH 1565
- **Attach. #5** FSH 3320
- **Attach. #6** Spread Pay Task Force Report
- **Attach. #7** University of Phoenix Financial Flow Chart
- **Attach. #8** Promotion and Tenure Nomination Process
- **Attach. #9** FSH 2300
- **Attach. #10** FSH 2300

2023 – 2024 Faculty Senate – Pending Approval

Meeting # 11

Tuesday, October 31, 2023, 3:30 pm – 5:00 pm

Zoom only

Present: Barannyk, Blevins, Chapman, Gauthier (Chair), Haltinner (Vice Chair), Justwan, Kenyon, Kirchmeier, Torrey Lawrence (w/o vote), Long, Miller, Mischel, Mittelstaedt, Murphy, Ramirez, Raney, Roberson, Rode, Rinker, Rode, Sammarruca (w/o vote), Schiele, Schwarzlaender, Shook, Strickland, Tibbals.

Absent: McKenna

Guests/Speakers: Trevor White, Karen Humes, Erin James, Chandra Ford, Sean Quinlan, Michael Parrella

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

Approval of Minutes (vote):

The minutes of the 2023-24 Meeting #10, October 24, 2023, were approved as distributed.

Chair's Report:

- Happy Halloween if this suits you!
I would like to acknowledge that there are several conflicts across the world — some going on at the same time. We need to keep in mind that social media are bringing these conflicts very close to us and the people around us, with a new level of polarization and disturbing content. As we never know what people are individually experiencing -let's please be sensitive to each other and our students - knowing this can be a difficult time for many.

Provost's Report:

- Last week, the college of EHHS hosted a great faculty gathering. Thanks to Dean Blevins. The next one will be Tuesday, November 14, 4:30 – 6:30, in the Vandal Ballroom, hosted by CLASS and Dean Quinlan.
- We need to assemble the University Distinguished Professor Advising Committee, composed of 4 faculty and 3 deans, appointed by the provost for three-year staggered terms. Qualifications: "Nominations will be made by Faculty Senate and the Academic Deans, in consultation with faculty and administrators of units. Committee members must be tenured professors who themselves have outstanding records of teaching, research and/or outreach." Below is the link to the relevant policy
FSH 1565-D-8: <https://www.uidaho.edu/governance/policy/policies/fsh/1/1565#d> Submit nomination for the committee through the form at: <https://forms.office.com/r/ridZTrQB97>
- 11:59pm, November 1 is the deadline for completing the All Employee Required Training.
- Update on the UOPX Working Groups (Chandra Ford).
There was great interest in participating. The invite went out to the initial group, but we will also communicate with the rest of the group to let them know that they will still be engaged.

Discussion:

Back to the University Distinguished Professors, Dean Parrella pointed out that an extension specialist has never received this award. Teaching excellence is an important part of the process, but extension specialists don't teach. Perhaps we could consider some changes to open the criteria.

A senator inquired about the candle vigil to be held on November 13 to remember the four students who died a year ago. The event is student led, but everyone is welcome.

Committee Reports (vote):

- UCC 434 Child Development M.S. – Trevor White
The Margaret Ritchie School of Family and Consumer Sciences (FCS) currently offers a single Master of Science degree in Family and Consumer Sciences that includes a focus on either child development, family studies, nutrition, or apparel textile and design. As it currently exists, it is difficult for prospective students interested in graduate studies in any of the areas to locate the degree via a simple search. Furthermore, some students may feel an M.S. degree in FCS does not truly reflect what they studied in graduate school, especially on one's resume/curriculum vitae; thus, it may affect future job prospects. The purpose of creating an M.S. degree in Child Development is to specifically delineate a specialization in Child Development as a graduate degree while maintaining the rigor of the current program. Additionally, having a more specific degree title will optimize their career opportunities.

Discussion:

Vote: 19/19 yes. Motion passes.

- UCC 529: Sustainability Academic Certificate – Karen Humes, Earth and Spatial Sciences and Erin James, English Department
Erin James provided a brief history of the certificate. On 09/05/2023, Senate appointed the existing interdisciplinary faculty-led committee as an ad-hoc program committee to serve as the "relevant unit and college" authorized to submit curricular proposals per FSH 4120-E. This committee shall be empowered to propose the UG Academic Certificate in Sustainability to the University Curriculum Committee as a University-Wide Program, and to set its initial curriculum. The program was approved by UCC, and the committee is now back to the Senate to seek approval for the program content. Karen Humes added that the UCC vote was unanimous.

Discussion:

Friendly amendment: It must be stated explicitly that a grade of C or better is required.

Vote: 19/20 yes; 1/20 no. The motion passes.

Announcements and Communications:

- Magic Valley Working Group White Paper - Torrey Lawrence, Provost & Executive Vice President, Chandra Ford, Center Executive Officer Southwest Idaho, Sean Quinlan, Dean, College of Letters, Arts and Social Sciences, Michael Parrella, Dean, College of Agricultural and Live Sciences.

Chandra Ford gave an introduction. President Green established the Magic Valley working group and tasked it to explore strategic opportunities for the University of Idaho in the Magic Valley. The working group was divided into three subgroups. The first subgroup, directed by Associate Dean and Director of UI Extension Barbara Petty, focused on outreach and tourism and took a critical look at the Jerome site and the potential return on investment (ROI) associated with the development. The second, led by Dean Michael Parrella, investigated potential research connections associated with CAFE. The third, headed by Dean Sean Quinlan, was charged with exploring expanded educational opportunities, such as undergraduate degrees, graduate degrees and 2+2 programs that pair with CSI.

Some key points: There are multiple opportunities for the University of Idaho to serve the workforce in the Magic Valley. We can help them meet their needs by expanding existing U of I academic programs in partnership with CSI. Programs most suitable for expansion include

undergraduate programs in aquaculture, natural resources, and agriculture with a focus on food production. Our expertise in the meat science area (e.g. Vandal Brand Meats program) is an excellent opportunity for the Magic Valley.

There are important areas where CSI and the U of I can collaborate in instruction delivery across various disciplines and develop hybrid programs that combine two-year face-to-face instruction and online course delivery to complete the four-year degree. These programs would have U of I faculty on the CSI campus to provide experiential learning opportunities. Hybrid programs would meet curricular requirements while providing greater flexibility in course delivery and a clear pathway to four-year degree completion.

The many impactful research opportunities are focused on Aquaculture, Food Science/Processing and Water.

After a visit to the Jerome site and to CSI, the group concluded that the most strategic location is in proximity to the CSI campus. A site close to our academic partners is ideal for reaching out to the potential students we want to enroll in our programs. One recommendation is to grow programs specifically in the College of Ag and Life Sciences and build out a second location for CALS. CSI is very supportive of a collaborative expansion of their ATI Center that involves U of I. (For a complete description, please see the White Paper attached to this meeting binder.)

Discussion:

Q. Why this particular region?

A. It's a place with potential for significant growth. Twin Falls is growing fast and offers many opportunities to serve unmet needs. It is existential for the U of I to increase its presence at CSI, in proximity to students who want to complete a 4-year degree.

Q. Was any thought given to including INBRE in these plans?

A. We have not. We are concentrating on developing food-processing connections.

Q. Do you plan to connect with specific farms/industries, or do you mainly want to increase the U of I presence in the region?

A. As a land grant university we connect broadly, with a focus on serving the food-processing industry. There are many opportunities for students with a variety of backgrounds, such as computer science, engineering, and more.

Contact Dean Michael Parrella if you wish to participate in these connections.

- Spread Pay Task Force Recommendations – Kristin Haltinner

The task force was charged with investigating the possibility of offering spread pay as a benefit for all faculty currently on 9-month appointments at U of I.

In the process of doing this, we first sought to verify that this was, in fact, desired by the faculty. We conducted a survey of faculty on 9-month contracts last year. At that time, 570 faculty were on academic contracts and received the survey. 329 completed the survey leading to a response rate of 61%. 127 faculty were on spread pay, 443 on standard pay. Of those faculty currently on standard pay, 63% indicate that they would immediately switch to spread pay if given the option. Regardless of whether they would go on spread pay, 94% of surveyed faculty supported implementing it as an option for others.

We then worked with the provost's office and Brian Foisy's office to determine whether or not it was even possible to offer the benefit. As you may remember, U of I incentivized faculty switching to standard pay in 2017 due to incompatibilities between the Banner 8 system used by HR and the form of spread pay we were using at the time.

In the process of this investigation, we learned that the system we were using was different than Banner (our current system). We also learned about an alternative model for payment over 12 months, used by many universities and compatible with Banner 9.

There are three possible systems of payment. The first is what we are calling “standard pay” this is a system in which 9-month faculty are paid at the time of their work, over a 9-month period. It is what most faculty are currently using. The second is called “spread pay.” This system “spreads” people’s pay from the academic year to the fiscal year. In effect, we currently pay the 122 faculty on spread pay in advance of their work in July and August and then we defer a part of their paycheck to pay them in May and June. The part of this practice in which we pay people in advance of their work in July and August is incompatible with the Banner system. The third is called “deferred pay.” This is a system in which a portion of faculty’s paychecks are held and then paid out over the summer. This calendar pays people on a schedule from September (or two weeks after contracts start – August 30th next year) through the following August. This is the system used at most schools and is compatible with the Banner system.

The University of Idaho can begin to offer the deferred pay option to faculty on 9-month contracts beginning next academic year. Faculty would need to opt into this payment plan – the details of that opting are still being figured out – and a portion of their 9-month pay would be held and paid out over the summer of 2025, so they are paid over 12 months.

So, this is a very exciting possibility for the faculty who struggle to make ends meet in the summers as single parents or primary income earners.

There are two challenges that were unearthed by this process. The first is that we need to move the 122 faculty currently on the noncompliant spread pay system onto either the deferred pay or spread pay system – whichever they choose. In so doing, they will be paid for the current academic year as planned – until the end of June. Then they will need to switch to the deferred pay (or standard pay) system. Regardless of which they choose, there will be a pause in their payment for three pay periods in July and August as this switch occurs. They are not missing out on salary! We are finishing the spread pay system (July through June calendar), pausing, and then switching to the deferred pay (September to August) calendar.

Something should be very clear: the 122 faculty currently on spread pay will need to switch to the standard pay or – if deferred pay is offered – choose between standard pay or deferred pay system. To ease the transition from spread pay to deferred pay, the provost’s office has set up an option for faculty on spread pay to have a portion of their salaries withheld in the Spring semester and paid out in July and August. There is one other challenge that was unearthed in this process. That is that the Banner system expects and is built for faculty to be on 20 pay period contracts, but UI’s faculty are on 19.5 pay period contracts. This is another change that will need to be made. Faculty will not be expected to work an additional week, but this will slightly lower hourly salary rates – something significant to people on external grants.

The recommendation of the task force that we open the option for deferred pay to all eligible faculty – that is, fulltime faculty on 9-month contracts.

Discussion:

Concern about the delayed payments next summer

To alleviate people’s concerns about having to get by for two months without paychecks, Payroll has set up a system to withhold money (starting in January) to be paid in summer 2024 to the 122 faculty currently on spread pay. Or people can do it on their own.

Incentive?

There will not be an incentive to switch. This transition is something that we have to do. But the provost office and Payroll will help make it less painful. Once again, it was emphasized that there will be no loss of wages – people are getting paid at a different time. This is about moving to a system where we can incorporate everyone.

Impact on summer salaries from grants

The discussion moved to how summer salaries from grants are impacted. There is a maximum salary (due to various regulations) based on what one's salary would be if it were extended to 12 months and keep the salary at that level. A change in the contract period will alter this calculation, as the summer maximum salary will impact faculty who receive 3 months of summer salary from their sponsoring agency. There are still several moving parts. If this recommendation goes forward, it will be useful to provide actual examples covering several scenarios.

Hourly rate reduction

Linda Campos: the hourly rate reduction arose from the need to have 20 pay periods, which presents some system challenges. However, deferred pay can move forward independently. Back to the change in hourly rate, a senator noted that it can be easily calculated from the total salary divided by the total number of hours in the 20-pay period system (compared to the corresponding ratio in the 19.5 system).

Faculty need to choose the deferred pay option every year. So, if a faculty expects to receive 3 months of summer salary from a grant, they may decide not to opt for deferred pay on that particular summer.

The recommendations of the task force will be an action item at the next meeting.

- UOPX – Draft Survey, Chair Gauthier
Just a quick note to remind everyone that the attached survey is a draft. The modalities of distribution are being worked out.

New Business:

There was none.

Adjournment:

The agenda being completed, Chair Gauthier adjourned at 4:42pm.

Respectfully Submitted,

Francesca Sammarruca
Secretary of the University Faculty & Secretary to Faculty Senate



POLICY COVER SHEET

For instructions on policy creation and change, please see <https://sitecore.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 1620 University-Level Committees**

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.”

Originator: Francesca Sammarruca, Faculty Secretary

Policy Sponsor, if different from Originator:

Reviewed by General Counsel xYes __No

Name & Date: Kim Rytter 4/19/23

1. **Policy/Procedure Statement:** Briefly explain the reason for the proposed addition, revision, and/or deletion.
Comprehensive review. Revised to clarify procedures for university-level committees and to highlight that all faculty who have voting privileges and all board-appointed staff are welcome to serve on committees.
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.
FSH 1640
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.

UI FACULTY-STAFF HANDBOOK

CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

1620

UNIVERSITY-LEVEL COMMITTEES

LAST REVISION: January 2018

CONTENTS:

A. Purpose—Function, Structure, and Membership of Committees

B. Scope Regulations Governing Committees

C. Function, Structure, and Membership of University-Level Standing Committees

D. Regulations Governing University Level Standing Committees. Guidelines for Committee Chairs

E. Guidelines for University-Level Committee Chairs

A. PURPOSE. This policy regulates university-level standing committees, including their establishment, discontinuance, responsibilities, appointment, and operation. It also addresses meeting procedure for all committees under the jurisdiction of the university faculty or any of its constituencies.

B. SCOPE. This policy applies to all university-level standing committees.

CA. FUNCTION, STRUCTURE, AND MEMBERSHIP OF UNIVERSITY-LEVEL STANDING COMMITTEES. University-Level Standing Committees comprise all committees listed Senate Committees and Other University Level Standing Committees in FSH 1640 -A- identifies Senate Committees and Other University Level Standing Committees, and sets forth the function, structure, and membership of each committee are set forth in FSH 1640 -B- See 1640 for the function and structure of each university level standing committee. The list of members appointed to serve on these committees the Senate standing committees in FSH 1640 -A-1 is published on the Faculty Senate website after the beginning of the academic year by the Committee on Committees. Committees in FSH 1640 -A-1 are also referred to as “standing committees under the jurisdiction of the Faculty Senate.” All faculty who qualify under FSH 1520 -II and all board-appointed staff are eligible to serve on university level these senate committees.

DB. REGULATIONS GOVERNING COMMITTEES. The following is a codification of the general regulations governing university-level committees:

DB-1. As used here, “committee” is a general term denoting any university-level standing or special committee, subcommittee, council, board, senate or similar bodies.

DB-2. The establishment, discontinuance, or restructuring of, and the assignment of responsibilities to, the University-Level Senate standing Standing Committees as identified in FSH 1640 -A-1 of the university faculty are policy actions that require approval by the Faculty Senate.

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

D-4 Other University-Level Standing Committees as identified in FSH 1640 -A-2 are appointed, charged, restructured, and discontinued, as specified in the description of each commi -as specified in

the committee description.

DB-54. The Committee on Committees appoints, subject to confirmation by the Faculty Senate, members of ~~standing committees of the university faculty~~ FSH 1640 -A--1 ~~ySenate cCommittees, other than those addressed in B-3.~~ The chair of Faculty Senate establishes special Faculty Senate committees and appoints their members.

~~DB-65. In selecting staff members to serve, the Committee on Committees receives names of those approved by the Staff Council~~ Staff and student members of FSH 1640 -A--1 committees are selected and recommended by their respective leaderships. ~~The Council forwards to the Committee on Committees~~ appoints the names of the recommended staff members, subject to confirmation by the Faculty to be appointed to ~~Senate Committees, which recommendation shall be followed by the Committee on Committees, which considers expressions of interest and qualifications of employees to serve on various committees.~~ Approved service by staff members on university committees is considered a valuable service to UI, within the scope and course of employment. Provided the staff employee can be released from regular duties, time spent in committee service is not charged against the employee's annual leave or compensatory time balances, and the employee is not expected to make up time away from normal duties for committee service. (In cases where staff employees are elected to serve, e.g., on Staff Council itself, it is expected that the employee will first secure the consent of ~~his or her~~ their supervisor before becoming a candidate.)

DB-76. Ordinarily, no ~~faculty~~ FSH 1640 -A--1 committee will be chaired by an officer who is substantially responsible for implementing the policies or recommendations developed by the committee.

DB-87. Unless otherwise noted within the structure of a committee in FSH 1640 -A-1, chairs are selected by the Committee on Committees. The chairs of ~~faculty standing e~~ these ~~Senate~~ Committees generally are rotated so that no committee comes to be identified with one person.

DB-98. The president of the university, or the president's designee, is a ~~member~~ member ex officio of all UI committees, regardless of how the committees may have been established or appointed. On committees under the jurisdiction ~~of the university faculty or~~ of the Faculty Senate, the president or the president's designee serves without vote.

DB-109. The chair of the Faculty Senate is a member ex officio without vote of all committees under the jurisdiction ~~of the university faculty or~~ of the Faculty Senate.

DB-110. Students are to be represented, if they so desire, on ~~FSH 1640 -A--1 faculty~~ committees that deal with matters affecting them. Except for student members of the Faculty Senate, the Committee on Committees receives names of those approved by the ASUI, GPSA and SBA to fill positions established for student members of ~~FSH 1640 -A--1 faculty~~ committees. ~~[See 1640.]~~ If, 21 days after the first day of classes of the fall semester, nominations have not been submitted to fill student positions, the committees on which the vacancies exist are authorized to disregard the vacant student positions in determining a quorum.

DB-121. The membership of individual members of ~~standing committees of the university faculty~~ FSH 1640 -A--1 ~~cSenate~~ Committees may not be terminated involuntarily except for cause and with the concurrence of the Committee on Committees with the possibility of appeal by the ~~faculty~~ member to the Faculty Senate.

DB-132. University-level UI committees meet on the call of the chair. Committees under the jurisdiction of the Faculty Senate ~~university faculty or any of its constituencies~~ may be convened by at least 35 percent of the members of the committee with a three-day written notice to all members.

~~DB-143.~~ A quorum for any committee under the jurisdiction of the ~~university faculty Senate or any of its constituencies~~ consists of at least 50% of its voting members, unless otherwise stated in the committee structure.

~~DB-154.~~ Voting:

a.

Proxy votes are not permitted in committees under the jurisdiction ~~of the university faculty or~~ of the Faculty Senate.

- b. Email voting under some circumstances is allowable. However, it must be agreed to by all members at the meeting. There must be an explicit understanding that anyone can ask that voting be delayed until the next meeting as a group. Examples of allowable email voting include: committee is nearing the end of a meeting and discussion has been sufficient for the secretary/chair to draft a recommendation, confirming nominees/appointments, etc.

~~DB-165.~~ Unless otherwise provided, assignments to standing faculty committees begin on the official opening date of the academic year, ~~which ever is earlier.~~

~~DB-176.~~ Open cCommittee mMeetings.

a. Meetings of university-level committees, committees of the colleges, divisions, subdivisions, and other UI units, and *ad hoc* committees, however created, are open to the public with the exception of those meetings, or those parts of meetings, that deal with confidential employee or student matters; But [see DB-176-d].

b. Observers may speak only by invitation of the chair.

c. Observers may use their own ~~tape recorders or other~~ recording devices. Also, they will be provided a copy of any recordings made by the committee, if they request a copy through the appropriate regular channels and pay the full costs involved in producing~~making~~ the copy.

d. An exception to the exception stated in DB-176-a is permitted in hearings on appeals when the appellant demands in writing before the hearing board's first meeting that the hearing be open to the public; nevertheless, the chair of the hearing board has the authority~~power~~ to close the hearing to the public if, in the chair's opinion, the atmosphere becomes detrimental to the orderly conduct of the proceeding. Moreover, the chair has the authority~~power~~ to exclude prospective witnesses from the hearing until they have testified.

~~DB-187.~~ ~~University level Standing S~~standing ~~committees under the jurisdiction of the Faculty Senate~~ are to keep minutes and to distribute them as provided in EC-78.

~~B-18. Smoking is prohibited in official meetings and hearings of UI committees.~~

~~DB-199.~~ Rules of oOrder. [See FSH 1520 VI.]

EC. GUIDELINES FOR FSH 1640 -A-1 COMMITTEE CHAIRS. These guidelines were developed by the Committee on Committees as suggestions for the effective handling of committee business and clarification of certain minimal requirements of these committees. The Committee on Committees recognizessd that not all items will apply equally to all committees and that some items will not be appropriate to some committees.

~~EC-1. At the beginning of each semester, contact committee members about times they would be available to identify for a set meeting time when committee members are available through the semester (for committees that do not have set meeting times already established), so that the times that the committee members will be available to meet can be ascertained.~~

~~EC-2. Hold an organizational meeting as early as possible in the Fall semester-September to discuss and review the charge of the committee (see FSH 1640), its procedures, and possible agenda items, and if desirable select a secretary.~~

~~EC-3. To ensure that committee business is not delayed when the semester begins, committee chairs are encouraged to recommend and submit names of faculty, staff and students for any vacant position to the Faculty Secretary's Office for consideration and confirmation. All names that are recommended will be handled following the normal approval process.~~

~~EC-4. Establish the best means of getting in touch with each student member.~~

~~EC-5. Issue a standing invitation to members to submit appropriate agenda items. Call a meeting when enough agenda items have accumulated to warrant it or when a particular agenda item warrants immediate attention. Alternatively, contact committee members periodically to ask if there are matters/problems that need to be considered.~~

~~EC-6. Send an agenda to -with the call of a meeting- to all members at least one day (24 hours) in advance of the meeting, if possible.~~

~~EC-7. Review and the minutes of each meeting carefully to make certain that the intent of the committee is accurately represented.~~

~~EC-8. Send agenda and approved minutes of each meeting of the committee to the Faculty Secretary's Office at faesec@uidaho.edu and send copies to members of the committee. Also, inform other officers who are directly concerned with the work of the committee. To assist with record keeping, number meetings of the committee consecutively; e.g., "minutes#1 mmddyy." It's recommended that you forward the minutes to the next committee chair, after your term is completed.~~

~~Committees that address matters with confidential employee or student matters, shall keep such minutes confidential. All materials for these committees will be forwarded to the Office of the Faculty Secretary for filing and archiving. Also, inform other officers who are directly concerned with the work of the committee. To assist with record keeping, number meetings of the committee consecutively; e.g., "minutes#1 mmddyy."~~

~~EC-9. Hold hearings when substantive policy changes are proposed. When feasible, invite those who will be affected by the committee's action to present their views to the committee.~~

~~EC-10. Inform those who are affected by the committee's actions of such actions.~~

~~EC-11. Promptly submit reports of actions requiring approval by the Faculty Senate in care of the Office of the Faculty Secretary for placement on the Faculty Senate agenda. Be prepared to attend the Faculty Senate meeting to answer any questions that arise.~~

~~EC-12. Inform the Office of the Faculty Secretary of any resignations from the committee and any excessive absences. Excessive absences will be referred to Committee on Committees to determine whether cause exists to replace the member.~~

~~EC-13. Prepare a succinct/brief year-end report for submission to the Faculty Senate in care of the Office~~

of the Faculty Secretary for distribution as needed. The report must contain: number and approximate frequency of the committee meetings; committee goals; committee accomplishments. For committees that address confidential matters (see E-8), send the report to the Office of the Faculty Secretary for filing and archiving.

EC-14. Prepare a transition file for next year's chair highlighting past issues (year-end report could be used), issues that are in progress, or issues that still need to be addressed. Plan to attend one or two meetings of the new committee to ease transitioning.

EC-15. Call on the Office of the Faculty Secretary for information and assistance concerning points not fully covered in these guidelines.

Version History

Amended January 2018. Changes were made to empower staff and students with making final decisions on whom they appoint.

Amended July 2017. Editorial changes.

Amended January 2017. Minor edits to update processes, to enable committees to vote by email under specific conditions, and to ensure that committee business is not delayed due to staff and student groups who sometimes struggle in finding individuals early in the fall semester.

Amended July 2015. Edit to ensure any major changes go forward to the general faculty to ensure faculty governance.

Amended July 2014. Edits to conform to change in quorum requirements in University Judicial Council/Student Disciplinary Review Board which came about due to student code of conduct policy changes.

Amended January 2014. This edit brought 1620 B-10 into conformity with FSH 1640.93 C which states that "Five members, at least two of which must be students" constitutes a quorum for the University Judicial Council.

Amended July 2010. Faculty Council was changed to Faculty Senate and B-7 was revised to address chair appointments.

Amended July 2008. Minor changes were made to B-2, 13 and C-13.

Amended January 2007. This section was substantially revised to reflect current process.

Amended July 2000. Editorial changes.

Adopted: No adoption date is available for this policy.



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 1640 COMMITTEE DIRECTORY**

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."

Policy originator: Francesca Sammarruca, Faculty Secretary

Policy sponsor, if different from originator:

Reviewed by General Counsel: __ Yes X No Name & Date:

Comprehensive review? _X_ Yes __ No

1. **Policy/Procedure Statement:** Briefly explain the reason for the proposed change.

Committee directory sections renamed to clarify which committees are within the purview of Faculty Senate. Title of 1640.69 updated to University Promotion and Tenure Committee.

2. **Fiscal Impact:** What fiscal impact, if any, will this change 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.

FSH 1620.

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.

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CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

1640

COMMITTEE DIRECTORY

A. University-Level Standing Committees

A-1 Senate—Committees under the jurisdiction of the Faculty Senate

- .02 Academic Hearing Board
- .04 Academic Petitions Committee
- .06 Administrative Hearing Board
- .08 Admissions Committee
- .10 Americans with Disabilities Act Advisory Committee
- .18 Borah Foundation Committee
- .20 University Budget & Finance Committee
- .22 Campus Planning Advisory Committee
- .26 Commencement Committee
- .28 Committee on Committees
- .36 Dismissal Hearings Committee
- .40 Instructional Space Committee
- .41 Faculty and Staff Policy Group
- .42 Faculty Affairs Committee
- .43 Faculty Appeals Hearing Board
- .44 Faculty Senate
- .46 Arts Committee
- .53 Honors Program Committee
- .55 Information Technology Committee
- .58 Ubuntu
- .60 Library Affairs Committee
- .64 Officer Education Committee
- .66 Parking Committee
- .74 Sabbatical Leave Evaluation Committee
- .76 Safety and Loss-Control Committee
- .77 Scientific Misconduct Committee
- .80 Staff Council
- .81 Staff Compensation Committee
- .83 Student Conduct Board
- .84 Student Financial Aid Committee
- .86 Teacher Education Coordinating Committee
- .87 University Teaching Committee
- .88 University Advising Committee
- .89 University Committee for General Education
- .90 University Assessment & Accreditation Committee
- .91 University Curriculum Committee
- .92 University Development Council
- .95 University Security and Compliance Committee

A-2. Committees whose establishment, membership, function, structure, and discontinuance do not require approval by the Faculty Senate~~Other University-Level Standing Committees~~

- .12 Institutional Animal Care and Use Committee
- .14 Biosafety Committee, Institutional
- .34 Provost Council
- .48 Graduate Council
- .50 Grievance Committee for Staff Employees
- .51 Grievance Committee for Student Employees
- .54 Institutional Review Board
- .69 ~~Promotions Review Committee~~ University Promotion and Tenure Committee
- .70 Publications Board
- .71 Radiation Safety Committee
- .72 Research Council

ACADEMIC HEARING BOARD (AHB)

A. FUNCTION.

A-1. To act on requests for redress of academic grievances and to decide appeals from decisions made by college authorities.

a. Grievances may concern, but are not limited to, such matters as: (1) eligibility for advanced placement or credit by examination; (2) objectivity or fairness in making, administering, and evaluating class assignments; (3) maintenance of standards for conscientious performance of teaching duties; and (4) scheduling of classes, field trips, and examinations.

b. The AHB does not hear appeals concerning requirements or regulations of the College of Graduate Studies or the College of Law. Appeals from decisions of other college authorities are subject to the limitations specified in C-3.

A-2. To observe the effects of academic requirements, regulations, and policies, and to report its findings and recommendations to the Faculty Senate.

B. STRUCTURE. Five faculty members, at least one of whom holds an administrative position in a college. In selecting a chair, a tenured faculty member will receive priority.

C. PROCEDURES.

C-1. Generally the student who is dissatisfied with an institutional academic action should first request reconsideration by the appropriate academic authority. Normally, AHB should hear an appeal only after the student has exhausted the appellate procedures provided at the levels of the department and college. Nevertheless, AHB may grant a request for an earlier hearing if at least two of its members recommend an exception on the grounds that an immediate hearing is warranted.

C-2. When an appeal is to be heard, AHB summons the student concerned and a representative of the academic authority whose action is challenged. A UI student or employee who is summoned to a hearing has the same responsibility to respond as though directed by the president to do so.

C-3. AHB recommends reversal of a departmental or college decision as to the satisfaction or waiver of a requirement or regulation only when it finds that (a) regular procedures have not been followed, (b) the petitioner has been denied a fair hearing, or (c) the decision being appealed was discriminatory with respect to the petitioner.

C-4. Although AHB cannot change a grade or require that it be changed, it may order that the grade it considers appropriate also be recorded on the student's academic records. (NOTE: Procedures for changing grades are outlined in the catalog.)

C-5. It is within the purview of the AHB to hear an appeal of a grade imposed by an instructor as a result of academic misconduct, e.g., cheating or plagiarism. Such a grade constitutes an evaluation and is not to be construed as a penalty. Penalties for academic misconduct are considered to be disciplinary in nature and must be imposed through the student judicial system. Appeals from penalties imposed through the student judicial system are directed to the Faculty Senate. [see 2200, 2300 II, and 2400.]

C-6. AHB reports its decisions and recommendations to the student, instructor, departmental administrator, and dean concerned and to the registrar. The department, college, and registrar make such reports part of their permanent records for the student concerned.

C-7. AHB may devise additional procedures, consonant with the constitution of the university faculty [1520] and the "Statement of Student Rights" [2200], for the discharge of its functions.

C-8. Actions of the AHB may be appealed as stated in 2500.

1640.04
ACADEMIC PETITIONS COMMITTEE (APC)

A. FUNCTION.

A-1. To act on petitions for exceptions to the academic requirements and regulations printed in part 3 of the General Catalog and to the requirements of the SBOE core printed in part 2. APC is the body with original jurisdiction over such petitions.

A-2. To observe the effects of university-level academic requirements, regulations, and policies and to report its findings and recommendations to the Faculty Senate.

A-3. This committee traditionally meets on Thursdays at 2:30 p.m. and during the summer.

B. STRUCTURE. Five faculty members, at least one from the Counseling and Testing Center and include two assistant or associate deans, and (w/o vote) the registrar or that officer's designee. To assure a quorum alternates are appointed for the dean and faculty positions by the chair of the APC from a list of those who have previously served on the committee.

C. ASSUMPTIONS AND PROCEDURES.

C-1. APC must be careful not to establish the petition process as an alternative to being governed by the faculty's legislated academic requirements. There are not two sets of requirements--one for those petitioning and another for those following the catalog.

C-2. All academic work undertaken should be accurately reflected in the student's record. The faculty expects APC to ensure that the record is faithful to the actual experience (cosmetic adjustments or "corrections" are not sanctioned) and that the record is properly interpreted in relation to academic requirements.

C-3. The responsibility for complying with deadlines specified in the academic calendar belongs to the student.

C-4. The decisions of APC should be focused on the academic consideration involved that caused the student to petition, rather than on the consequences, either real or imagined, that may face the student.

C-5. Petitions are presented to APC by a representative of the student's college.

C-6. APC reports its decisions to the registrar and to the student via his or her dean.

C-7. Procedures for appeals from decisions of this committee are as provided in 2500.

1640.06
ADMINISTRATIVE HEARING BOARD (AdHB)

A. FUNCTION.

A-1. The AdHB, acting for the Faculty Senate, hears and decides:

a. Appeals by students and employees from administrative decisions in such matters as residence status for tuition purposes, granting of student financial aid, and assessment of fees or charges (except in connection with parking regulations, see 1640.66).

b. Disputes involving interpretation and application of policies concerning such matters as student records.

A-2. Disputes involving requests for accommodation for persons with disabilities will be handled under 3210.

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A-3. The AdHB is directed to observe the effects of university-level requirements, regulations, and policies and to report its findings and recommendations to the Faculty Senate.

A-4. AdHB is empowered to call students and employees to hearings and any such person called has the same responsibility to respond as though summoned by the president. Decisions of AdHB are subject to review by the president and regents, and may be appealed to them when they consent to hear such appeals.

A-5. This committee meets during the summer.

B. STRUCTURE. Four members of the faculty (including one from the College of Law), one staff member, one student and the following *ex officio* members, or their designees: Registrar and Manager of Student Accounts. In selecting a chair, a tenured faculty member will receive priority.

1640.08

ADMISSIONS COMMITTEE

A. FUNCTION. To act on applications for admission to UI in the cases of undergraduate applicants who do not meet minimum requirements for admission but who request a review. The Admissions Committee also evaluates and acts on applications of undergraduate students to special UI programs requiring minimum qualifications lower than those for regular admission to the University of Idaho. The Admissions Committee also hears appeals from disenrollment when that disenrollment is the result of the presentation of incomplete or false information on initial application as an undergraduate at UI. Decisions of this committee may be appealed as stated in 2500. (Similar applications for admission to the College of Graduate Studies are acted on by the Graduate Council, and its decisions may be appealed as stated in 2500; those for admission to the College of Law are acted on by that college's Committee on Admissions, and its decisions may be appealed, in order, to the full faculty of the college and, when they consent to hear the appeal, to the president of the university and the regents.)

A-1. This committee traditionally meets during the summer.

B. STRUCTURE. Five members of the faculty, director of counseling and testing center or designee, chair of Ubuntu or designee, a member of the American Language and Culture Program faculty, and the following without vote: director of admissions (or designee), a Student Support Services designee, a representative from the Office of Multicultural Affairs, a professional advisor, and up to two representatives from student support programs. To assure a quorum, alternates for the faculty positions are appointed by the chair of the Admissions Committee from a list of those who have previously served on the Committee.]

1640.10

AMERICANS WITH DISABILITIES ACT ADVISORY COMMITTEE

A. FUNCTION.

A-1. To advise the Director of The Office of Civil Rights and Investigations on all matters relating to disability, including universal access and design of university facilities, websites, and programming; accommodation of students, faculty and staff with disabilities; full compliance with the Americans With Disabilities Act as amended, Idaho Human Rights Act, Rehabilitation Act of 1974, and Fair Housing Act; and to discharge such other functions as may be assigned by the Faculty Senate or by the president or the president's designee.

A-2. To fulfill the major faculty responsibility for monitoring and advancing UI's commitment to ensuring that its facilities, programs, activities and services are accessible to all persons with learning, sensory, physical and other disabilities, and to serve the needs of these members of the university community. The committee works closely with administrative officers in identifying and ensuring compliance with applicable laws, regulations and best practices, as well as regents' policy.

A-3. To submit periodic reports on its activities to the Director of The Office of Civil Rights and Investigations,

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who will distribute them to the Faculty Senate along with recommendations for appropriate program or policy changes.

B. STRUCTURE AND MEMBERSHIP. Three (one from the library, one academic administrator, and the third should have experience and/or possess knowledge of persons with disabilities) all of whom are selected by the Committee on Committees, ITS Director (or designee), Facilities Director (or designee), Executive Director for Human Resources (or designee), Director of Center for Disability Access and Resources,, Director of Housing and Residence Life, Director of Counseling and Testing Center (or designee), Director of The Office of Civil Rights and Investigations, two staff members, two students (undergraduate and graduate), and the following without vote: Parking and Transportation Services, Center on Disabilities and Human Development, Public Safety & Security (or designee), and Office of General Counsel.

1640.12

INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE (IACUC)

(See also APM 45.01)

A. FUNCTION. To perform the functions of the IACUC as defined in APM 45.01.

B. STRUCTURE.

B-1. Members are appointed to three year terms by the Institutional Official (IO) who is the VP for Research and Economic Development. To provide the necessary expertise and continuity members may serve successive terms with reappointment by the IO.

B-2. The committee is composed of not less than five voting members including a chairperson, the Attending Veterinarian (ex-officio appointment a practicing scientist experienced in animal research, a non-scientist, and an individual not affiliated with the University. No more than three voting members may be from the same administrative unit.

B-3. Alternates that meet the criteria for each of the specified positions may be appointed by the IO.

B-4. The Office of Research Assurances Director serves as a non-voting, ex-officio member.

B-5. The IO may remove and replace a committee member at any time when the IO has determined that the member is unwilling or unable to perform committee member functions.

1640.14

INSTITUTIONAL BIOSAFETY COMMITTEE (IBC)

A. FUNCTION. On behalf of the University, the Institutional Biosafety Committee (IBC) is responsible for:

A-1. Reviewing and approving the use of potentially biohazardous material, select agents and toxins, and recombinant DNA in research or teaching activities conducted at or sponsored by the institution for 1) compliance with government agency requirements, including NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules (NIH Guidelines) and regulations promulgated by the CDC and USDA related to select agents and toxins; and 2) alignment with best practices as provided in Biosafety in Microbiological and Biomedical Laboratories (BMBL) and other appropriate best practices. This review shall include: 1) independent assessment of the containment levels appropriate for the proposed research, and 2) assessment of the facilities, procedures, practices, and training and expertise of personnel involved in work with these materials. Consultants may be utilized to assist the IBC. See NIH Guidelines section IV-B-2-b-1 and APM 35.11. Biohazard Safety

A-2. Notifying the Principal Investigator of the results of the IBC's review and approval. See NIH Guidelines section IV-B-2-b-2.

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A-3. Lowering containment levels for certain experiments as specified in NIH Guidelines section III-D-2-a, Experiments in which DNA from Risk Group 2, Risk Group 3, Risk Group 4, or Restricted Agents is Cloned into Nonpathogenic Prokaryotic or Lower Eukaryotic Host-Vector systems. See NIH Guidelines section IV-B-2-b-3.

A-4. Setting containment levels as specified in NIH Guidelines sections III-D-4-b, Experiments Involving Whole Animals, and III-D-5, Experiments Involving Whole Plants. See NIH Guidelines section IV-B-2-b-4.

A-5. Periodically reviewing recombinant DNA research and potentially infectious material research conducted at the institution to ensure compliance with NIH Guidelines and BMBL best practices. Reviews occur every three years, or more often as deemed necessary by the IBC. See NIH Guidelines section IV-B-2-b-5.

A-6. Adopting emergency plans covering accidental spills and personnel contamination resulting from potentially infectious material and recombinant DNA research. See NIH Guidelines section IV-B-2-b-6.

A-7. Serving as an advisory body to the Vice President for Research and Economic Development for biohazardous research activities.

B. STRUCTURE. The IBC is a faculty-chaired committee. In accordance with NIH Guidelines, the IBC must comprise no fewer than five members selected so that they collectively have experience and expertise in recombinant DNA technology, the capability to assess the safety of recombinant DNA research, and the capability to identify any potential risk to public health or the environment. Members are nominated by the Vice President for Research and Economic Development.

Two members of the committee serve as standing members of the committee as part of their job role: 1) Biosafety Officer and 2) Attending Veterinarian. At least two members shall not be affiliated with the University (apart from their membership on the IBC) and shall represent the interest of the surrounding community with respect to health and protection of the environment. The IBC shall include at least one individual with expertise in plant, plant pathogen, or plant pest containment principles when experiments utilizing the appendix associated with plant research in the NIH Guidelines require prior approval by the IBC. The IBC shall include at least one scientist with expertise in animal containment principles when experiments utilizing the appendix associated with animal research in the NIH Guidelines require IBC prior approval. When the institution conducts recombinant DNA research at BL3 or Large Scale (greater than 10 liters), a Biosafety Officer is mandatory and shall be a member of the IBC.

In order to ensure the competence necessary to review and approve research protocols, every effort is made to ensure that the committee also includes members with expertise in infectious materials, biological safety, physical containment, institutional commitments and policies, applicable law, standards of professional conduct and practice, and a member of the laboratory technical staff.

When changes in NIH guidelines require change in committee structure, such changes will become effective at the time required by federal law. See NIH Section IV-B-2-a. To provide the necessary expertise and continuity of operation, members may serve consecutive three-year terms. The Responsible Official (RO) who is the Vice President for Research and Economic Development may remove and replace a committee member at any time when the RO has determined that the member is unwilling or unable to perform committee member functions.

Reference: NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules (NIH Guidelines) April 2019

1640.18

BORAH FOUNDATION COMMITTEE

A. FUNCTION. To outline and execute a continuing program to achieve the objectives of the foundation established at UI in memory of United States Senator William E. Borah. In accordance with those objectives, the Borah Foundation Committee will sponsor programs and projects focusing on understanding the causes of war and the

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conditions that contribute to peace.

B. STRUCTURE. Six faculty members, two staff, four students, and (without vote) the associate director of the Martin Institute for Peace Studies and Conflict Resolution. This committee requires a heavy time commitment; as such, elected members will serve two year terms. The Borah Foundation Committee meets weekly and elects its own chair. The Borah Foundation Committee members serve from April 1st of the year of appointment.

1640.20

UNIVERSITY BUDGET AND FINANCE COMMITTEE

A. FUNCTION. The function of the University Budget and Finance Committee is

A-1. To advise the president, provost and the vice president for finance on matters pertaining to operating and capital budgets. The Committee will periodically review policy matters regarding the use of state appropriated funds, university expenditures (e.g., salaries, benefits, operating costs, capital outlays, etc.), operating and strategic reserves, long and short term capital plans, and deferred maintenance plans.

A-2. To be involved strategically in the university budget process. The Committee may help define the budget process and goals, and participate in university budget hearings and meetings.

A-3. To initiate and/or respond to the study of budget and financial policies and issues.

A-4. To provide periodic reports to Faculty Senate and Staff Council on matters pertaining to university finances and budgets.

B. AGENDA. The agenda of each meeting will be set by the Chair of the committee in collaboration with the vice president for finance and/or the provost. The vice president for finance is the point of contact for the committee and is responsible for notifying the committee of relevant meetings dealing with university finances and budgets. The Senator on the Budget and Finance Committee is responsible for reporting activities of the committee to the Senate.

C. STRUCTURE AND MEMBERSHIP. The committee is composed of 19 voting members, plus 3 nonvoting members. The voting members will consist of ten faculty selected by Committee on Committees (preferably, one faculty member from each academic college and one representative from faculty-at-large), and one Senator elected from the Faculty Senate; five staff, (one from each vice presidential area nominated by Staff Council); and three students (selected by the Committee on Committees from nominations provided by the Associated Students of the University of Idaho, Graduate & Professional Student Association and the Student Bar Association). Ex Officio (w/o vote) members include: Provost and Executive Vice President, Vice President for Finance, and Budget Office representative.

The committee's chair will be selected by the Committee on Committees from one of the faculty members. ,

1640.22

CAMPUS PLANNING ADVISORY COMMITTEE

A. FUNCTION.

A-1. To advise the Faculty Senate, Space Advisory Council, and the president concerning campus planning, including such areas as the following:

- a.** To recommend projects that affect the campus environment and to review such projects that originate outside of the committee.
- b.** To encourage optimal use of UI's human and physical resources in the planning of campus development.
- c.** To consider faculty and staff views concerning interrelationships between academic and support programs

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and their environment.

d. To be concerned with both short-term and long-term projects and with their immediate and future implications.

e. To be concerned with the coordination of campus and community planning: keeping informed on development planning in the community, taking such planning into consideration in campus planning, and informing community planners of projected campus developments.

A-2. To present annually to the Faculty Senate and the president a report on the campus plan. Because of the responsibility of the vice president for finance and administration for overseeing facility planning and maintenance [see 1420 B-1], this committee regularly reports to the president through that vice president.

B. STRUCTURE. Six faculty members, two of whom are elected by Faculty Senate. The committee's chair will be selected from one of these six. The other members of the committee will include one student elected by ASUI, be the Vice President for Finance and Administration (or designee), the Assistant Vice President for Facilities, the CIO of Information Technology, one staff member, and the Coordinator for Student Disability Services (or designee).

1640.26

COMMENCEMENT COMMITTEE

A. FUNCTION.

A-1. To recommend policies applicable to the annual commencement exercises, to provide the president with a list of recommended speakers for the general ceremony, to consider and communicate the concerns of faculty members and colleges with regard to the entire commencement proceedings, and to provide advice to the registrar or president on any other business that pertains to the academic aspects of commencement. [See also 4980.]

A-2. To screen nominations for honorary degrees. [See Section 4930.]

A-3. To act for the faculty in recommending candidates for honorary degrees to the president. [See Section 4910.]

A-4. To review the guidelines and procedures concerning the awarding of honorary degrees and to recommend changes to the Faculty Senate.

B. STRUCTURE. Five faculty members (one of whom serves as chair), one honors student (nominated by ASUI in consultation with the director of the University Honors Program), and the registrar. The chair of this committee also serves as an ex-officio member of the administrative committee charged with production of the commencement activities.

1640.28

COMMITTEE ON COMMITTEES

A. FUNCTION.

A-1. To appoint members to and fill vacancies on all university-level faculty standing committees, subject to confirmation by the Faculty Senate. To ensure full membership when committees begin meeting each fall, authority is given to the Faculty Secretary, Faculty Senate Chair and Vice Chair (aka Committee on Committees Chair) to fill vacancies as they arise over the summer and early fall semester, subject to confirmation by the Committee on Committees and Faculty Senate.

A-2. To conduct a continuing study of UI's committee structure and of the function and structure of individual standing committees, and to make recommendations to the Faculty Senate.

A-3. The Faculty Secretary is a resource for this committee and oversees the process for solicitation of faculty members to serve on university-wide standing committees and maintains committee membership lists.

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B. STRUCTURE. Six faculty members, vice chair of the Faculty Senate (chair), Faculty Secretary (w/o vote) a representative of staff council, and ASUI president, or designee.

1640.34 PROVOST COUNCIL

A. FUNCTION. [See also 1420 D.] To advise the provost and provide a communication forum for the following purposes:

- A-1. Implementing academic policies and procedures.
- A-2. Operating faculty personnel policies.
- A-3. Evaluating the effectiveness of academic-management procedures.
- A-4. Developing academic budgetary priorities.
- A-5. Implementing academic budgetary procedures.

B. STRUCTURE. Provost (chair), vice provosts for academic affairs and student affairs, vice president for research and economic development, dean of graduate studies, WWAMI director, library dean, center leadership and academic deans.

1640.36 DISMISSAL HEARINGS COMMITTEES

A. FUNCTION. This committee will conduct a hearing at the request of a faculty member who has been terminated to determine whether their termination was properly based on the grounds stated (see FSH 3910 D-3 and 3920 D.)

B. STRUCTURE AND MEMBERSHIP: The DHC is composed of four faculty members and one administrator at the departmental level or above, six faculty members and three administrators as alternates. Committee members, including alternates, are chosen on the basis of their objectivity and competence and the high regard in which they are held in the UI community. In appointing members the Committee on Committees should attempt to reflect the diversity of the UI faculty. Due to the possibility a case may be appealed to the Faculty Appeals Hearing Board care should be taken in appointing members to both Faculty Appeals Hearing Board and Dismissal Hearings Committee. The term of membership is three years.

C. SELECTION: The faculty member requesting a hearing has the right to substitute up to two members appointed with two others from the alternate list. The provost also has the right to substitute two members appointed with two others from the alternate list. If as a result of substitutions and conflicts of interest there are an insufficient number of faculty members or administrators on the alternate list, the Committee on Committees will be asked to appoint more members to the alternate list as needed. Once the panel for an individual hearing has been determined, it will meet at the direction of the chair of the Dismissal Hearings Committee and elect its own panel chair. In selecting a chair, a tenured faculty member will receive priority.

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

C-2. Observers: Both parties may have an advisor or counsel at the hearing.

1640.40
INSTRUCTIONAL SPACE COMMITTEE
[. See also *APM 40.10*]

A. FUNCTION.

- A-1:** To develop and oversee a systematic approach for evaluating, building, and maintaining modern learning spaces on an ongoing basis.
- A-2:** To monitor and report on classroom and class lab utilization, offering recommendations to the Space Advisory Council regarding any conversion from centrally scheduled learning spaces to departmentally scheduled, or vice versa.
- A-3:** To develop classroom and teaching lab renovation priorities; also develop design and technical standards in support of continuous learning space improvements and implementation of curriculum.
- A-4:** To evaluate and recommend changes current scheduling policy to ensure flexibility in meeting the needs of modern active learning spaces.
- A-5:** To make recommendations on prioritization of budgeted expenditures for any general or departmental classroom construction, renovation, major maintenance and/or equipment upgrade project.

B. STRUCTURE. The Registrar, or designee, shall serve as Chair and one additional member from the Registrar's Office; two members from facilities selected by the assistant vice president of facilities; three faculty members; two ASUI representatives; one member selected by the senior executive director from each of the following areas: Information Technology, Center for Excellence in Teaching and Learning (CETL), Purchasing; and the Director of General Education, ex officio without vote.

C. CONTEXT: A systematic approach for evaluating the creation and/or maintenance of classroom environments that are acceptable, sustainable and which effectively facilitate the teaching and learning processes is essential. Numerous discussions with faculty, administration, and staff point to the lack of coordination among the many people who are involved with classrooms. This has contributed to classroom environments which no longer effectively facilitate the teaching and learning process. A coordinated strategic approach moving forward will ensure that classroom environments effectively support the instructional mission of the University and that policy and procedures are in place to facilitate equitable scheduling practices with good classroom utilization rates.

FSH 1640.41
FACULTY AND STAFF POLICY GROUP (FSPG)

A. FUNCTION.

- A-1.** To review non-academic policies and procedures (other than minor amendments, see FSH 1460 B-2) that affect both faculty and staff and that reside in the *Faculty-Staff Handbook* and/or *Administrative Procedures Manual*.
- A-2.** To ensure that both Faculty Affairs and Staff Council are informed, the chair of FSPG will communicate regularly with the chairs of Faculty Affairs and Staff Leadership.
- A-3.** To address and possibly resolve any perceived problems before forwarding proposed policies and procedures to Faculty Senate, the committee is encouraged to seek assistance from, or request meetings with the policy sponsor (see FSH 1460 B-6), general counsel, or others as necessary.

B. STRUCTURE. Three faculty, three staff, and the following as ex officio: Faculty Secretary, and the official responsible for coordinating policy, or designee. A broad representation of faculty and staff across the university is expected and who are seen as leaders among their peers. A current member of Faculty Affairs and Staff Council is

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desirable, if possible. The chair of this committee will be elected by the committee. An ex officio member may be elected as chair of the committee .

1640.42

FACULTY AFFAIRS COMMITTEE (FAC)

A. FUNCTION.

A-1. To conduct a continuing study of salaries, professional problems, welfare, retirement options and benefits (including 403b plans), and working conditions of faculty members.

A-2. To call the attention of the Faculty Senate or the president, as appropriate, to matters concerning faculty affairs in any college or other unit that the committee believes should be of concern.

A-3. To serve as a point of first contact involving questions of interpretation and application of policies affecting the welfare of faculty members such as promotion and tenure.

B. STRUCTURE. Nine faculty members, not more than two of whom are departmental administrators (administrators above the departmental level are not eligible for membership on this committee). The Vice Provost for Faculty and the Faculty Secretary serve as ex officio members without vote.

1640.43

FACULTY APPEALS HEARING BOARD

A. FUNCTION. This board will conduct a hearing at the request of a faculty member who wishes to appeal an institutional decision under FSH 3840 A. In each case referred to it, the board will review all documentary evidence submitted by the parties prior to the hearing and all evidence submitted by the parties at the hearing. The board may require the parties to submit evidence deemed relevant by the board. The board will make recommendations to the president (see FSH 3840 for further details).

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

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

B-2. Observers: Both parties may have an advisor or counsel at the hearing.

C. SPECIAL CONSIDERATION: Faculty members serving on the Faculty Appeals Hearing Board (FAHB) should take careful note of the following additional considerations and conditions for service: 1) appeals usually occur following tenure, promotion, and salary decisions in the middle of the Spring semester, 2) appeal hearings usually require a 2-4 hour time block which will require meeting on a weekday evening or Saturday to accommodate the schedules of all of the parties involved in a hearing, and 3) the term of office of a member of the FAHB ends when the last active case final report is

submitted. Faculty members not willing to abide by these conditions should not apply for service on the Faculty Appeals Hearing Board.

1640.44

FACULTY SENATE

[See 1520 V and 1580 for the function and structure of this senate.]

1640.46

ARTS COMMITTEE

A. FUNCTION:

A-1. To advise the University administration regarding the management of the University arts, including but not limited to acquisition, deaccession, maintenance, and display of works of visual and performing art at the University of Idaho.

A-2. To serve in an advisory capacity for future needs and developments regarding the arts, including but not limited to expenditures, inclusion of the arts in new construction, fundraising, and the direction of the arts on campus.

A-3. To serve as a liaison on arts issues between colleges, departments, faculty, staff, student body, local community and the University administration.

A-4. To advocate for the arts through endeavors that advance arts education on campus, and through community outreach and enrichment, to increase the University of Idaho's reputation as a leading cultural center in the Northwest.

A-5. To oversee the Student Arts Fee Grant program, including but not limited to soliciting and reviewing proposals and working with the Office of the Provost to ensure timely distribution of funds to successful applicants.

B. STRUCTURE AND MEMBERSHIP. The committee is composed of eight voting members consisting of five faculty members representing at least four units, one staff member, two students (including a representative from the ASUI Fine Arts Committee when possible), and seven ex-officio (non-voting) members to include two administrators designated by the president (representing separate colleges or schools), a University administrator in the arts, a representative from the UI Foundation, a representative from Facilities Management, a representative from Special Collections of the UI Library, and the City of Moscow Arts Program manager or designee.

1640.48

GRADUATE COUNCIL

[See 1700 V for the function and structure of this council.]

1640.50

GRIEVANCE COMMITTEE FOR STAFF EMPLOYEES

[See 3860 for the function and structure of this committee.]

1640.51
GRIEVANCE COMMITTEE FOR STUDENT EMPLOYEES
[See 3880 for the function and structure of this committee.]

1640.53
HONORS PROGRAM COMMITTEE

A. FUNCTION.

- A-1.** To recommend policies for the University Honors Program, including admission requirements.
- A-2.** To act on changes in the program.
- A-3.** To act on petitions for exceptions to the requirements of the program. (The committee's actions on petitions may be appealed as stated in 2500.)

B. STRUCTURE. Six faculty members to represent a broad spectrum of the UI community, an academic dean from one of the six colleges representing the honors curriculum (college representation to rotate on an annual basis), President of the Honors Student Advisory Board or designee, and (w/o vote) director of the University Honors Program (UHP), program advisor of the UHP (staff). The latter serves as secretary. One of the six appointed faculty members serves as chair. ,

1640.54
INSTITUTIONAL REVIEW BOARD

A. FUNCTION. The federal government requires the University of Idaho (University) to designate an Institutional Review Board (IRB) to ensure that human subject research conducted under the auspices of the University meets federal requirements. Under the approved federal-wide assurance for the University, the IRB shall apply the regulations set forth by United States Department of Health and Human Services (HHS) at [45 CFR 46](#) to all federally funded human subject research, and shall be guided by the ethical principles set forth in *The Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research of the National Commission for the Protection of Human Subjects*. All non-federally funded or unfunded human subject research shall comply with these regulations unless otherwise specified by University policy. The IRB shall also apply the human subject research regulations established by the Food and Drug Administration for clinical investigations involving drugs, biologics, medical devices, and other test articles. ([21 CFR 50](#); [56](#); [312](#), and [812](#)). The IRB shall not approve FDA-regulated human subject research without prior approval for such research from the Office of Research and Economic Development. The IRB shall act in conformance with other federal laws and regulations germane to human subject research and with applicable state and local law. [See FSH 5200]

- A-1.** Human subject research that has been approved by the IRB may be subject to further review and approval by University officials. However, a University official may not approve such research, or that portion of a research project that constitutes human subject research, if it has not been approved by the IRB.
- A-2.** The committee serves as an advisory body to the Vice President for Research and Economic Development for matters related to human subject research.

B. STRUCTURE AND MEMBERSHIP.

- B-1.** The IRB is composed of at least five (5) members with varying backgrounds to promote complete and adequate review of research activities commonly conducted at the University. The IRB is chaired by a faculty member.

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B-2. The Director of Research Assurances serves as an *ex officio* non-voting member to assist in representing institutional commitments and regulations.

B-3. The IRB shall include at least one member whose primary concerns are in scientific areas and one member whose primary concerns are in nonscientific areas.

B-4. The IRB shall include one member who is not otherwise affiliated with the institution and who is not part of the immediate family of a person affiliated with the institution.

B-5. At its discretion, the IRB may invite individuals with competence in special areas to assist in the review of issues that require expertise beyond or in addition to that available on the IRB. These individuals may not vote with the IRB.

B-6. The Vice President for Research and Economic Development may remove and replace a committee member at any time the member is unwilling or unable to carry out committee functions.

B-7. Alternates. The IRB Chair, or designee, may select an alternate member to substitute for, with vote, an absent voting member at a convened meeting. The alternate member shall have similar expertise as the absent voting member for whom they are serving as a replacement.

B-8. The Vice President for Research and Economic Development appoints all members of the IRB, including the alternates.

1640.55

INFORMATION TECHNOLOGY COMMITTEE

A. FUNCTION. To advise and recommend university policies regarding the planning, implementation, and maintenance of information technology in the areas of teaching, research, outreach, and management.

A-1. To make recommendations to the Faculty Senate, the president, the provost, and other appropriate administrators concerning policies and procedures affecting university-wide information technology.

A-2. To solicit recommendations from the faculty, staff, students, and administration concerning present and proposed policies and procedures related to university-wide information technology.

A-3. To review, in an advisory capacity, short-term and long-term plans related to university-wide technology.

A-4. This committee traditionally meets on Mondays at 3:30 p.m.

B. STRUCTURE AND MEMBERSHIP. Six faculty members broadly representative of disciplines in the university including one from the library, the Vice-President for Research, or designee (w/o vote), the Vice President for Finance and Administration, or designee (w/o vote), the Vice Provost for Digital Learning Initiatives or designee (w/o vote), the Vice President for Information Technology or designee (w/o vote), the Registrar, or designee (w/o vote), the Director of the Center for Teaching Innovation, or designee, a representative of the off-campus faculty, the student chair of the Student Computing Advisory Committee, or designee. The voting members of the committee (including the committee chair but excluding the student member) are selected by the Committee on Committees, giving special attention to appointing faculty members who are active in and have a great interest in the general area of information technology and its application to teaching, research, outreach, and management.

1640.58

UBUNTU

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A. CONTEXT. Ubuntu, as explained by Desmond Tutu, is essential to the interconnectedness of being human and living in interdependent communities. Ubuntu is affirming and inclusive of others because we all belong to a larger whole which is diminished when any members are humiliated, disrespected or oppressed. People with Ubuntu enrich themselves but do so in ways that enable the community and all its members to also improve. In this spirit the Ubuntu committee is established to advance these ideals.

B. FUNCTION.

B-1. Ubuntu will promote the values of respect, understanding, and fairness within our diverse university experience; review university policies and programs affecting under-represented and/or under-served students, staff, and faculty in consultation with appropriate representatives as necessary across campus; recommend changes and additions in university policies and programs that enhance student/staff/faculty success and advancement. [See also 4340.]

B-2. Ubuntu will monitor and advance the university's affirmative action and equal opportunity programs [see FSH [3060](#)] being a strong and active voice ensuring that the university's programs, activities and services are accessible to persons with learning, sensory, physical and other disabilities. The committee will also work closely with the Americans with Disabilities Act Advisory Committee (ADA) to identify relevant rules and regulations pertaining to specific affirmative action and equal opportunity problems at the university. Ubuntu also recommends policies and procedures to address specific disabled access challenges at the university, consistent with requirements of applicable regulations and regents' policy ensuring that the 'spirit of the law' is followed.

B-3. This committee will advise the president on matters of equal opportunity, ensuring that UI's programs, activities and services are available to persons with learning, sensory, physical and other disabilities, and identify avenues for ensuring the campus community creates a fair and inclusive environment for all.

B-4. This committee will also discharge such other functions as may be assigned by the Faculty Senate or by the president or the president's designee. It will also submit periodic reports on its activities to the Faculty Senate including recommendations for appropriate program or policy changes (see FSH *1460*).

C. STRUCTURE. Four faculty, one of whom serves as chair; two staff members (one from Staff Council); two students (one undergraduate (ASUI) and one graduate (GPSA or SBA), one of whom belongs to an under-represented and/or under-served student population and the following *ex officio* members without vote or their designees: the ASUI Director of Diversity Affairs, Coordinator of Student Support Services, the Director of Multicultural Affairs, the Director of the Women's Center, a representative from Human Resources, the Director of Civil Rights and Investigations, the Director of Diversity and Community, the Coordinator for Disability Support Services, the Director of International Programs, the LGBTQA Coordinator, and the Director of the Native American Student Center or the Native American Tribal Liaison.

1640.60

LIBRARY AFFAIRS COMMITTEE

A. FUNCTION. To recommend policies and procedures concerning the needs, functions, and objectives of the University Library. [See also 6920.]

B. STRUCTURE. One faculty member plus one faculty member each from humanities, sciences, and social sciences; one faculty from the library; one undergraduate student; one graduate student; and (w/o vote) dean of library services.

1640.64

OFFICER EDUCATION COMMITTEE

A. FUNCTION. [See also 1565 G.]

A-1. To be concerned with the academic integrity of the Officer Education Program (OEP).

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A-2. To advise the president, the faculty, and the Departments of Aerospace Studies (WSU), Military Science, and Naval Science on academic matters concerning OEP.

A-3. To review and recommend to the University Curriculum Committee courses to be offered by the above-named departments.

A-4. To carefully review and evaluate the academic credentials of proposed OEP instructional appointments and to report these evaluations and recommendations to the vice provost of academic affairs.

A-5. To assist the OEP to integrate effectively within the UI community.

B. STRUCTURE. Heads of the Departments of Aerospace Studies (WSU), Military Science, and Naval Science, three other members of the faculty, (one of whom serves as chair), the Vice Provost for Academic Affairs, or designee (ex officio), and two students (one ROTC and one non-ROTC).

1640.66

PARKING COMMITTEE

A. FUNCTION. To hear and decide appeals concerning matters involving parking and to review and advise the university administration on campus parking conditions, policy, **and** regulations. Decisions of this committee regarding parking violations may be appealed to the assistant vice president for facilities.

B. STRUCTURE. Three members of the faculty, three members of the staff, two students, and (w/o vote) the parking coordinator.

1640.69

PROMOTIONS REVIEW COMMITTEE/UNIVERSITY PROMOTION AND TENURE COMMITTEE

[See ~~3560-H-2~~FSH 3500 for the function and structure of this faculty committee.]

1640.70

PUBLICATIONS BOARD

A. FUNCTION. To advise the UI administration on major publications, such as catalogs, viewbooks, magazine, faculty-staff newsletter, and annual reports; to consider communication options; and to recommend the most effective ways to reach targeted audiences. Specific responsibilities include:

A-1. Reviewing UI publications intended for general audiences, including public, civic, and governmental leaders and alumni, and, from time to time, recruiting and other outreach materials. These are evaluated as to purpose, content, type of message, and effectiveness.

A-2. Reviewing trends and proposing priorities, content, and means of reaching new audiences.

A-3. Reviewing policy related to use of UI's corporate identity symbols and recommending policy changes.

B. STRUCTURE. Director of university communications (chair), vice provost for academic affairs, executive director of UI Foundation, director of alumni relations, director of New-Student Services, publication creative director, publications editor, and secretary of the faculty.

1640.71

RADIATION SAFETY COMMITTEE

A. FUNCTION. To be responsible to the vice president for finance and administration for all aspects of UI's radiation-safety program and consult with individual investigators concerning radiation safety procedures. The Radiation Safety Committee is responsible for all matters pertaining to the formation, administration and operation of a comprehensive

radiation safety program. The Radiation Safety Committee reviews new applications and renewal applications to use radioactive materials, conducts audits and reviews of the radiation safety program, determines appropriate levels of radiation safety training and testing, maintains records of committee proceedings and actions, develops radiation safety manuals and safety practices, and ensures compliance with all applicable rules and regulations.

B. STRUCTURE. Radiation safety officer, director of Environmental Health and Safety or a representative of Division of Infrastructure, and an academic dean or department head and up to eight technical members. The academic administrator and the technical members are selected from the various areas of teaching and research where radioactive materials are used. These include, but are not limited to, agricultural sciences, forestry, life sciences, mining and metallurgical sciences, engineering, and physical sciences. A technical member must meet the requirements of an authorized user. To provide the necessary expertise and continuity of operation, technical members may serve two or more consecutive terms, but the membership may not include more than two technical members who have served continuously for more than two three-year terms. The chair and vice chair are elected each spring by the current members of the committee to serve for the next membership year. The term of the chair is one year but may serve two consecutive terms. A quorum shall consist of the chair, radiation safety officer, director of Environmental Health and Safety or a representative of Division of Infrastructure, and a minimum of four of the eight technical members. All requests for committee action are submitted to the radiation safety officer. When a sufficient number of items have been received, the radiation safety officer, with approval from the chair, will arrange a meeting of the Radiation Safety Committee. The Radiation Safety Committee shall meet as often as necessary but not less than quarterly.

1640.72 RESEARCH COUNCIL

A. FUNCTION. The Research Council is the faculty's standing committee that oversees the implementation of discovery, creativity, and research policies [see 5100 and 5200] and resolves disagreements about the interpretation or implementation of those policies.

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

1640.74 SABBATICAL LEAVE EVALUATION COMMITTEE

A. FUNCTION. To review applications for sabbatical leave, to make recommendations to the Faculty Senate for approval and referral to the president, to review the reports of those returning from sabbatical leave, and to evaluate annually the results of the program. [See also 3720.]

B. STRUCTURE. Five faculty members (with at least one representative each from the humanities, natural sciences, and social sciences) and vice provost of academic affairs, or designee (w/o vote).

1640.76 SAFETY AND LOSS-CONTROL COMMITTEE

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

B. STRUCTURE. The committee is composed of 21 voting members and 3 ex-officio (non-voting) members, as follows: One faculty member from each college; a member from Information Technology Services, University

Support Services, University Library, Office of Research and Economic Development; Director of University Residences or designee; Director of Student Health Services or designee; Assistant VP of Facilities, or designee; senior Human Resources executive, or designee; a Staff Council representative; one undergraduate student; one graduate student, and the Risk Manager, or designee; the three ex-officio non-voting members include the Commander, Moscow Police Department, campus subdivision; Occupational Safety Specialist; the Director, Environmental Health & Safety.

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

1640.77

SCIENTIFIC MISCONDUCT COMMITTEE

A. FUNCTION. An inquiry board (FSH 3230 E-3) formed from the members of this committee is charged with making a preliminary evaluation of the evidence and testimony of the respondent, complainant, and key witnesses to determine whether there is sufficient evidence of possible scientific misconduct to warrant an investigation. The purpose is not to determine whether scientific misconduct definitely occurred or who was responsible.

B. STRUCTURE AND MEMBERSHIP. The vice president for research and economic development will nominate, with appointment by the Committee on Committees and confirmation by the Faculty Senate, six principal and three alternate tenured faculty members to a Scientific Misconduct Committee (SMC) with one member appointed as chair. The vice president will initially nominate three tenured faculty members to one-year terms, three tenured faculty members to two-year terms, and three tenured faculty members to three-year terms. Thereafter, tenured faculty members will be nominated for three-year terms. A departmental administrator may not chair the SMC.

1640.80

STAFF COUNCIL

[See 1800 for the function and structure of this committee.]

1640.81

UNIVERSITY STAFF COMPENSATION COMMITTEE

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

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

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

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

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

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

matters pertaining to staff salaries.

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

**FSH 1640.83
STUDENT CONDUCT BOARD**

A. FUNCTION. UI's process for reviewing alleged violations of the Student Code of Conduct (FSH 2300) is set forth in FSH 2400. The SCB is the reviewing body involved in the conduct process set out in FSH 2400 D., E. and F.

B. STRUCTURE AND MEMBERSHIP. The SCB is broadly representative of the UI community and is composed of 21 voting members: seven faculty, seven staff, and seven students. The student members should include at least one graduate student and at least one law student. Hearing panels will be drawn from these committee members. Given the nature of responsibility of the Chair of SCB, Committee on Committees shall first consider a tenured faculty member. Pursuant to FSH 2400 the chair will appoint the three person panels.

C. SPECIAL CONSIDERATION. Each committee member shall be required to participate in Title IX training and other training as needed. Members of the SCB should be aware that federal regulations governing the handling of disciplinary matters recommend a specific hearing time schedule. Therefore, SCB members may need to be available on short notice and during the summer months. Outgoing committee members should be aware that their appointment will continue until their replacement is confirmed and has received the required Title IX training (typically by early fall).

**1640.84
STUDENT FINANCIAL AID COMMITTEE**

A. FUNCTION. [See also 2900.]

A-1. To recommend policies and procedures for the administration of all student financial aids under UI's jurisdiction, i.e., scholarships, grants-in-aid, loans, work-study programs, and educational opportunity grants.

A-2. To advise the director of student financial aid.

A-3. To hear and decide appeals from students in matters concerning student financial aid.

A-4. To ensure that all pertinent documents are forwarded to the Administrative Hearing Board [see 1640.06] when students appeal decisions or procedures of this committee to that body.

A-5. To promote the increase of funds for student financial aid.

B. STRUCTURE. Five faculty members, two students, and (w/o vote) director of student financial aid, a member of the Student Support Services staff, and an additional person designated by the director.

**1640.86
TEACHER EDUCATION COORDINATING COMMITTEE**

A. FUNCTION. [See also 4300]

A-1. To conduct a continuing review of teacher-education policies and to promote quality teacher preparation.

A-2. To act on and submit to the respective college committees proposed changes in programs leading to teacher education certifications and endorsements.

A-3. To provide updates on state and national issues pertaining to the preparation of educators.

A-4. Will meet three times per year prior to UCC deadlines, to facilitate curriculum changes. Meeting dates/times will be posted annually by the first week of September.

B. STRUCTURE AND MEMBERSHIP. The members of the committee are appointed by the College of Education, Health & Human Sciences (CEHHS) as follows:

- Four faculty members from the Department of Curriculum and Instruction with representation from elementary, secondary, career and technical education, and special education programs;
- One faculty member from the Department of Movement Science physical education teacher education program;
- One faculty member from the Department of Leadership and Counseling educational leadership program;
- One faculty member from each of the following programs -- early childhood, agricultural education, music education, English education, mathematics education, social sciences, natural sciences and business;
- Two junior or senior level students (one from CEHHS and the second annually rotating between early childhood education, agricultural education and music education);
- Three P-12 school personnel including a superintendent, principal and teacher from multiple districts representing both elementary and secondary education;
- The Director of Teacher Education, who serves as chair; and
- The CEHHS Director of Assessment and the Dean of CEHHS, or designee, both without vote.

1640.87

UNIVERSITY TEACHING COMMITTEE

Preamble: In March 2020, FSH 1640.87 Teaching and Advising Committee was split into two committees: FSH 1640.87 University Teaching Committee and FSH 1640.88 University Advising Committee.

A. FUNCTION.

A-1. To promote a faculty and administrative culture dedicated to the enhancement of teaching and learning across all instructional modalities.

A-2. To review and make recommendations concerning policies and procedures that affect teaching and the assessment of student, program and institutional learning outcomes.

A-3. To monitor and advise on matters relating to student teaching evaluations and student learning outcomes, and to advise on the design and content of reports to the Vice Provost for Academic Initiatives, Faculty Senate, Institutional Assessment and Effectiveness, deans, unit leaders, and faculty.

A-4. To serve as an advisory resource for the Director of the Center for Excellence in Teaching and Learning to promote effective teaching.

B. STRUCTURE. Six faculty members, preferably some of whom have received university-level teaching awards; an associate dean; the director of general education; one undergraduate student; one graduate student; a representative from the Office of Institutional Effectiveness and Accreditation (without vote); and the Director of the Center for Excellence in Teaching and Learning, or designee.

1640.88

UNIVERSITY ADVISING COMMITTEE

Preamble: In March 2020, FSH 1640.87 Teaching and Advising Committee was split into two committees: FSH 1640.87 University Teaching Committee and FSH 1640.88 University Advising Committee.

A. FUNCTION. For the purposes of this policy, advising includes mentoring and retention activities.

A-1. To promote a faculty and administrative culture dedicated to effective student advising.

A-2. To review and make recommendations concerning policies and procedures that affect student advising.

A-3. To monitor the student advising program and to advise on the design and content of reports to the Vice Provost for Academic Initiatives, Faculty Senate, deans, unit leaders, and faculty.

A-4. To serve as an advisory resource for Executive Director of Student Success Initiatives to promote effective student advising.

B. STRUCTURE. Five faculty members, preferably some of whom have received university-level or college-level advising awards; an associate dean; a professional academic advisor; a University Advising Services associate director; two undergraduate students; and the Executive Director of Student Success Initiatives, or designee (without vote).

1640.89

UNIVERSITY COMMITTEE FOR GENERAL EDUCATION

A. FUNCTION.

A-1. University Committee for General Education serves as the curriculum body for general education by soliciting and approving proposals and courses to be included in the University's general education and general education courses eligible for transfer to other state institutions (SBOE general education matriculation "GEM" courses). The UCGE committee also engages in program review and assessment and then makes recommendations for the continuous refinement of general education in conjunction with the Director of General Education and the Assistant Director of Institutional Research and. Recommendations for change will be forwarded to UCC, Faculty Senate, and the university faculty.

A-2. The committee reports periodically (at least once a year) to the Faculty Senate on the status of general education.

A-3. This committee traditionally meets on Thursdays at 3:30 p.m.

[Information on University General Education can be accessed at the general education website: <http://www.uidaho.edu/class/general-education>]

B. STRUCTURE AND MEMBERSHIP. At least one member from each of the six GEM areas who also serve as institutional representatives to SBOE on statewide general education, one of whom serves as chair, selected by Committee on Committees in consultation with the Director of General Education, and one each from the colleges of Agricultural and Life Sciences, Art and Architecture, Business and Economics, Education, Engineering, Natural Resources and Library; two undergraduate students appointed by ASUI and chosen to represent two different colleges; and the following without vote: Director of General Education, College of Letters, Arts and Social Sciences Dean, or designee, College of Science Dean, or designee, Registrar, or designee, Assistant Director of Institutional Research and Assessment, or designee, Director of Academic Advising, or designee.

1640.90

UNIVERSITY ASSESSMENT & ACCREDITATION COMMITTEE (UAAC)

A. FUNCTION

A-1. Facilitate communication on the development and implementation of the program review process, student learning outcomes assessment, and university-wide student achievement and satisfaction surveys in respective departments and colleges. The UAAC will support the development of assessment activities that assess university-wide student learning outcomes to ensure a quality education and co-curricular

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experience, continuous program improvement, and compliance with accreditation standards.

A-2. Facilitate communication between Institutional Assessment and Accreditation (IAA) and faculty.

A-3. Develop and implement program and learning outcomes assessment guidelines based on SBOE and NWCCU expectations.

A-4. Recognize those who are actively engaged in assessment work.

A-5. Review and comment on results from university-wide assessment plans and individual program assessment plans and processes and recommend ways for improvement.

A-6. Provide input and feedback on the online UI student learning outcomes reporting system as requested.

A-7. Serve as subject matter experts from colleges and units on student learning outcomes assessment and continuous program improvement.

A-8. Review Annual Program Reviews (APR) and specialized accreditation reports and assist with feedback to programs and the Provost's Office.

A-9. Review NWCCU reports and recommendations and provide input or feedback.

A-10. Assist with special projects pertaining to accreditation or APRs, as appropriate.

A-11. Advise on matters related to ongoing collection of data and evidence for accreditation standards.

A-12. Maintain a timeline for accreditation reporting.

A-13. Advise IAA on accreditation issues, as requested.

B. STRUCTURE AND MEMBERSHIP. Eleven faculty representatives, comprising one from Library and one from each of the following colleges: Agricultural and Life Sciences; Art and Architecture; Business and Economics; Education, Health and Human Sciences; Engineering; Graduate Studies; Law; Letters, Arts, and Social Sciences; Natural Resources; and Science. The representative from the College of Graduate Studies shall be named by their Dean. Preference shall be given to faculty members with expertise and experience in assessment and accreditation, and a chair shall be chosen by the Committee on Committees from among the faculty representatives, preferably a tenured faculty member. The following positions shall serve on the committee as ex officio members (without vote): the Vice Provost of Academic Initiatives or designee, Associate Director of Assessment & Accreditation, a recorder from the office of Assessment & Accreditation, a representative from the office of Equity, Diversity & Inclusion, a representative from the Division of Student Affairs, a representative from Strategic Enrollment management, the Director of General Education, and the Director of CETL or designee.

1640.91

UNIVERSITY CURRICULUM COMMITTEE

A. FUNCTION. [See 1540 B and C and also 4110 and 4120.]

A-1. To act on catalog changes involving the curriculum, including changes in the general requirements and academic procedures, and to coordinate curricular matters among UI's major academic divisions.

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A-2. To recommend policies and procedures concerning the matriculation, advising, and registration of students.

A-3. This committee traditionally meets on Mondays at 3:30 p.m.

B. STRUCTURE. One faculty member from each college except Graduate Studies, of whom at least one must be a member of the graduate faculty and at least one of whom must have experience in an interdisciplinary area; one faculty member at large, one faculty member from the library, two upper-division undergraduate students; one graduate student; and the following without vote: vice provost of academic affairs, registrar, secretary of the faculty (or their designees), and the director of general education as a non-voting member of the University Curriculum Committee. To assure a quorum alternates for the faculty positions are appointed by the chair of the University Curriculum Committee from a list of those who have previously served on the Committee from that college. If there should be no such alternates available from a particular college, the chair of that college's curriculum committee is the designated alternate.

1640.92

UNIVERSITY DEVELOPMENT COUNCIL

A. FUNCTION. To plan and coordinate the fund-raising activities of the university and its units.

B. STRUCTURE. Vice president for university advancement (chair), financial vice president, provost, academic deans, executive director of the UI Foundation, director of athletics, director of alumni relations, trust and investment officer, and executive director of development.

1640.95

UNIVERSITY SECURITY AND COMPLIANCE COMMITTEE (USCC)

A. FUNCTION.

A-1. The USCC is charged with ensuring the University's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and planning and facilitating activities that support a safe and secure living, learning and working experience. USCC will focus on accurate disclosure (reporting of Clery crime statistics) and implementation of best practices regarding safety policies and procedures. The USCC will conduct an annual review of all reportable crimes prior to submitting crime statistics to the U.S. Department of Education. The committee will also perform a thorough review of the Annual Security and Fire Safety Report (ASFR) prior to its publication.

A-2. The USCC shall meet a minimum of three times each year. Topics will include, but not be limited to, the following:

- Review updates to the law, policies and procedures related to security and Clery Act compliance
- Ensure timely collection of Clery crime statistics from applicable jurisdictions
- Recommend enhancements to security policies
- Identify programming efforts and recommend improvements
- Review crime and disciplinary data to avoid report duplication
- Conduct a final review of the data elements for the ASFR and recommend policy changes
- Confirm procedures for distributing the ASFR.

B. STRUCTURE. Executive Director, Office of Public Safety & Security who serves as Chair, one member from each of the following: Staff Council, Dean of Students, Moscow Police Department, Title IX Coordinator, Environmental Health & Safety Fire Safety Specialist, two faculty members, one off-site representative

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(faculty/staff), two undergraduate students and one graduate student; and one member from General Counsel without vote.

Version History

Amended July 2023. Reorganized committee directory; deleted Fiscal Emergency Committee, Disability Affairs Committee; Shared Leave Committee, and Multi-Campus Communication Committee; revised structure of University Assessment & Accreditation Committee and University Teaching Committee.

Amended July 2022. Updated structure of Arts Committee and Scientific Misconduct Committee, extensively revised description of Biosafety Committee, and deleted the Intellectual Property Committee.

Amended January 2022. Updated structure of Information Technology Committee.

Amended July 2021. Editorial changes.

Amended July 2020. Updated the Admissions Committee to clarify its purpose and to increase the number of faculty members to provide additional capacity for processing student petitions. A member of the American Language and Culture Program faculty was added.

Amended January 2020. Revised to split the roles of the Teaching and Advising Committee to two separate groups. In addition, it was thought that the work on teaching and advising award selection would be best taken up by Center for Excellence in Teaching and Learning and UI ACADA, respectively.

Amended July 2019. Revised B of the Admissions Committee, B-2 and B-4 of the Institutional Animal Care and Use Committee, A-1, A-2, and B of the Campus Planning Advisory Committee, B of the Committee on Committees, B of the Faculty and Staff Policy Ground, B of the Faculty Affairs Committee, B of the Arts Committee, and B of the University Curriculum Committee. Added A-3 to the Committee on Committees. Substantially revised the Instructional Space Committee.

Amended January 2019. The Safety and Loss-Control Committee voted to have the Risk Manager as a permanent voting member. Removed “the Executive Director of Public Safety” from FSH 1640.76 section B. and replaced the wording with “Risk Management.”

Amended July 2018. Revised B of the Americans with Disabilities Act Advisory Committee, A of the Faculty Appeals Hearing Board, A and B-1 of the Institutional Review Board, C of Ubuntu, A of the Research Council, B of the Sabbatical Leave Evaluation Committee, and B of the Safety and Loss-Control Committee. Editorial changes were made to A-1 and A-3 of the Americans with Disabilities Act Advisory Committee, A-4 and C of the University Budget and Finance Committee, B-2, B-3, B-4, B-5, and B-6 of the Institution Review Board, and B of the University Security and Compliance Committee. Added B-7 and B-8 to the Institutional Review Board. Created the University Staff Compensation Committee.

Amended January 2018. Revised B of the Faculty and Staff Policy Ground, the Institutional Review Board, A-4, and B of the Teacher Education Coordinating Committee, and B of the University Teaching Committee. Editorial changes were made to A-2 of the Teacher Education Coordinating Committee.

Amended July 2017. Revised B of Academic Hearing Board, B of the Administrative Hearing Board, B and C of the University Budget and Finance Committee, C of the Dismissal Hearings Committees, A-3 of the Faculty Affairs Committee, and B of the Faculty Appeals Hearing Board. Created the Faculty and Staff Policy Group and the Student Conduct Board.

Amended January 2017. Editorial changes were made to A-2 and B of the Campus Planning Advisory Committee.

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Amended July 2016. Revised C of the University Budget and Finance Committee and B of the Sabbatical Leave Evaluation Committee.

Amended January 2016. Revised B of the University Multi-Campus Communications Committee. Editorial changes were made to B of the Campus Planning Advisory Committee, B of the Information Technology Committee, B of the Radiation Safety Committee.

Amended July 2015. Revised A-1, A-2, A-3, A-4, B, and C of the University Budget and Finance Committee. Added C-1 and C-2 of the Dismissal Hearings Committees, and B-1 and B-2 of the Faculty Appeals Hearing Board. Created the University Security and Compliance Committee.

Amended January 2015. Revised A-1 and B of the University Committee for General Education and A-1 of the Committee on Committees.

Amended July 2014. Revised B of the Honors Program Committee, and A-2, A-3, and B of the Teacher Education Coordinating Committee. Added A-4 to the Teacher Education Committee.

Amended January 2014. Revised C of Ubuntu, B of the Borah Foundations Committee, and B of the Safety and Loss-Control Committee.

Amended July 2013. Revised A-4 and A-5 of the Administrative Hearing Board. Added A-3 to the Administrative Hearing Board.

Amended January 2013. Revised A-1, A-2, A-3, and B of the University Committee for General Education, and B of the University Multi-Campus Communications Committee. Editorial changes were made to B of the Americans with Disabilities Act Advisory Committee, A of the Parking Committee, B of the University Teaching Committee, B of the University Committee for General Education, and B of the University Curriculum Committee,

Amended July 2012. Revised B of the Intellectual Property Committee. Editorial changes were made to B of the Admissions Committee. Created the Americans with Disabilities Act Advisory Committee, and Ubuntu.

Amended January 2012. Editorial changes were made to A-3 of the University Committee for General Education.

Amended July 2011. Revised to take into consideration the possibility that both of the Dismissal Hearings and Faculty Appeals Hearings Committees could affect the other, and thus care should be taken in the appointment of members to both of these committees due to a potential conflict.

Amended January 2011. Revisions were made in committee reporting structure. Revised to give oversight of radiation safety to Finance and Administration. The NRC requires a representative of the University's administration to serve a committee member to assist in financial matters of the radiation safety program. This change replaced the Budget Officer with the director of Environmental Health and Safety or a representative of Finance and Administration to better align the source of financial support of the committee. The University's radioactive materials license was amended to no longer require NRC approval of the committee chair.

Amended July 2010. Revisions were made to allow committees to more efficiently conduct business.

Amended January 2010. Editorial changes were made to B of the Provost Council, B of the Radiation Safety Committee, B of the Research Council, and B of the Scientific Misconduct Committee.

Amended July 2009. Revised A-4 of the Officer Education Committee and B of the Sabbatical Leave Evaluation Committee. Editorial changes were made to A-2 and C-5 of the Academic Hearing Board, A-2 of the Academic Petitions Committee, A-1 of the Administration Hearing Board, A-4 and C of the University Budget and Finance Committee, A-1, A-2, and B of the Campus Planning Advisory Committee, A-4 of the Commencement Committee, A-1, A-2, and B of the Committee on Committees, A-2 of the Faculty Affairs Committee, to the Faculty Senate, A-1

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of the Information Technology Committee, A-2 of the Intellectual Property Committee, A of the Sabbatical Leave Evaluation Committee, A of the Safety and Loss-Control Committee, B of the Scientific Misconduct Committee, Staff Affairs, A-3 of the University Teaching Committee, and A-2 of the University Committee for General Education. Created the University Multi-Campus Communications Committee.

Amended January 2009. Revisions were made to allow committees to more efficiently conduct business.

Amended July 2008. Revised to provide clarification, publish established meeting times, consolidate committee structures found elsewhere in the FSH into this main committee directory, and make minor edits. Restrictive language was removed from the Faculty Affairs committee section and now allows more flexibility in selecting a chair. There was a complete restructure and renaming of the Fine Arts Committee. Quorum and alternate issues were addressed for the UCC. Revisions were made to address the difficulty in appointing 3 faculty council reps and a desire by other faculty to serve on the Campus Planning Advisory Committee. Additional diversity groups were added to Juntura

Amended January 2007. Revised B of the Provost Council.

Amended July 2006. Revised B of the Admissions Committee, B of the Administrative Hearing Board, B of the Borah Foundations Committee, B of the Campus Planning Advisory Committee, B of the Honors Program Committee, B of the Intellectual Property Committee, B of the Library Affairs Committee, A and B of the Parking Committee, B of the Sabbatical Leave Evaluation Committee, B of the Safety and Loss-Control Committee, B of the Student Financial Aid Committee, and B of the University Curriculum Committee. Editorial changes made to B of the Academic Petitions Committee, A of the Institutional Animal Care and Use Committee, A-1 and B of the University Budget and Finance Committee, B of the Committee on Committees, B of the Provost Council, B of the Information Technology Committee, A, A-4, and B of the Officer Education Committee, A of the Radiation Safety Committee, A of the Teacher Education Coordinating Committee, and A-2 and B of the University Committee for General Education. Removed the International Affairs Committee. Combined the Disability Affairs Committee with Affirmative Action.

Amended January 2006. Revised A and B of the Research Council.

Amended July 2005. Removed the Fiscal Emergency Committee, the Shared Leave Review Committee, and the Space Allocations Committee.

Amended January 2005. Created the University Budget and Finance Committee.

Amended July 2004. Editorial changes were made to B of the Campus Planning Advisory Committee, and A-2 of the Commencement Committee.

Amended July 2003. Revised B of the Provost Council, B of the Honors Program Committee, and A-4 and B of the Officer Education Committee. Editorial changes were made to B of the Academic Petitions Committee and A of the Parking Committee.

Amended January 2003. Revised A of the Borah Foundation Committee.

Amended July 2002. Added C to the Faculty Appeals Hearing Board.

Amended July 2000. Editorial changes were made to A of the Admissions Committee, A-2 of the Commencement Committee, to the Promotions Review Committee, and to A of the Sabbatical Leave Evaluation Committee. Created the Information Technology Committee and the Safety and Loss-Control Committee.

Amended July 1999. Revised B of Campus Planning Advisory Committee, B of the Faculty Appeals Hearing Board, and the Arts Committee. Editorial changes were made to A of the Parking Committee, and B of the Publications Board.

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Amended July 1998. Revised C-5 of the Academic Hearing Board, and A-1, A-3, and B of the Commencement Committee. Editorial changes were made to B of the Honors Program Committee, and A and B of the University Curriculum Committee. Added A-2 and A-4 of the Commencement Committee.

Amended July 1997. Revised B of the Admissions Committee, B of the Borah Foundation Committee, B of the Honors Program Committee, and B of the Student Financial Aid Committee. Editorial changes were made to B of the Research Council.

Adopted 1979.



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 1565 ACADEMIC RANKS AND RESPONSIBILITIES**

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."

Policy originator: Alistair Smith, FAC chair

Policy sponsor, if different from originator:

Reviewed by General Counsel: Yes No Name & Date: Karl Klein, 11/8/23

Comprehensive review? Yes No

- 1. Policy/Procedure Statement:** Briefly explain the reason for the proposed change.
Changes to D-8 University Distinguished Professor to make Extension faculty eligible.
- 2. Fiscal Impact:** What fiscal impact, if any, will this change 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.

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CHAPTER ONE:

HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

1565

ACADEMIC RANKS AND RESPONSIBILITIES

OWNER

Vice Provost for Faculty
Diane Kelly-Reilly
dkr@uidaho.edu

LAST REVISION: July 2022

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A. INTRODUCTION.

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

In order to carry out its functions and to serve most effectively its students and the public, the university supports the diversification of faculty roles. Such diversification ensures an optimal use of the university's faculty talents and resources.

Diversification is achieved through developing a wide range of faculty position descriptions that allow the faculty to meet the varying responsibilities placed upon the institution, both internally and externally. No more than 25 percent, or a lower limit as defined by the department or similar unit's by-laws, of the faculty positions in any department or similar unit may be held by instructors, senior instructors, and lecturers who have voting privileges under FSH 1520 II, Section 1. While the capabilities and interests of the individual faculty members are to be taken into account, it is essential that individual faculty position descriptions are consonant with carrying out the roles and mission of the university, the college, and the unit. Annual position descriptions are developed by the unit head in consultation with the unit faculty and with the incumbent or new faculty member. In each college, all position descriptions are subject to the approval of the dean and must be signed by both unit head and faculty member. If the faculty member, unit head, and dean are unable to reach agreement on the position description, the faculty member may appeal the unit head's decision to the Faculty Appeals Hearing Board [FSH [3840](#)].

As indicated in Section 3320 A-1, faculty performance evaluations that are used for yearly, third-year and periodic reviews as well as for promotion, tenure, and post-tenure decisions are to be based on faculty members' annual position descriptions (FSH 3050). Each unit will develop substantive criteria in its bylaws for promotion and review of its faculty

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

B. DEFINITIONS:

B-1. Advancement: focuses on fostering relationships, building partnerships, creating awareness and generating

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support with alumni, donors, leaders, business partners, legislators and the community for the university's mission in academics, scholarship and outreach (see the office of University Advancement at <http://www.uidaho.edu/givetoidaho/meetourpeople/universityadvancementvpooffice.aspx>).

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

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

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

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

B-6. Interdisciplinary: "an activity that involves teams or individuals that integrates information, data, techniques, tools, perspectives, concepts, and/or theories from two or more disciplines or bodies of specialized knowledge to advance fundamental understanding or to solve problems whose solutions are beyond the scope of a single discipline or field of research practice."¹

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

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

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

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

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

C-1. TEACHING AND ADVISING: The university's goal is to engage students in a transformational experience of discovery, understanding and global citizenship. Faculty achieve this goal through effective instructing, advising

¹ National Academy of Science

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and/or mentoring of students./

a. Teaching: Effective teaching is the foundation for both the advancement and transmission of knowledge. The educational function of the university requires the appointment of faculty members devoted to effective teaching. Teaching may take many different forms and any instruction must be judged according to its central purposes. Active participation in the assessment of learning outcomes is expected of all faculty at the course, program, and university-wide levels. Individual colleges and units have the responsibility to determine appropriate teaching loads for faculty position descriptions. Teaching appointments must be reflected by hours and level of effort spent in teaching activity, and justified in position descriptions. Any adjustments to a teaching appointment (e.g. teaching unusually large classes, team-teaching, teaching studios or laboratories, intensive graduate or undergraduate student mentoring, technology-enhanced teaching, and others) must be documented in the position description.

Evidence of teaching effectiveness shall include student feedback on teaching, and may include course design reviews, teaching observations, self-assessment, learning outcome assessment data, teaching recognition and awards, mid-term formative feedback on instruction (FSH 2700 B-6), or other documentation of effective teaching. Additional information about evidence of teaching effectiveness can be found through the Provost's Office.

b. Advising: For the purposes of this section, advising includes mentoring and student retention activities. These activities are an important faculty responsibility and a key function of academic citizenship, and may include: (1) overseeing course selection and scheduling; (2) seeking solutions to conflicts and academic problems; (3) working with students to develop career goals and identify employment opportunities; (4) making students aware of programs and sources for identifying employment opportunities, (5) facilitating undergraduate and graduate student participation in professional activities (e.g. conferences, workshops, demonstrations, applied research); and (6) serving as a faculty advisor to student organizations or clubs. Advising also includes attendance at sessions (e.g. workshops, training courses) sponsored by the university, college, unit, or professional organizations to enhance a faculty member's capacity to advise.

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

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

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

The basic role of a faculty member at the University of Idaho is to demonstrate and validate continuing sound and effective scholarship in the areas of teaching and learning, artistic creativity, discovery, integration, and outreach/application/engagement. While these areas may overlap, these distinctions are made for purposes of defining position descriptions and for developing performance standards. Units and colleges shall adopt criteria for the evaluation of scholarship and creative activities. Demonstrated excellence that is focused in only one of these scholarship and creative activity areas is acceptable if it is validated and judged to be in the best interests of the institution and the individual faculty member.

a. Scholarship in Teaching and Learning: can involve classroom action research (site-specific pedagogy), qualitative or quantitative research, case studies, experimental design and other forms of teaching and learning

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research. It consists of the development, careful study, and validated communication of new teaching or curricular discoveries, observations, applications and integrated knowledge and continued scholarly growth. Evidence that demonstrates this form of scholarship might include: publications and/or professional presentations of a pedagogical nature; publication of textbooks, laboratory manuals, or educational software; advancing educational technology; presentation in workshops related to teaching and learning; development and dissemination of new curricula and other teaching materials to peers; and individual and/or collective efforts in securing and carrying out education grants.

The validation of scholarship in the area of teaching and learning is based in large measure on evaluation by the faculty member's peers both at the University and at other institutions of higher learning.

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

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

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

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

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

e. Scholarship of Outreach/Application/Engagement: These activities apply faculty members' knowledge and expertise to issues that impact individuals, communities, businesses, government, or the environment. Examples may include economic development, environmental sustainability, stimulation of entrepreneurial activity, integration of arts and sciences into people's lives, enhancement of human well being, and resolution of societal problems. Like other forms of scholarship and creative activities, the scholarship of

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outreach/application/engagement involves active communication and validation. Examples of validation may include (but are not limited to): peer reviewed or refereed publications and presentations; patents, copyrights, or commercial licensing; adoption or citation of techniques as standards of practice; invited presentation at a seminar, symposium or professional meeting; and citations of the faculty member's work.

C-3. OUTREACH and EXTENSION: Outreach activities are originated by every unit on UI's Moscow campus and from each of the University's physical locations around the state.

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

Evidence of effective outreach activities may include, but are not limited to, (1) documentation of the process by which needs were identified and what steps were taken to deliver carefully planned and implemented programs; (2) numbers of individuals and types of audiences affected; (3) evaluation by participants in outreach activities; (4) other measures of significance to the discipline/profession, state, nation, region and/or world; (5) quantity and quality of outreach publications and other mass-media outlets; (6) evaluation of the program's effects on participants and stakeholders; (7) awards, particularly those involving peer evaluation; (8) letters of commendation from individuals within organizations to whom service was provided; (9) service in a leadership role of a professional or scientific organization as an officer or other significant position; and (10) other evidence of professional service oriented projects/outputs.

C-4. UNIVERSITY SERVICE AND LEADERSHIP: The university seeks to create formal and informal organizational structures, policies, and processes that enable the university community to be effective, while also fostering a climate of participatory decision making and mutual respect.

a. Intramural service is an essential component of the University of Idaho mission and is the responsibility of faculty members in all units. Service by members of the faculty to the university in their special capacities as scholars should be a part of both the position description and annual performance review.

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

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

b. Administration:

(1) Unit Administration (see FSH 1565 B): FSH 1420 E describes the responsibilities and the selection and review procedures for unit administrators. Unit administration is not normally considered in tenure

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and promotion deliberations; it is accounted for insofar as expectations are proportionally adjusted in the other sections of the position description. For faculty in nonacademic units (e.g. faculty at large), administration may be considered in tenure and promotion deliberations.

(2) Other: Effective conduct of university programs requires administrative activities that support scholarship, outreach and teaching. Program support activities are to be noted in position descriptions and performance reviews. The role of the principal or co-investigator of a university program or project may include the following administrative responsibilities: (1) budgetary and contract management; (2) compliance with University purchasing and accounting standards; (3) supervision and annual review of support personnel; (4) purchasing and inventory management of goods; (5) graduate student and program personnel recruitment, training in University procedures/policies, and annual review; (6) collaborator coordination and communication; (7) management of proper hazardous waste disposal; (8) laboratory safety management; (9) authorization and management of proper research animal care and use; (10) authorization and management of human subjects in research; (11) funding agency reporting; (12) intellectual property reporting; and (13) compliance with local, state, and federal regulation as well as University research policy.

Demonstration of effective administration may be documented by a variety of means. Examples include: (1) compliance with applicable rules, standards, policies, and regulations; (2) successful initiation, conduct and closeout of research contracts and grants as evidenced by timely reporting and budget management; (3) completion of the research contract or proposal scope-of-work; organized program operations including personnel and property management. Documentation of effective university program operation, beyond scholarship, may also include input by graduate and undergraduate students participating in the university program; and input by collaborators, cooperators, funding agency and beneficiaries of the program. Documentation of effective administration may include evaluations by faculty and staff, as well as objective measures of performance under the incumbent's leadership.

D. UNIVERSITY FACULTY (FSH 1520 Article II):

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

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

b. Senior Instructor. Appointment to this rank requires qualifications that correspond to those for the rank of instructor and evidence of outstanding teaching ability. Instructors are promotable to senior instructor. Effective teaching is the primary responsibility of anyone holding this rank and this primary responsibility is weighted accordingly in the annual performance evaluation and when a senior instructor is being considered for tenure. Except in very rare instances, this rank is considered terminal (i.e., it does not lead to promotion to the professorial ranks and there is no limitation on the number of reappointments). Prospective appointees to the rank of senior instructor must be fully informed of its terminal nature.

D-2. FACULTY:

a. Assistant Professor. Appointment to this rank normally requires the doctorate or appropriate terminal degree. In some situations, however, persons in the final stages of completing doctoral dissertations or with

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outstanding talents or experience may be appointed to this rank. Evidence of potential effective teaching and potential scholarship in teaching and learning, artistic creativity, discovery, and outreach/application/engagement is a prerequisite to appointment to the rank of assistant professor. Appointees in this rank have charge of instruction in assigned classes or laboratories and independent or shared responsibility in the determination of course objectives, methods of teaching, and the subject matter to be covered. Assistant professors are expected to demonstrate the ability to conduct and direct scholarly activities, and to provide intramural and extramural professional service. [1565 C]

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

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

D-3. RESEARCH FACULTY:

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

D-4. EXTENSION FACULTY:

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

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

c. Extension Faculty with Rank of Associate Professor. In addition to the qualifications required of extension faculty with rank of assistant professor, appointment or promotion to this rank requires: achievement of a higher degree of influence and leadership in the field; continued professional improvement demonstrated by keeping up to date in subject matter, extension teaching methods, and organization procedures; progress

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toward an advanced degree if required in the position description; demonstrated further successful leadership in advancing extension educational programs; evidence of a high degree of insight into county and state problems of citizens and communities in which they live, and the contribution that education programs can make to their solution; an acceptance of greater responsibilities; a record of extension teaching or practical application of research resulting in publication or comparable productivity; a reputation among colleagues for stability, integrity, and capacity for further significant intellectual and professional achievement. These activities may occur in a domestic or international context.

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

D-5. LIBRARIAN:

a. Librarian with Rank of Instructor. Appointment to this rank requires an advanced degree in library science from a library school accredited by the American Library Association or an equivalent terminal degree and relevant experience and: (a) evidence of potential for successful overall performance and for development as an academic librarian; (b) when required for specific positions (e.g., cataloger, assistant in a subject library), knowledge of one or more subject areas or pertinent successful experience in library work.

b. Librarian with Rank of Assistant Professor. Appointment to this rank requires the qualifications for librarian with rank of instructor and: (a) demonstrated ability, competence, and effectiveness in performing assigned supervisory-administrative, specialized public service, or technical service responsibilities; (b) demonstrated ability to establish and maintain harmonious working relationships with library colleagues and other members of the university community; (c) evidence of professional growth through study; creative activity; participation in workshops, conferences, seminars, etc.; participation in appropriate professional organizations; awareness of current developments in the profession and ability to apply them effectively in the area of responsibility; (d) service to the library, university, or community through committee work or equivalent activities.

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

d. Librarian with Rank of Professor. Appointment or promotion to this rank requires the qualifications applicable to the lower ranks of librarians and: (a) demonstrated outstanding competence in the area of responsibility; (b) achievement of an outstanding record of creative librarianship, of effective administration, or of practical application of research resulting in significant publications or comparable productivity; (c) an additional degree in library science or in a pertinent subject area or equivalent achievement; (d) regional or national recognition for contributions to the profession based on publications or active and effective

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participation in the activities of professional organizations; (e) evaluation by colleagues as an effective librarian who will continue to recognize that optimum productivity is a reasonable personal goal. These activities may occur in a domestic or international context.

D-6. PSYCHOLOGIST OR LICENSED PSYCHOLOGIST:

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

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

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

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

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

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

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

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

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

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

f. Appointment:

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

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

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

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

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

D-8. UNIVERSITY DISTINGUISHED PROFESSOR: Acknowledgment of outstanding academic contributions to the university is appropriate and desirable. The rank of University Distinguished Professor² is bestowed upon University of Idaho faculty in recognition of sustained excellence in all the areas of their areas of responsibility, ~~in teaching, scholarship³, outreach, and service.~~ The rank will be held for the remainder of the recipient's active

² As a result of Development Fund efforts, endowment support eventually may be obtained for many University Distinguished Fellowships, in which case a donor's name may be added to the title.

³ ~~Scholarship in this context includes scholarship of discovery, scholarship of pedagogy, scholarship of application and~~

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service at the University; if the recipient leaves the University and is eligible for emeritus status, the rank will change to University Distinguished Professor Emeritus. The rank is highly honorific and therefore will be conferred on no more than three faculty members university-wide in any given academic year. Selection of University Distinguished Professors will reflect the diversity of scholarly fields at the University. University Distinguished Faculty will receive a stipend of at least \$5,000 per year for five years to be used to enhance salary or support professional activities (e.g., professional travel, student support, equipment, materials and supplies, etc.). Final discretion in conferring the rank of Distinguished Professor and the number of appointments in a given year resides with the President.

A. Selection Criteria: In general, University Distinguished Professors will have received national and usually international recognition. They will have brought distinction to the University through their work.

University Distinguished Professors will have achieved a superior record in at least three of the following areas: scholarly, creative, and artistic achievement; breadth and depth of teaching; excellence in extension or outreach; and University service and service involving the application of scholarship, creative, or artistic activities to addressing the needs of one or more external publics.

University Distinguished Professorships will be conferred on members of the University of Idaho Faculty who have attained the rank of Professor and have completed a minimum of seven years of service at the University, typically at the rank of Professor.

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

1. The Provost will request nominations from faculty, deans, directors and unit administrators annually.
2. Written nominations will be submitted to the Provost and must include:
 - a. A nominating letter with a brief summary of the candidate's achievements;
 - b. The candidate's *curriculum vitae*, including a list of any significant previous awards;
 - c. Letters of endorsement from the appropriate deans and unit administrators or director(s). The candidate may also include a maximum of three additional letters of support, as appropriate, from students, colleagues at the University of Idaho, and/or other institutions. Letters should describe the impact of the nominee on their her/his-field, evidence of external recognition, and the context of her/his/their work over the course of her/his/their employment.
3. The University Distinguished Professorship Advisory Committee reviews the nominations and makes recommendations to the Provost for transmittal to the President.
4. Because the rank of University Distinguished Professorship is intended to be highly honorific, it is possible that in a given year no candidates will be selected.
5. The applications of nominees who are not selected in the first year of nomination will remain active for a total of three years. Nominators will have the opportunity to update their nomination during subsequent years in which their candidate is under consideration.

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

integration, and artistic creativity.

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

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

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

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

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

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

E. EMERITUS STATUS. (FSH 1520 II.2)

E-1. PURPOSE. Emeritus status benefits both the university and emeriti by providing opportunities for emeriti to maintain ties with faculty members and continue service to the university and community.

E-2. ELIGIBILITY. A board-appointed, benefit-eligible member of the university faculty who holds one of the ranks described in 1565 D and who leaves the university and has a minimum of 8 years of service and attained the rule of 65 (age plus years of service is at least 65) is eligible for emeritus status.

E-3. APPOINTMENT.

1. Faculty must request consideration for emeritus status. This request may be made in the notice of resignation or in a request made directly to the provost. This request may be made along with or at any point following the submission of the letter of resignation. If a faculty member who is eligible for emeritus status under section E-2 does not request consideration for emeritus status in their resignation letter, then their college or department will send a notice to the faculty member asking if they wish to request emeritus status. The college or department will send a similar notice to any eligible faculty who receives a terminal contract due to program closure or similar circumstances.

2. In ordinary circumstances, the provost will grant emeritus status if the eligibility requirements specified in E-2 are satisfied. In exceptional circumstances, the provost may suspend the above eligibility rules and award, deny, or revoke a faculty member's emeritus status with a written notification to the faculty member stating the reasons for the decision and notifying them of the ability to appeal. A faculty member may appeal this decision to the Faculty Senate Chair, Faculty Senate Vice Chair, and Faculty Secretary, where the provost's decision must be upheld by a unanimous vote in order to be enacted. Examples of exceptional circumstances include the reasons outlined in FSH 3910 A-1.

3. A list of emeriti is maintained by the Provost's office.

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4. Emeriti are responsible for updating contact information with the university.

E-4. PRIVILEGES.

- a. **Access.** Emeriti continue to have access to research, library, and other UI facilities.
- b. **Participation.** UI encourages the voluntary continued participation of emeriti in the activities of the academic community. Emeriti may take an active role in the service and committee functions of their department, college, and the university as described in FSH 1520 II.2. Other activities are subject to approval by the provost.
- c. **Title.** Emeriti may use the title “professor emeritus/emerita,” “research professor emeritus/emerita,” or “extension professor emeritus/emerita,” as applicable. A faculty member without such rank has the designation “emeritus” or “emerita,” as applicable, added to the administrative or service title held at the time of retirement.
- d. **Mail.** Departmental mailboxes continue to be available to emeriti who reside locally. Emeriti who have departmental mailboxes receive full distribution of departmental notices unless otherwise requested.
- e. **Office supplies.** Office supplies are available under regular departmental procedures.
- f. **Postage.** Departmental postage may be used for professional mail.
- g. **Parking.** Emeriti receive one non-transferable gold parking permit annually.
- h. **Discount programs.** Emeriti receive any discounts available to other faculty members through various UI programs.
- i. **Functions.** Emeriti are invited to the same university, college, and departmental functions as active faculty.
- j. **Travel funding.** Travel funding may be used to support professional activities of emeriti in service to the university (e.g. guest lectures, research design, consultation, etc.). Emeriti may have a lower priority for travel funding than active faculty and such funding is at the discretion of the unit administrator or dean.
- k. **Office/lab space.** Offices and labs for emeriti are provided on a space-available basis as determined by the unit administrator or dean, giving higher priority to active faculty and unit needs. Office and lab space allocations to emeriti may be revoked upon 60 days’ notice.
- l. **Information technology services.** Emeriti who elect to maintain an active computing account will retain access to services provided by Information Technology Services (ITS) including electronic communications (e.g., email, instant messaging, etc.), technical support, and offered software.

E-5. EMPLOYMENT OPPORTUNITIES.

- a. Emeriti may hold a temporary or permanent part-time position (0.49 FTE or less) subject to regular employment procedures. It is the responsibility of emeriti to consult with HR regarding impact to benefits.
- b. Emeriti shall not serve as supervisors of other employees unless they hold a position as outlined in E-5-a herein.

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

F-1. AFFILIATE FACULTY:

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

b. **Employment Status.** An affiliate faculty member may, by virtue of his or her employment, have either one of the following relationships with UI: (1) that of a UI employee, normally an exempt employee, who is [a] a

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member of the faculty or staff of a unit of the university other than the one in which he or she has affiliate-faculty status, or [b] a member of the professional support staff of the same unit of the university in which he or she has affiliate-faculty status; (2) that of an employee of a governmental or private agency who is assigned by that agency to a UI unit or to one of the agency's units or programs that is officially associated with the university.

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

d. Responsibilities, Privileges, and Rights. The guarantees afforded by the principle of academic freedom [see 3160] are extended to members of the affiliate faculty. They have substantially the same responsibilities and privileges as do members of the university faculty; however, their right to vote in meetings of their constituent faculties is limited in accordance with the provisions of 1520 II-3-b. (Those who, in addition to their affiliate-faculty status, have status as members of the university faculty [e.g., psychologists in the Counseling and Testing Center and regular faculty members in other academic departments] have, of course, full rights of participation in meetings of the university faculty and of the constituent faculties to which they belong.)

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

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

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

3. Affiliate faculty qualify for the faculty-staff educational privilege [see 3740]

e. Qualifications. Assignment to an affiliate faculty position is based on demonstrating knowledge and experience, academic degrees, scholarly contributions, or other professional accomplishments comparable to what is expected of faculty within that unit.

f. Appointment.

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

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

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3. An appointment, termination, or other change in affiliate-faculty status is made official by means of a "Personnel Action" form.

F-2. ADJUNCT FACULTY:

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

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

c. Qualifications. Adjunct faculty members must be highly qualified in their fields of specialization and should have exhibited positive interest in UI programs in the field of their appointment. Their qualifications should ordinarily be equivalent to those required of regular members of the faculty in the area and at the level of the adjunct faculty member's responsibility.

d. Adjunct faculty do not qualify for the faculty-staff educational privilege. (see 3740)

e. Appointment.

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

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

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

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

5. The appointment of adjunct faculty members to graduate students' supervisory committees requires approval by the dean of the College of Graduate Studies.

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

G-1. LECTURER. A teaching title that may be used at any level, i.e., it carries no specific connotation of rank among the professorial titles. This title is conferred on one who has special capabilities or a special instructional role. Lecturers are neither tenurable nor expected to progress through the professorial ranks. A lecturer qualifies for faculty status with vote during any semester in which he or she (a) is on an appointment greater than half-time and (b) has been on such appointment for at least four semesters. When a lecturer qualifies for faculty status they shall

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be reviewed at a minimum of every 5 years thereafter as determined by the unit's bylaws. The review committee defined by the unit's bylaws shall include tenure-track faculty within the unit.

G-2. VISITING FACULTY. A designation that, when used with a professorial title, customarily indicates that the appointee holds a regular teaching or research position at another institution. A visiting appointee who does not hold a professorial rank elsewhere may be designated as a lecturer. Appointees with visiting academic ranks (e.g., visiting associate professor, visiting professor) are considered temporary members of the university faculty. Those on full-time appointment have the privilege of voting in meetings of the university faculty and of the appropriate constituent faculties.

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

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

H. NON-FACULTY: Those within this category are not members of the faculty.

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

H-2. GRADUATE STUDENT APPOINTEES: The general nature of the following graduate assistantships is defined as an apprenticeship experience that consists of a work obligation partnered with educational and developmental activities, all of which are integrated with the graduate degree program of the student. All graduate assistants must be individually mentored by a faculty advisor and may receive additional mentoring from other faculty and/or staff on or off campus. All graduate assistant positions (H-2. a, b, c) are limited to twenty hours per week of work. All graduate student appointees must be academically qualified and registered. [See also 3080 D-2-a.]

a. Graduate Teaching Assistant. Graduate Teaching Assistants perform duties related to the instructional efforts of the unit in which they are employed under the supervision of a member of the university faculty, associated faculty, or temporary faculty (see FSH 1565 D, F, and G). These duties, which must be associated with academic credit instruction and constitute at least 50 percent of a Graduate Teaching Assistant's effort, may include, but not be limited to: primary teaching responsibilities; grading assignments; assisting with the delivery of instruction through technology; and providing other assistance related to instruction.

b. Graduate Research Assistant. Graduate Research Assistants develop competence in performing professional-level work in support of research, scholarship, or creative activity. These positions can only have duties within the scope of work permitted by the funding source.

c. Graduate Support Assistant. Graduate Support Assistants perform a wide range of duties and can have varying responsibilities in academic and non-academic campus departments and programs. The specific duties depend on the needs of the office or project and on the qualifications and experiences of the Graduate Support Assistant. Graduate Support Assistants may provide academic and/or non-academic instruction, and/or assist with research, or provide other support functions. The duties must be directly related to the Graduate Support Assistant's program of study. The College of Graduate Studies shall periodically publish standards governing the permissible scope of Graduate Support Assistant appointments on its website.

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

Version History

Amended July 2022. Revised and clarified section C-1.a. to expand and clarify the evidence that may be used in evaluating teaching effectiveness.

Amended July 2021. Editorial changes.

Amended July 2020. The policy on emeritus status was extensively revised to provide greater clarity, ensure conformity with labor law, and add the ability to revoke emeritus status in exceptional circumstances. Section D-5 Librarian was revised to provide more flexibility in recruiting efforts.

Amended January 2020. The policy on office hours was moved from FSH 3240 to C-1.c. Changes were made to sections C-1 and C-3 to ensure that faculty efforts in the areas of teaching, advising, and outreach and extension are properly credited.

Amended July 2018. A new category for graduate support assistants was added to address needs that are not covered under the role of a typical teaching or research assistant position.

Amended July 2014. The cap on non-tenure track faculty appointments in a unit was adjusted and promotion processes clarified and revised.

Amended January 2014. The time necessary to qualify for emeritus status was redefined.

Amended July 2013. Definitions for research and teaching assistants were more clearly defined.

Amended July 2012. Edits were made to the Distinguished Professor under D-8 and to the qualifications for Emeritus status and a search waiver under E.

Amended July 2011. Voting for associated faculty was clarified and Clinical Faculty under “G. Temporary Faculty” moved to “D. University Faculty” as D-9 and was revised.

Amended July 2010. The affiliate and adjunct terms were switched to conform to national norms and the rank of Distinguished Professor was added.

Amended January 2010. Changes to the faculty position description and evaluation forms integrating faculty interdisciplinary activities into the evaluation processes were incorporated into this policy. Ranks for Associated Faculty in F were removed because the promotion process as detailed in 3560 for faculty ranks was deemed excessive for associated faculty. Those currently holding a specific rank in adjunct or affiliate will retain that privilege.

Amended July 2008. The policy was reorganized to better reflect classifications as stated in FSH 1520 Article II.

Amended July 2006. Substantial revisions were made to Section A.

Amended July 2001. Section J-1, voting rights for lecturers, was changed.

Amended July 2000. Revisions were made to C-1, D-1, and E-1.

Amended 1998. Extensive revisions were made to B (entirely new), C, D, and E.

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Amended July 1998. Section A underwent additional substantial revision.

Amended July 1996. The definitions of ‘postdoctoral fellow’ (J-5), ‘graduate assistant’ (K-3) and ‘research fellow’ (K-4) were revised.

Amended July 1994. Section A was substantially revised, so as to underline better the importance of both teaching and scholarship. The so-called “Voxman Amendment” (the addition of ‘in the classroom and laboratory’ to the list of possible venues wherein the evaluation of scholarship might take place) made its first appearance.

Amended 1987. The material in section I was added.

Adopted 1979.



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 3320** Annual Performance Evaluations and Salary Determination of Faculty Members and Performance Evaluation of Academic Administrators

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."

Policy originator: Alistair Smith, FAC Chair

Policy sponsor, if different from originator:

Reviewed by General Counsel: Yes No Name & Date: Karl Klein, 11/8/23

Comprehensive review? Yes No

1. **Policy/Procedure Statement:** Briefly explain the reason for the proposed change.

Change to A-1.d to clarify that chairs may confer with deans during evaluation process.

2. **Fiscal Impact:** What fiscal impact, if any, will this change 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.

3320
ANNUAL PERFORMANCE EVALUATIONS OF FACULTY MEMBERS
AND
PERFORMANCE EVALUATION OF ACADEMIC ADMINISTRATORS

CONTENTS:

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

A. ANNUAL PERFORMANCE EVALUATION FOR FACULTY MEMBERS.

A-1. PERFORMANCE EVALUATION. Annual evaluation of the performance of each member of the faculty is primarily the responsibility of the faculty member and unit administrator. The provost is responsible for preparing supplementary instructions each year, including the schedule for completion of the annual performance evaluation. Personnel on international assignment see FSH 3380 C.

a. Forms. The Annual Performance Evaluation Form is available below. The form may not be altered without following the appropriate governance process set forth in FSH 1460. The supervisor is responsible for ensuring that each faculty member uses the proper form together with the supplementary instructions as provided by the Provost's Office.

b. Evaluation ratings. Performance evaluation ratings are described below. The narrative in the evaluation form shall provide evidence to support the evaluation.

i. Performance that meets or exceeds expectations is at least satisfactory performance during the review period of a faculty member relative to the position description.

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

c. Annual report of efforts and accomplishments by faculty member. Each faculty member shall provide their supervisor with the following materials in preparation for the annual performance evaluation:

1. Current curriculum vitae
2. Position description for the time under review.
3. Written report of faculty activity for the period of the annual performance review that compares accomplishments to expectations in the position description for the review period. This report may be in the form of a self-evaluation using the annual evaluation form included in this policy.
4. Other materials necessary to document efforts and accomplishments for the review period.

d. Evaluation of faculty by supervisors. Supervisors shall evaluate the faculty members in their unit. The performance of each faculty member during the review period is judged on the basis of the position description in effect during that period. In the case of a faculty member holding a joint appointment or involved in interdisciplinary activities in two or more academic or administrative units, it is the responsibility of the supervisor in the faculty member's primary academic discipline to solicit and consider relevant information on job performance from other administrators with responsibility for the faculty member's work.

Whether a faculty member's performance meets expectations is determined by comparing the faculty member's performance to the position description for the review period. For each area of responsibility, the supervisor shall describe the basis for their evaluation of the faculty member's performance in the narrative on the form. The supervisor shall also describe the basis for their overall evaluation of the faculty member's performance. The overall evaluation is not weighted by the percentage and rating of each responsibility area in the position description; rather, the overall evaluation is a holistic assessment of the faculty member's

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performance. The supervisor shall also include comments and recommendations for the faculty member's progress toward tenure, promotion, and continued satisfactory performance, as applicable, in the appropriate place on the annual evaluation form. The supervisor may confer with the Dean as needed. After the supervisor has completed the narrative evaluation for all faculty for the review period, the supervisor shall provide to each reviewed individual a copy of the individual's annual evaluation form prior to the conference described in A-1.e.

e. Conference. The supervisor shall provide each faculty member with the opportunity to meet to discuss the unit administrator's evaluation, either in person or by remote meeting technology and the faculty member's detailed report of activities. The supervisor should explain the narrative providing a formative assessment on progress toward tenure, promotion, and continued satisfactory performance, as appropriate. The faculty member and the supervisor should work to identify strategies and goals to help the faculty member improve performance. The evaluation may be modified as a result of the discussion.

f. Signature. At the conclusion of the review process, each faculty member shall sign the evaluation form indicating that they have had the opportunity to read the evaluation report and to discuss it with the supervisor. The supervisor shall give the faculty member a copy of the supervisor's final evaluation signed by both parties. The employee's signature does not signify agreement with the content of the evaluation; it signifies that the employee has had the opportunity to review the evaluation and to meet with the supervisor.

g. Opportunity for response. If the faculty member wishes to respond to the contents of the review, they shall be permitted to append a response to the supervisor's evaluation within five days of receipt of the supervisor's evaluation.

h. Forwarding to dean. The supervisor shall forward to the dean the following materials for evaluation at the college level:

1. The evaluation form with the complete narrative and the comments and recommendations on progress towards tenure, promotion, and continued satisfactory performance, as appropriate, and
2. Any comments provided by interdisciplinary administrators or administrators of faculty holding joint appointments provided pursuant to subsection A-1.d.

If the supervisor fails to include the required narrative comments, recommendations, or the signed copy of the evaluation, the college shall return the materials to the supervisor .

i. Responses to evaluation of a faculty member. If the faculty member has attached a response to the evaluation, the unit administrator shall provide the response to the dean with the annual evaluation form. The dean shall meet with the unit administrator and the faculty member to attempt to resolve the relevant issues. If the dean disagrees with the unit administrator's evaluation, the dean shall attach a narrative stating the reasons for the disagreement. A copy of the dean's narrative shall be provided to the faculty member. The faculty member may respond to the dean's evaluation within five days of receipt. The faculty member, unit administrator, and dean are encouraged to resolve the disagreement at the college level. If the matter cannot be resolved, the dean shall notify the provost of the disagreement.

j. Responses to evaluation of a direct report to dean. If a direct report to a dean has attached a response to the evaluation, the dean shall meet with the direct report to attempt to resolve the relevant issues. The dean and direct report are encouraged to resolve the disagreement at the college level. If the matter cannot be resolved, the dean shall attach a narrative stating the reasons for the disagreement. A copy of the dean's narrative shall be provided to the direct report. The direct report may respond to the dean's narrative and the dean shall notify the provost of the disagreement.

k. Signed copies of evaluation to faculty member and provost. At the conclusion of the evaluation process, the college shall forward to both the faculty member and the provost all evaluation material at the unit and college level, including the dean's narrative and faculty responses, if any, with the signatures of the faculty, supervisor, and dean.

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A-2. Relationship to promotion and tenure process. The faculty annual performance evaluation is an administrative review. Annual evaluations are but one component of the independent promotion and tenure procedure set forth in FSH 3500 and do not guarantee a successful promotion or tenure decision.

B. FACULTY PERFORMANCE THAT DOES NOT MEET EXPECTATIONS.

B-1. IN GENERAL. If the unit administrator determines that a faculty member is not meeting expectations, the unit administrator should consider the reasons for and explanations of the performance. See FSH 3190. The unit administrator, in consultation with the faculty member, should address the possible causes of the problem, suggest appropriate resources and encourage the employee to seek such help. Faculty members and unit administrators may obtain referral information and advice from the Ombuds, Human Resources, or the Provost's Office. Additional required procedures are set forth below.

B-2. FIRST OCCURRENCE. In the event that a faculty member has not met expectations overall or within one or more areas of responsibility, the unit administrator shall offer to meet with the faculty member. At this meeting, the faculty member and the unit administrator shall review the faculty member's position description and examine strategies that would permit the faculty member to improve performance. A mentoring committee shall be formed upon the request of either the faculty member or the unit administrator. The committee shall be composed of two or more faculty members agreed upon by the unit administrator and faculty member.

B-3. TWO OCCURRENCES WITHIN THREE YEARS. In the event of two annual evaluations within three years concluding that the faculty member has not met expectations overall or within one or more areas of responsibility, the unit administrator shall arrange a meeting of the faculty member, the unit administrator and the college dean.

The purpose of the meeting is to review:

- a. the current position description and revise it if necessary to address the issues identified during the discussion.
- b. the strategies implemented in the previous year(s) and to identify why the strategies did not result in the faculty member meeting expectations. The parties should re-examine strategies that would support improved performance by the faculty member.

B-4. THREE OCCURRENCES WITHIN FIVE YEARS. In the event of three annual evaluations of "does not meet expectations" within a five-year period, either overall or within one or more areas of responsibility, the dean shall initiate a formal peer review. The purpose of the review is to assess the level of performance of the faculty member, the reasonableness of the previous evaluations, and the appropriateness of the strategies put in place to assist the faculty member. The dean shall first consult with the provost's office to obtain guidance regarding the review process.

a. Composition of the Review Committee. The Review Committee shall comprise four members from within the unit and one member from outside of the unit. If the faculty member is tenured or tenurable, the committee shall include tenured faculty unless no tenured faculty are available. The faculty member may submit to the unit administrator a list of the names of up to three faculty members from within the unit and up to one faculty member from outside of the unit. The faculty member may also submit the names of up to two faculty members who shall be excluded from serving on the committee. The unit administrator shall appoint the committee, including, if provided, at least two names from the faculty member's list. The committee members shall select a chair from their membership.

b. Timing. The committee shall complete its review and report, as described below, within 60 days of the submission of the evaluation to the Office of the Provost.

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c. Materials. The review shall be based on the materials described below.

1. Materials submitted by faculty member. The faculty member shall provide the following materials to the committee:

- a. Updated curriculum vitae.
- b. A self-assessment summary of each area of the faculty member's responsibility and what the faculty member has learned and achieved during the review period, including contributions to the department, university, state, nation, and field, not to exceed five pages.

2. Materials submitted by unit administrator. The unit administrator shall provide the following materials to the committee:

- a. Position descriptions for the period under review.
- b. The official record, as maintained by the provost's office, of annual evaluation materials for the period under review.
- c. Student and any peer evaluations of teaching for the period under review.
- d. A summary of the strategies put in place to assist the faculty member.

3. Additional materials requested by committee. The committee may request additional materials from the faculty member or unit administrator as it deems necessary.

d. Responses to committee report. The committee chair shall submit the report to the faculty member, unit administrator, and dean. Each recipient shall have 15 days from the report's date to submit written responses to the review committee. The committee chair shall send the report and all responses to the provost.

e. Provost. The provost shall be responsible for determining the appropriate resolution, which may include:

1. Continuing the status quo
2. Mentoring to address areas of concern
3. Termination for cause
4. Other recommended resolutions.

B-5. CIRCUMSTANCES WARRANTING IMMEDIATE REVIEW BY PROVOST. In the event of an overall evaluation of "does not meet expectations" where the faculty member's performance is so far below expectations that immediate corrective action is deemed necessary to protect the interests of the university, the provost may, in consultation with the dean and unit administrator, determine that immediate further review of the faculty member's performance is required. In such a case, the review will follow the procedure set forth in B-4.a. through e.

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

C. ANNUAL PERFORMANCE EVALUATION AND REVIEW OF ADMINISTRATORS HOLDING FACULTY APPOINTMENTS. This policy applies to all administrators holding faculty appointments including, but not limited to, those reporting directly to the provost and deans.

C-1. Annual performance evaluation of administrators. Each administrator holding an appointment as a faculty member shall have a position description pursuant to FSH 3050, and shall undergo the annual performance evaluation process described above. The performance evaluation shall be conducted by the administrator's direct supervisor. When the administrator holds a faculty appointment in a unit not under the supervision of the evaluator, the evaluator shall seek input from the unit administrator of that unit regarding the evaluation of Teaching and Advising, Scholarship and Creative Activities and Outreach and Extension to the extent the administrator's position description includes expectations in these areas. The evaluator shall also review the administrator's performance in the area of University Service and Leadership. The evaluation

UI FACULTY-STAFF HANDBOOK

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

of administrators in the area of University Service and Leadership shall focus on the responsibilities set forth in FSH 1420, if applicable, the responsibilities set forth in the unit bylaws, if applicable, and the expectations set forth in the administrator's position description. An administrator's annual performance evaluation shall be completed using the Faculty Annual Performance Evaluation Form or the Annual Performance Self-Evaluation Form for Direct Reports to the Provost and Executive Vice President, as appropriate, appended to this policy. The review shall state whether the administrator met or did not meet expectations.

C-2. Faculty and staff feedback. The evaluator shall ensure that faculty and staff interacting with the administrator have the opportunity to provide confidential feedback regarding the administrator's performance to the evaluator. All feedback will be collected by Institutional Research to maintain confidentiality. Identifying information will be redacted from the feedback by Institutional Research before the feedback is provided to the evaluator.

C-3. No expectation of continued service. Administrators do not have an expectation of continued service in their administrative appointments. The president, provost or dean may determine at any time that it is not in the best interest of the university, college or unit that the administrator continue to serve in their administrative capacity.

C-4. Review initiated by faculty. An administrator review may be initiated through a petition signed by at least 50% of the faculty members in the unit and delivered to the provost. The names and percentages of faculty signing the petition shall be maintained in confidence by the provost.

a. A review under this sub-section shall be conducted by a three-person committee appointed by the provost or dean composed of at least one individual in a similar position to the administrator as well as at least one tenured faculty member from the unit. The review shall focus on the administrator's performance of the responsibilities.

b. The committee shall consider the following information:

1. Any report submitted by the administrator regarding their performance
2. Input from the administrator's supervisor regarding their performance
3. Input from the faculty and staff in the unit
4. Input from other constituencies that engage with the administrator

c. The committee shall prepare a written report summarizing its findings and recommendations regarding the administrator's performance. This report shall be provided to the administrator. The administrator shall have the opportunity to respond to the committee report within five business days. The committee report, and any response, shall be forwarded to administrator's supervisor and the provost.

d. The supervisor and provost may provide further feedback and performance recommendations to the administrator based on the report.

e. The supervisor or provost shall notify the faculty and staff of the relevant unit that the review has been completed.

C-5. Periodic review as required by unit bylaws. Unit bylaws may require review of administrators at prescribed intervals, provided the review follows the process set forth in section C-4.a. through e.

D. SEQUENCE OF EVALUATION OF FACULTY MEMBERS AND ADMINISTRATORS. The provost prepares the schedule for completion of steps in the performance evaluation and salary determination process each year. The schedule will ensure that faculty members' evaluations of unit or center administrators and assistant and associate deans have been received by the dean before the administrators' recommendations on faculty salary, promotion, and tenure are made known to the faculty and, similarly, that faculty members' evaluations of deans have been received by the provost before the deans' recommendations on faculty salary, promotion, and tenure are made

UI FACULTY-STAFF HANDBOOK

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

known to the faculty. Likewise, the summaries of faculty evaluations of unit or center administrators, assistant and associate deans, and deans will be communicated to the persons evaluated after their recommendations on faculty salary, promotion, and tenure have been transmitted to the provost.

Version History

Amended July 2022. Language clarified throughout and conflicting information resolved. New provision introduced allowing bylaws to require regular review of administrators but requiring such review to follow the same process as faculty-initiated review, to avoid disparities in review process across units. Review committee reconfigured.

Amended July 2019. Section C. was completely rewritten and all faculty will now use one form.

Amended July 2018. The words “and goals” to FSH 3320 A-1. e were added to encourage a discussion.

Amended July 2018. Revised A-1 e and B-2.

Amended January 2018. An emergency revision (rewrite of the faculty section, not the administrator section) to this policy was put in place to address the new narrative evaluation process so as to be effective before the next evaluation process.

Amended January 2017. A temporary fix to this policy was put in place to allow for a pilot narrative evaluation process for 2016 and ensure that existing policy would apply.

Amended July 2014. Changes were incorporated to ensure all faculty go through a review by their peers.

Amended July 2010. B was added and FSH 1420 E-6 was incorporated into D to consolidate the evaluation process into one policy.

Amended July 2009. Revised to reflect recent changes to the faculty position description and evaluation forms to better integrate faculty interdisciplinary activities.

Amended January 2008. Form 1 was revised to include a Disclosure of Conflicts statement to comply with FSH 6240.

Amended July 2007. Form 1 underwent substantial revisions to address enforcement and accountability issues in the UI promotion and the tenure process as well to align the form with the Strategic Action Plan.

Amended January 2007. Revised A-1 j, B-1, and B-4

Amended July 2001. Revised A-1 a, e, and j. Added A-1 c. 4.

Amended July 2003. Revised A-1 and A-1 d.

Amended July 2002. Policies concerning performance evaluation were completely rewritten.

Adopted 1979.

Spread Pay Task Force Findings and Recommendations

History of the Task Force

In 2022 Faculty Senate charged a task force to consider the possibility of developing a system that would allow University of Idaho faculty on 9-month contracts to be paid over 12 months. The catalyst for this work was a combination of faculty interest and its potential to both retain and recruit faculty.

The old spread pay system was an offered benefit until FY 2017. However, difficulties with the Banner 8 system and managing faculty on complicated contracts made the system too cumbersome.

In the Spring of 2022, the Task Force sent a survey to eligible faculty to determine the degree to which faculty supported this initiative. At that time, 570 faculty were on academic contracts and received the survey. 329 completed the survey, resulting in a response rate of 61%. Of those faculty currently on standard pay, 63% indicate that they would immediately switch to a 12 month pay system if given the option. Regardless of whether or not they would go on a 12 month pay system, 94% of surveyed faculty supported implementing it as an option for others.

In AY 23-24, there are 576 U of I faculty on academic year contracts.

- 454 are on standard pay; they are paid for 39 weeks of work during the academic year.
- 122 are on the old system of spread pay; they are paid for 39 weeks of work over twelve months on a system using a problematic pay schedule.

Current Realities

In the process of investigating the possibility of reoffering a benefit that would allow people on 9-month contracts to be paid over 12, it became evident that the current system of providing advanced pay in July and August poses significant problems for the university. Our current system of spread pay operates by paying people in July and August prior to the beginning of their contract. Paying employees for work before the contract begins presents challenges and the schedule must be reset – regardless of whether or not we offer deferred pay as a benefit for all eligible faculty.

There are 122 faculty members currently on this old spread pay schedule. To resolve the schedule problems, they will need to shift to a new pay schedule or opt for standard pay. The new model, called deferred pay, will allow faculty to defer portions of their pay through the academic year to be paid over the following summer. The pay system aligns with the start of their work period.

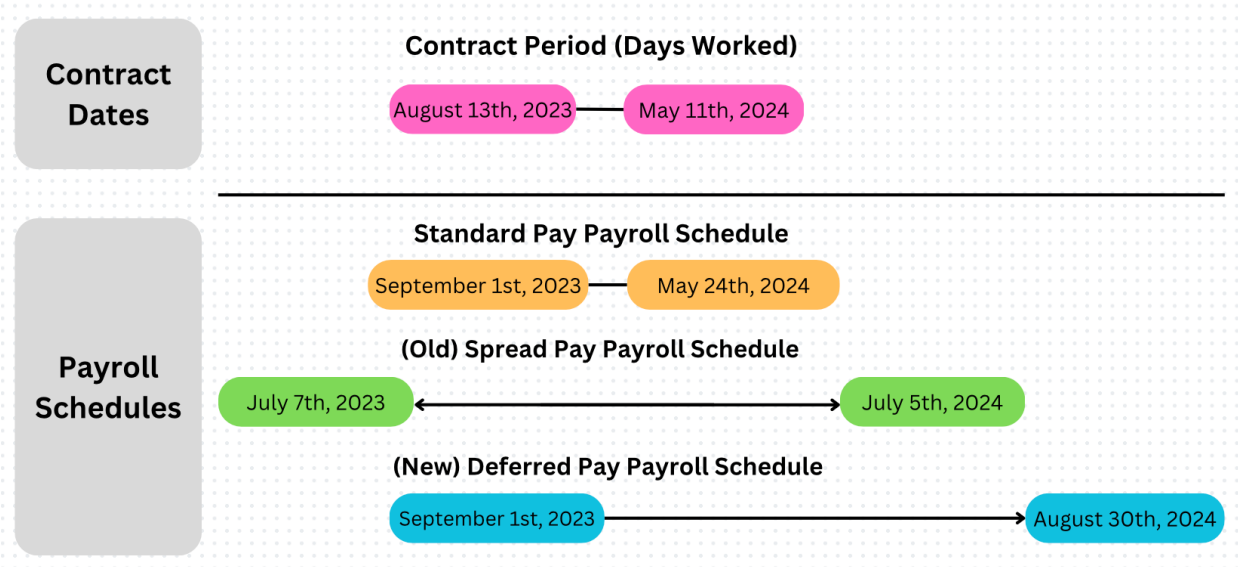
Key Terms:

Standard Pay: a pay system in which faculty on a 9-month contract are paid over nine months. Their pay is in line with the pay periods they work.

Deferred Pay: a pay system in which faculty on a 9-month contract are paid over 12 months. A portion of their pay for the academic year is deferred and covers the pay periods in the summer.

Spread Pay: a pay system in which faculty on a 9-month contract are paid over 12 months. In July and August they are paid in advance of their work. A portion of their pay for the academic year is delayed covering May and June.

Figure 1: Illustration of Different Pay Schedule Examples Based on AY 23-24



Required Changes Discovered During the System Review

The old system must be terminated. In doing so, the university needs to move the 122 faculty currently on the old spread pay schedule to the new deferred pay schedule or to allow them to opt for standard pay. These faculty members will finish the current fiscal year on the old spread pay schedule (ending June 22, 2024 (pay date July 5th) with the end of the current fiscal year) and begin the following year on the new deferred pay schedule (or, if they choose, standard pay). Faculty on the old spread pay system will receive their July 5, 2024 paycheck and then will have a six-week gap as we shift between schedules. This will occur from mid-July through August. This pay schedule will align with the start of the academic year and the pay will be “deferred” to the following summer. The payroll dates for this disruption are the following: July 19, 2024; August 2, 2024; and August 16, 2024. Pay will resume on August 30, 2024.

The task force review also uncovered a second problem with our current system. Currently academic faculty are paid according to two pay schedules. There is one schedule for faculty on standard pay which uses a schedule of 19.5 factors; and another for those on the old spread pay which uses a 20 factor schedule. The deferred pay system cannot use partial schedules, so the whole schedule needs to use a 20 factor schedule. The payroll system needs to bring all academic year faculty on the same schedule.

This change has no effect to faculty base salary during the regular academic year and no impact to summer appointments paid by a flat rate. There will be an impact to an academic year faculty’s summer earnings if an hourly rate is used to calculate the salary for the summer. The summer hourly rate will be 2.5% less than the previous pay schedule. See the Appendix for additional information.

Opportunities for Faculty on Standard Pay to Switch to Deferred Pay and Other Required Changes Uncovered by this Process

The University of Idaho can offer deferred pay to faculty who are on 1.0 FTE academic year (9-month) appointments beginning in AY 24-25. These faculty must opt in to deferred pay for the entire year. New faculty who are hired mid-year will have to wait for the following year to elect deferred pay. Faculty who would like to remain on standard pay are not required to opt into deferred pay. The details of this new schedule are included as an appendix. To reset the schedule, there are three required adjustments.

- First, there will be a disruption in pay for the 122 faculty on the current spread pay system to transition to the new deferred pay system;
- Second, the payroll system needs to bring all academic year faculty on the same 20 factor schedule;
- Third, the new system requires that administrative stipends be paid differently. Faculty with administrative appointments can opt into the deferred pay system to spread their base salary over 12 months, but the administrative stipend can only be paid according to the academic calendar. Currently, there are 19 faculty of the 122 on the old spread pay system who have their base salary and administrative stipend spread out over 12 months. The new system requires the base salary and the administrative stipend to be paid separately.

Recommendations of the Task Force

The task force recommends the following:

- The University of Idaho offer deferred pay to all eligible faculty effective on academic year (9-month) contracts starting in 2024-25;
- The University of Idaho transition faculty currently on the old system of advanced spread pay to the system of their choosing: either the new deferred pay system or the standard pay system effective 2024-25;
- The University of Idaho provide options for the 122 affected faculty members on the legacy spread pay system to navigate the gap in three pay periods offering the following:
 - Financial planning tools for those who wish to immediately transition to the new deferred pay system to manage the three-pay disruption on their own;
 - The option to enroll in a UI payroll managed system that withholds an amount of their choice (up to 3/26th of their annual salary) which will be used to provide the UI paychecks during the three pay periods of transition. (See Appendix for details)

Appendix—Updated UI Deferred Pay Schedule

Compiled by the Provost's Office and the Division of Finance and Administration
November 6, 2023

Context

A faculty senate deferred pay Task Force worked with individuals from the Division of Finance and Administration and the Provost's Office to make deferred pay available to all full-time faculty in AY 24-25 as a recruiting and retention benefit.

Currently, there are 576 U of I faculty on Academic Year (AY) contracts.

- 454 are on standard pay; they are paid for 39 weeks of work during the academic year.
- 122 are on the old system of spread pay; they are paid for 39 weeks of work over twelve months.
- 19 of the 122 faculty on the old spread pay system currently have administrative stipends that are currently included in their spread salary.

Eligibility for deferred pay:

- Full-time faculty on Academic Year contracts can opt in to deferred pay prior to each academic year.
- Must start the Academic Year on deferred pay; faculty who begin mid-year must wait to join deferred pay until the following year.
- Faculty must have a 1.0 FTE appointment for the entire academic year.

Transition from the old system to the new system:

This system change involves a one-time payroll system reset that will mean the following:

- The start date of the deferred pay schedule must be aligned with the start of the academic year contract. For the 122 faculty on the old system, this means there will be a disruption in pay for three pay periods (six weeks) in the summer of 2024. Faculty on the old spread pay system would receive their paycheck on July 5, 2024 and then there would be a six week disruption. These include the pay dates of July 19, 2024; August 2, 2024; and August 16, 2024. Pay would resume on August 30, 2024. In future years, there will be no gap in pay as faculty continue on deferred pay.
- Administrative stipends can only be paid according to the academic year calendar. Faculty with administrative appointments can opt into the deferred pay system to spread their base salary over 12 months, but the administrative stipend can only be paid according to the academic calendar. Currently, there are 19 faculty of the 122 on the old spread pay system who have their base salary and administrative stipend spread out over 12 months.
- The new deferred pay system requires a reset in the payroll schedule from 19.5 pay factors to 20 pay factors. Work expectations and job duties remain the same for positions, but the Banner system requires an even number of weeks in the pay

schedule (and not split pay periods) to avoid errors and manual work. This will impact academic year faculty on standard pay who have contracts in the summer that require salary calculations based on an hourly rate. The total amount that a faculty member in this situation could earn in the summer under the new system could be slightly less because summer will not include a half pay period and because the new schedule reduces the calculation of the hourly rate by 2.5%.

- The system does not support half pay periods.
- U of I cannot sustain two separate payroll systems.

FAQ:

Q1: Is deferred pay required for all academic year faculty? I am an academic year faculty member and I prefer to be paid according to the nine-month contract period.

A: No, deferred pay is an option offered to faculty on AY contracts. The default way to be paid is standard pay according to the contract period. Deferred pay must be selected as an option each year.

Q2: I moved from spread pay to standard pay in 2017 and received a \$1,000 incentive payment. Do I have to pay this back?

A: No. You received that incentive to stop using the old spread pay system.

Q3: What is wrong with the old spread pay system and why were some faculty allowed to stay on it?

A: The old system of spread pay relies on paying faculty prior to the start of their contract which creates significant challenges. The updated process will allow the administrative systems (Banner) to manage these deferred pay schedules in the manner intended and reduce the administrative burden associated with managing those pay schedules. Likewise, the new system allows for contracts for standard pay and deferred pay operate with the same payroll schedule assumptions. We can only have one payroll system for academic year faculty. It is no longer possible to support two distinct payroll systems for academic year faculty.

Q4: Can faculty on the old spread pay system opt into the new deferred spread pay system?

A: Yes, but they will have to manage a one-time disruption in three pay periods in late summer 2024. They can manage this on their own or they can set up UI payroll withholdings during spring semester to manage this.

Q5: How will the 122 faculty on the old spread pay system be transitioned to the new system?

A: They will receive their July 5, 2024 paycheck, which represents the last pay for their 2023-2024 academic year salary. Then, there will be a disruption in the three pay periods

of July 19, 2024; August 2, 2024; and August 16, 2024. Pay would resume on August 30, 2024 with their 2024-2025 academic year salary. These faculty can either budget and manage the transition on their own or UI payroll can assist through a withholding program.

Q6: What does the UI payroll withholding system to bridge the transition look like for faculty on the old spread pay system?

A: A contract time would be established where a faculty member would establish a set amount to be withheld from their paychecks (up to 3/26th of their annual salary). Payroll would create a holding account for the faculty member. The established amount would be taken out over 14 pay periods January 5, 2024 through July 5, 2024. These funds would be used to pay the faculty member during the transition pay periods of July 19, 2024 through August 16, 2024. The faculty member chooses the amount to be withheld. This arrangement would need to be signed and approved by the faculty member by December 21, 2023.

Alternately, faculty who are on the old spread pay system, can manage the transition on their own. They are not required to use the UI withholding system.

Q7: Am I losing money with this transition from the old spread pay schedule to the new deferred pay schedule?

A: No, you will still be paid the same amount for your work according to your contract. Depending on how a person elects to manage the transition in payroll systems, there will be variability in the timing of paychecks.

Q8: Why does the new system remove a week from the summer pay schedule and what is the impact?

A: U of I is currently running two payroll systems for academic year faculty; one of the systems uses half pay periods to calculate salary. The ability to offer all academic year faculty deferred pay requires an adjustment to the payroll schedule to bring all academic year faculty on the same schedule. This one-time adjustment changes the summer schedule by a week. This change has no effect to faculty base salary during the regular academic year and no impact to summer appointments paid by a flat rate.

This change will impact academic year faculty who calculate their summer salary earnings using an hourly rate. The hourly rate will be 2.5% less than the hourly rate of the old system. Potentially, the earnings for faculty on grant funded work for the entire summer could have the summer earnings reduced by a maximum of 10% if they are paid exclusively on grant funds. The reduction results from the schedule adjustment of a week and the reduction in the hourly rate. Grants require the calculation of faculty effort on based on an hourly rate.

In summer 2023, there were 182 faculty who had summer contracts that included compensation for work on grants.

Q9: Why can't administrative stipends be included in the deferred pay option?

A: Faculty who hold administrative appointments (e.g. associate dean, department chair, program director, etc.) and who receive an administrative stipend can opt into having their base salary paid as deferred pay, but the administrative stipend must be paid according to the academic calendar. This is because these positions often fluctuate or start at different points in the year. The new system cannot accommodate the variability with these types of positions and so this part of the appointment will be treated separately. For faculty in these types of positions, they can opt to defer their base salary over 12 months, but the administrative stipend will be paid over 9 months.

Q10: I am a faculty whose FTE is variable over the course of the academic year due to availability of grant funding. Am I eligible for deferred pay?

A: No. Faculty are only eligible to be on deferred pay if they have a 1.0 FTE appointment for an entire academic year.

Q11: What happens for faculty on full-year sabbatical as it relates to supplemental pay on grants?

A: This information is forthcoming and solution will be in place by the time of implementation.

Five Myths about the U of I/UOPX Affiliation

October 27, 2023

Myth #1:

U of I is merging with the University of Phoenix (UOPX)

Both universities will continue to operate independently. They will have unique governing boards, operate separately, and there are no plans to merge the institutions. We will not combine curricula, faculty, support programs, policies, etc.

Myth #2:

U of I is purchasing the UOPX.

U of I's Board of Regents have formed a legally separate, independent, non-profit corporation called Four Three Education, Inc. (43EI). 43EI, not U of I, is purchasing the assets of UOPX. 43EI will place bonds to fund this purchase. After closing, 43EI will "do business as" the University of Phoenix. It will repay the debt using UOPX revenue. U of I is not contributing financially to the purchase.

Myth #3:

U of I is taking on the liabilities of UOPX.

The debt resulting from this transaction belongs to 43EI, not U of I or the state of Idaho. The same applies to any other liabilities of 43EI. UI may choose to take on specific responsibilities to assist the transaction and UOPX's transition to a non-profit operation. For example, to secure better bond terms, U of I may choose to guarantee up to \$10 million annually to cover the debt payment in the event UOPX cannot do so. These responsibilities will be finalized at closing. UOPX has strong financial stability, generates approximately \$100 million of unrestricted cash flow annually, and \$200 million of cash will be transferred to 43EI in addition to the regular working capital of the UOPX operation. In addition, 43EI will not pay income taxes or ownership dividends. We are confident that the UOPX will be able to fully fund all obligations.

Myth #4:

U of I is only doing this for a financial benefit.

Yes, the U of I will benefit from this transaction. We anticipate a minimum \$10M annually; however, that is not the only reason for the affiliation. This affiliation provides greater financial security to U of I through diversification of programs and student populations. It is also a unique opportunity for the institutions to work together by sharing strengths and developing partnerships that will benefit one or both institutions. President Green is launching a working group to identify and prioritize these collaborative opportunities.

Myth #5:

UOPX will take students away from U of I.

UOPX is already a competitor to all Idaho institutions. U of I and UOPX serve largely different student populations, offer mostly unique programs, offer courses on a very different timeline (rolling calendar vs. semester), and have a nearly identical price. This transaction does not change these primary drivers for attendance decisions. Through the affiliation we may improve opportunities for students such as student pathways, 3+1 programs, etc.

Resources

Webpage: FAQ, memos, supporting documents, etc.

www.uidaho.edu/phoenix-faq

Questions:

phoenixquestions@uidaho.edu



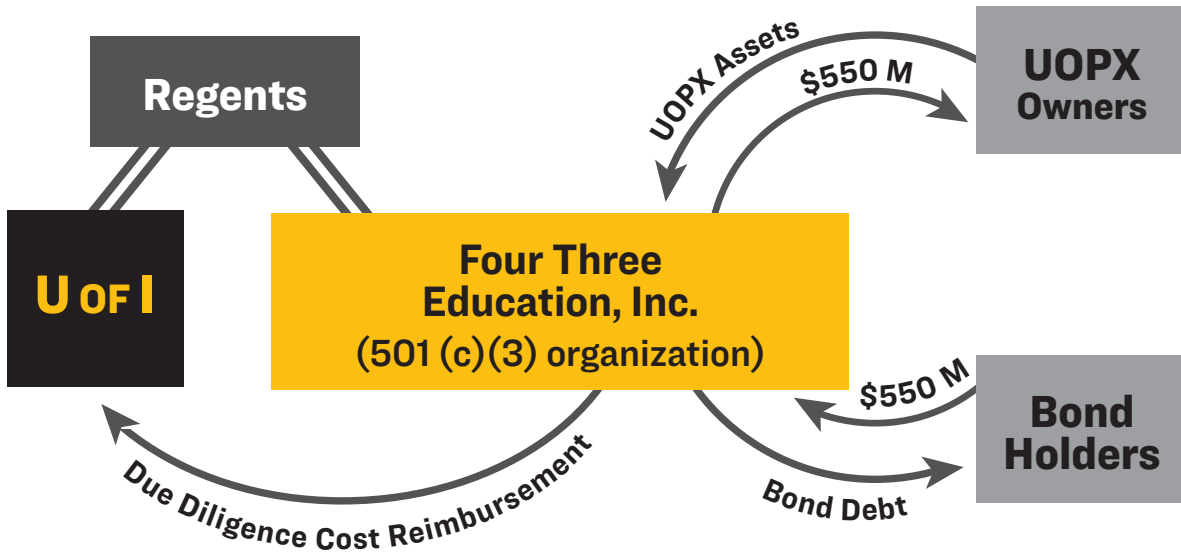
University of Idaho

FINANCIAL FLOW CHART

For U of I/UOPX Affiliation

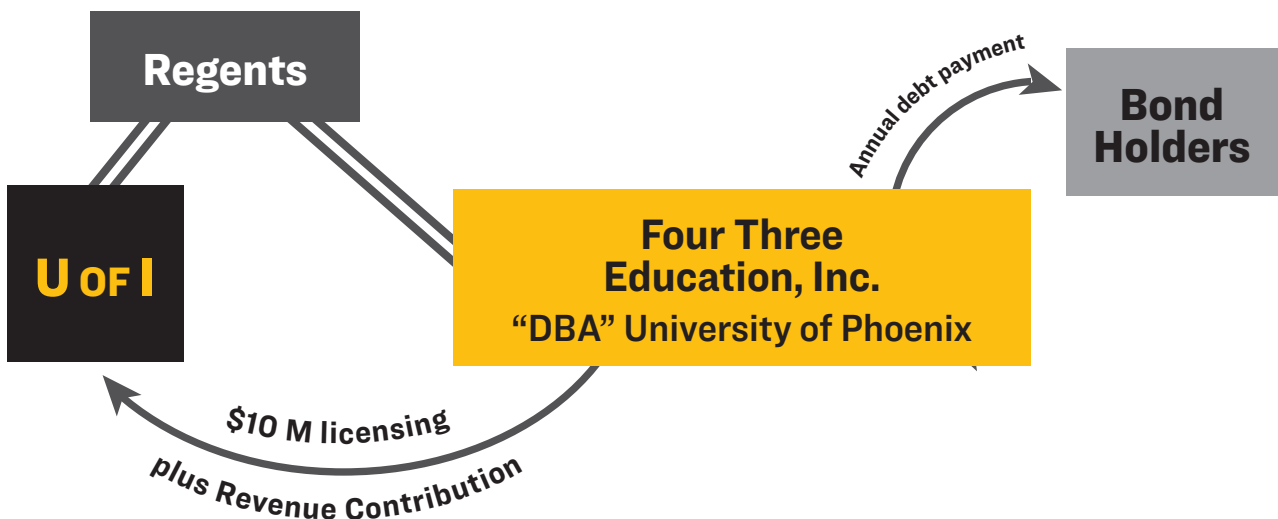
PURCHASE TRANSACTION

(Est. January 2024)



ANNUAL TRANSACTION

(post-closing)



NOTE: U of I may choose to take on specific responsibilities to assist the transaction and UOPX's transition to a non-profit operation. For example, U of I may agree to guarantee UOPX up to \$10M annually as emergency support; however, it is highly unlikely this would occur given UOPX's strong financial position.



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Date: November 2, 2023

To: Kristin Haltinner, Vice Chair, Faculty Senate
From: Diane Kelly-Riley, Vice Provost for Faculty
Subject: Selection of Members for University-Level Promotion and Tenure Committee
CC: Francesca Sammarruca, Faculty Secretary

Please alert faculty senators nominations are open for individuals to serve on this year’s University-Level Promotion and Tenure Committees. Two committees will be convened this year given the number of dossiers to be reviewed. Details about the committee meetings and nomination process follow:

Nomination deadline: Friday, November 17, 2023

[NOMINATION FORM LINK](#)

Senator nomination process:

College senators must submit the total number of nominees for **Two Committees based on the chart below**. If senators do not complete the nomination form by the deadline, the provost shall appoint members from that college/unit.

University P&T Committee meeting dates:

Silver Committee, Saturday, January 27, 2024, 8:00am PT, via zoom
 Gold Committee, Saturday, February 3, 8:00am PT, via zoom

Nominee availability:

Nominees must be available for both meeting dates but can express preference for one of the dates. Faculty selected for the committee will only participate on one day. The University Level Promotion and Tenure meeting typically takes eight hours. A required orientation will be held within the first two weeks of December. Dossier review begins after the orientation.

Nominee selection considerations:

The responsibilities of the committee collectively are to understand and make recommendations regarding the university’s policies regarding promotion and/or tenure. Senators should consider the diverse configurations of academic appointments within their college and nominate committee members to be representational of the diverse array of faculty appointments. Eligible nominees include full-time faculty from the Instructor or Professorial ranks. Faculty who have not previously served on the committee should be prioritized.

College/Unit	Number of Nominees (FSH 3500 G.)	
	One Committee	Two Committees
College of Agricultural & Life Sciences Faculty w/>50% Teaching & Research	2	4
College of Agricultural & Life Sciences Faculty w/>50% University Extension	2	4
College of Letters, Arts & Social Sciences	4	8
College of Art & Architecture	2	4
College of Business & Economics	2	4
College of Education	2	4
College of Engineering	2	4
College of Natural Resources	2	4
College of Law	2	4
College of Science	2	4
Faculty at Large	2	4



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 2300 STUDENT CODE OF CONDUCT AND RESOLUTION PROCESS**

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."

Policy originator: Cari Fealy

Policy sponsor, if different from originator: Blaine Eckles

Reviewed by General Counsel: Yes No Name & Date: Kim Rytter 10/20/23

Comprehensive review? Yes No

1. **Policy/Procedure Statement:** Briefly explain the reason for the proposed change.

Changes to B-2 to clarify jurisdiction of OCRI, added definition of protected status, changes to E-4 regarding prohibited harassment and E-5 regarding discrimination and retaliation.

2. **Fiscal Impact:** What fiscal impact, if any, will this change 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.

2300

STUDENT CODE OF CONDUCT & RESOLUTION PROCESS

CONTENTS:

- A. Introduction**
- B. Purpose**
- C. Scope**
- D. Definitions**
- E. Prohibited conduct**
- F. Conduct resolution process**
- G. Miscellaneous**

A. Introduction

A-1. The University of Idaho is committed to creating and maintaining a productive living-and-learning community that fosters the intellectual, personal, cultural, and ethical development of its students. Self-discipline and respect for the rights and privileges of others are essential to the educational process and to good citizenship. Student expectations include:

- Students are expected to show respect for order, civility, respect for the rights of others within and without the University as these attributes are demanded of good citizens.
- Students are expected to uphold the rights and dignity of others regardless of race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation, gender identity, or socio-economic status.
- Students are expected to uphold the integrity of the University as a community of scholars in which free speech is available to all and intellectual honesty is demanded of all.
- Students are expected to respect University policies as well as local, state, and federal law.

A-2. The University of Idaho conduct process works to balance the safety and security of the members of the University of Idaho community through personal accountability, reflection, and growth. Students have an opportunity to reflect on their choices, understand how their actions have an impact on those around them, and grow from the experience.

A-3. The University strives to provide a fair and consistent student conduct process based on university policy and best practices. By educating students to better understand how their decisions affect themselves and their community they learn reflection, follow-up, and accountability. The Dean of Students Office collaborates with campus and community partners to provide resources and support to students.

B. Purpose

B-1. This Code contains regulations addressing reported student violations of university standards of conduct in a manner consistent with the requirements of procedural due process. In addition to the general expectations for conduct as set forth in this chapter, it contains a description of prohibited conduct.

B-2. The Dean of Students ~~or their designee (referred to collectively in this Code as "the DOS"); or their designee,~~ has primary authority and responsibility for the administration of ~~the student conduct and resolution process~~ this Code, except that the Director of the University's Office of Civil Rights and Investigations ("OCRI") has primary authority and responsibility for the administration of prohibited student conduct that includes allegations of discrimination, as defined in this Code. We invite you to learn more about the interplay between this Code and OCRI's policies, procedures, and processes by visiting OCRI's website or directing inquiries to ocri@uidaho.edu.

~~—~~The DOS, upon finding, in its discretion, that there is a conflict of interest, or for other reasons necessary to effectuate the policy, may appoint an external person to serve in any of the roles created in this Code. The Dean of Students works with faculty, staff, hearing officers, and/or the student conduct board in the disposition of Student Code of Conduct violations. There is no standard discipline that applies to violations of the Student Code of Conduct. They range from informal resolutions to formal warnings, to community service to expulsion. In each situation, the nature and seriousness of the behavior, the motivation underlying the behavior, and precedent in similar cases are considered.

B-3. The Student Code of Conduct does not restrict speech that is otherwise protected, including speech that some may find objectionable. The interplay between freedom of speech and expectations for students is complex and we invite you to learn more about freedom of speech and the Dean of Students office student conduct processes as they relate to freedom of speech by directing inquiries to askjoe@uidaho.edu.

B-4. Findings of responsibility will be determined using a Preponderance of the Evidence Standard. The standard is satisfied if the reported conduct is deemed more likely than not to have occurred.

B-5. The University bears the burden of proving that a student engaged in

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misconduct by a preponderance of evidence. A “preponderance of evidence” means that quantity and quality of evidence which, when fairly considered, produces the stronger impression, and has the greater weight, and is more convincing as to its truth than the evidence in opposition – or in other words, the facts as determined by the Hearing Officer or Board indicate that it is more likely than not that the student violated this Code. Formal rules of evidence applied in courtroom proceedings do not apply to this process. Evidence that is determined to be relevant to a case, by the Facilitator or Board Chair, is admissible at a hearing. This may include direct evidence, circumstantial evidence, documentary evidence, hearsay evidence, and signed statements. This does not imply that all evidence admitted is equivalent in weight. Unduly repetitive information may be excluded.

B-6. The administration of the Student Code of Conduct and Student Conduct Process applies affirmative action and equal opportunity standards consistent with FSH 3060 and 3065. Additionally, this process is supported by nondiscrimination practices consistent with FSH 3200, 3210, and 3215.

C. Scope

C-1. Individuals subject to the Code

a. Students

1. By enrolling at the University of Idaho, students voluntarily accept responsibility for compliance with all University policies including the Code.
2. Students are responsible for their behavior from time of admittance to the University through the awarding of a degree, even though conduct may occur before classes begin or after classes end. Students are responsible for their conduct during the academic year and during periods between enrollment terms.
3. The University recognizes that students may also be employees, and their conduct may be subject to review and discipline under this Code and any applicable employment policies.

b. Reporting parties. Employees and students who are reporting student behavior that may be prohibited by the Student Code of Conduct.

c. Other. Employees and students who are otherwise involved in the conduct process.

C-2. Behavior subject to the Code

a. The Code applies to conduct that occurs on University property, within or at University–sponsored activities, off campus, online, or through other electronic means.

b. The University may address off-campus behaviors when the Dean of Students or university designee determines that the off-campus conduct affects a University interest. University interests include but are not limited to health and safety, protection of rights or property of others and promoting the University’s

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mission.

c. Jurisdiction for the DOS to address student behavior or misconduct begins upon admission and ends at commencement. If serious misconduct was committed while a student was enrolled but is reported after graduation, the University may invoke the disciplinary process referred to in Article III and may revoke the student's degree if they are found responsible.

d. If a student withdraws from school while a conduct matter is pending, the Code remains applicable to the student's conduct prior to withdrawal.

e. The University reserves the right to proceed with the conduct process in a student's absence or to delay the process until the student seeks re-enrollment.

f. Depending on conduct process outcomes, a hold may be placed on the student's ability to re-enroll and the student may be required to satisfy all outcome requirements prior to re-enrollment eligibility.

g. Behavior conducted online, or through any other electronic medium, including online postings, video, photographs, blogs, web postings, chats, and social networking sites is in the public sphere and is not private and falls within the jurisdiction of this Code provided the other criteria, e.g., student status, are satisfied.

h. If the prohibited conduct involves a student organization, the individual students are subject to this Code, and the organization is subject to FSH 2350 Student Organization Code and Resolution Process.

i. DOS encourages all behavior to be reported in a timely manner but understands that barriers may exist to reporting prohibited behavior and that some reported behavior warrants DOS review for conduct proceedings even if the reported behavior occurred well in the past. DOS has discretion to initiate conduct proceedings for all reported behaviors, regardless of time of occurrence, based on the nature of the totality of the circumstances.

D. Definitions. The following definitions explain the terminology used in this Code. Particular code violations are listed and defined in Section E Prohibited conduct.

D-1. Academic dishonesty: Intentional participation in deceptive practice in one's academic work or the academic work of others. Examples include cheating, fraud, plagiarism, or falsification of research results and are individually addressed and more fully defined in Article II .

D-2: Academic outcome: A consequence imposed by instructors for findings of academic dishonesty. Academic outcomes include, but are not limited to, grade adjustments, failing a class, or resubmission of academic work.

D-3: Academic work: Any academic work required for completion of academic requirements in a course. Academic work includes but is not limited to assignments, quizzes, examinations, problem solving, class exercises, and/or drafts of work.

D-4: Administrator: The Dean of Students or designee will serve as the administrator. The administrator can serve as a decision-maker and is the non-voting advisor to the Student Conduct Board and each SCB hearing panel.

D-5: Advisor: The person of the student's choosing who has agreed to advise the student during the University disciplinary process and attend scheduled meetings with the student. The Advisor's role is simply to advise the student, and the Advisor is not permitted to speak during hearings, conferences, or interviews unless allowed by the University official conducting the interview.

D-7: Complainant: An individual who was subject to alleged misconduct described in the Student Code of Conduct. There may be more than one complainant for an incident. In certain circumstances, the Dean of Students or another University official may assume the role of complainant on behalf of the University.

D-8: Conduct decision: A written decision determining the resolution of the reported behavior. The decision will include a finding of responsible or not responsible and any applicable required or suggested outcomes.

D-9: Conduct record: The student conduct record maintained by the Dean of Students in connection with a reported violation or violation of the Code. The student conduct record may include complaints, notices, hearing records, conduct findings, outcomes, and other documents deemed relevant by the Dean of Students.

D-10: Consent: Knowing, voluntary, and clear permission by word or action to engage in activity with another individual(s), not limited to sexual activity. Consent can be withdrawn at any time upon notice, by word or action, to the other party.

D-11: Days: Days that the University is open for business, not including Saturdays, Sundays, Fall Recess, Winter Recess, Spring Recess, or University holidays.

D-12: DOS: The Office of the Dean of Students, which is responsible for the administration of the Student Code of Conduct and includes the Dean of Students and their designees.

D-13: Educational setting: All academic, educational, extracurricular, athletic, and other programs of the University of Idaho, regardless of location, including online formats.

D-14: Finding: A conclusion reached as result of an inquiry, investigation, or hearing and is also referred to as a decision.

D-15: Formal resolution process: A conduct process by which notice and opportunity to be heard is provided and that often includes a student conduct

process occurring before a Hearing Panel which issues a written decision following the hearing.

D-16: Hearing: A formal process maintained by the University to review and address allegations of violations that follows the process and rules outlined in this Code but is not subject to other external rules (such as federal or state evidentiary rules or procedures).

D-17: Hearing officer: A person appointed by the Administrator to serve as the person presiding over a hearing. The hearing officer investigates the alleged behavior and administers the conduct process for informal resolutions. The Administrator may also serve as the hearing officer.

D-18: Hearing panel: A panel composed of members of the Student Conduct Board, who are selected by the Student Conduct Board chairperson for purposes of hearing a formal resolution process and issuing a written decision that may include findings.

D-19: Informal resolution process: An alternative method of resolving a matter under this Code, entered into willingly by all parties as well as by the University, that seeks to address and resolve the alleged conduct or harm without the use of the formal process outlined below.

D-20: Instructor: In cases of academic dishonesty, the instructor may be the faculty member, teaching assistant, or other employee responsible for course instruction.

D-21: Investigator: The person assigned by the University to investigate a report of a violation of the Code. The investigator may be any qualified person assigned by DOS.

D-22: Mediation: An intervention between conflicting parties to promote reconciliation, settlement, or compromise.

D-23: Misconduct: Behavior that is prohibited by the Student Code of Conduct or that violates a University directive or policy.

D-24: Office of Civil Rights & Investigations (OCRI): The Office at the University that is responsible for ensuring compliance with federal and state laws and University policies related to discrimination or harassment based on a protected class. This includes retaliation when engaging in a protected process. OCRI undertakes necessary investigations and prepares recommendations and written reports that may be reviewed by the DOS for further conduct processes related to the underlying facts investigated and the nature of the reported behaviors of students investigated by their office.

D-25: Outcome: Disciplinary or corrective action imposed by the deciding body of a student conduct process following a finding of student misconduct. The term includes, but is not limited to, educational programming, restitution, community service activities, apology letters, probation (including denial of specified University privileges), suspension, termination, or other such outcomes deemed appropriate.

D-26: Parties: The Respondent(s) and the Complainant(s).

D-27: Policy: The written regulations of the University as found in, but not limited to, the Faculty Staff Handbook, including the Student Code of Conduct, the Administrative Procedures Manual, the Residence Hall Handbook, all Housing and Residence Life policies, and Graduate and Undergraduate Catalogs.

D-28: Protected Status: Protected status includes race, color, religion, national origin, age, protected military status, disability, family status, genetic information, creed, or sex (including pregnancy, parenting, sexual orientation, or gender identity or expression).

D-2829: More likely than not standard: The standard of evidence that is used to decide responsibility of Code violation in a hearing, it means that it is more likely than not, based upon the totality of all relevant evidence and reasonable inferences from the evidence, that there is a violation of the Code.

D-2930: Probation: The process or period of observing the character or abilities of a student to determine whether other corrective action should occur. An additional resolution process is not necessary to modify outcomes following a finding of misconduct where probation is imposed. The DOS has discretion to modify the terms of probation as necessary based on the information available to the DOS during a student's probation.

D-3031: Respondent: The student who is alleged to have violated the Code.

D-3132: Student: Includes, but is not limited to, all persons admitted to the University, either full time or part time, online or in person, to pursue undergraduate, graduate, or professional studies, and includes non-degree seeking students. The following persons are also considered "students":

- a. **Persons** who are suspended, or those who withdraw or graduate after allegedly violating the Code of Conduct.
- b. **Persons** who are eligible to enroll for classes without applying for re-admission.
- c. Individuals participating in the American Language and Culture Program, Independent Study of Idaho sponsored by the University of Idaho, the University

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of Idaho International Student Success Program (UI-ISSP), or any other similar educational program of the University.

D-3233: The Code: The Student Code of Conduct and Conduct Resolution Process.

D-3334: Student Conduct Administrator (Administrator): The University of Idaho official designated by the DOS to serve as an investigator or hearing officer. It will also include the Administrator's designee.

D-3435: Student Conduct Board (SCB): The formal body that reviews student conduct matters, as set forth in this Code.

D-3536: Weapon: Weapon is defined in APM 95.12.

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E. Prohibited conduct. Specific behaviors of misconduct are identified and defined below.

E-1. Academic dishonesty. Acts of academic dishonesty include but are not limited to the following:

a. Cheating. Cheating includes, but is not limited to, the following actions as they relate to academic work:

- (1) Using, purchasing, providing, or possessing unauthorized materials, sources, or assistance without authorization from the instructor.
- (2) Copying from another's academic work either for the student's own use or for the use of others.
- (3) Sharing academic work without prior permission from instructor.
- (4) Acquiring, without written or verbal permission, tests or other academic material belonging to the instructor or another member of the University faculty or staff.
- (5) Completing academic work for someone else or having someone else complete academic work on your behalf.
- (6) Representing another student in a class for attendance or participation purposes or asking another person for representation for attendance or participation purposes.
- (7) Fabrication or falsification of data, research or academic content and the unauthorized alteration or invention of any information or citation.
- (8) Forging, altering, reproducing, removing, destroying, or misusing any University document, record, or instrument of identification.

b. Plagiarism. Plagiarism includes, but is not limited to, the following:

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- (1) Using, by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgment.
- (2) The unauthorized alteration or invention of a citation.
- (3) Buying or selling academic work for the purpose of submitting it for course completion.
- (4) Submitting academic work, or any part of academic work, completed for one course as work for another course without the express prior approval of both instructors.

- c. Prohibited behavior.** Engaging in any behavior related to course completion prohibited by the instructor or otherwise including but not limited to unauthorized collaboration and reliance on prohibited technological assistance/artificial intelligence tools.
- d. Misrepresenting facts for academic advantage.** Examples include but are not limited to providing false academic achievements and false medical documentation for academic extensions.
- e. Violation of University policy regarding intellectual property and research.** All data acquired through participation in University research programs is the property of the University and must be provided to the principal investigator. In addition, collaboration with the Office of Research and Economic Development for the assignment of rights, title, and interest in patentable inventions resulting from the research is also required. See FSH 3200 and 5400.

E-2. Disruption or misuse of University resources or property. This behavior includes but is not limited to the following:

- a. Theft or damage.** Attempted or actual theft of or damage to University property.
- b. Unauthorized possession.** Unauthorized possession, duplication, or use of University keys, lock combinations or other access codes or passwords that can be used to access University property or facilities.
- c. Unauthorized entry or use.** Unauthorized entry into or use of any University owned or managed building, space, outdoor area, or property. This also includes other restricted areas identified in APM 35.35.
- d. Violation of law or other policy.** Violation of local, state, federal or campus fire policies including but not limited to:

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1. Building or setting fire(s) without proper authorization as required by APM 35.25.
2. Removing or otherwise tampering with fire equipment or fire alarm systems.
3. Failure to promptly vacate a building
4. Intentionally or recklessly causing a fire that damages University or personal property or causes injury.
5. Causing, making, or circulating a false report or warning of fire, explosion or another emergency.

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E-3. Misuse of technology resources. Theft or other abuse of University computer facilities or resources. This includes but is not limited to the following:

- a. Unauthorized entry into, or transfer of a file.
- b. Using another individual's identification or password.
- c. Interfering with the normal operation of the University computing system or resources.
- d. Any violation of the University Computer Use Policy.
- e. Inappropriate or disproportionate use of an IT resource owned or controlled by the University.
- f. Using an IT resource for an illegal, threatening, or intentionally destructive purpose.
- g. Circumventing University system or network security measures.

E-4. Threat of harm or actual harm to a person's physical or mental health or safety. This behavior includes but is not limited to the following:

- a. **Behavior involving physical force or threat of physical force.** Behavior involving physical force that hurts another person or intimidation or threat of such force directed at another person where a reasonable person would believe the threat to be serious and imminent in nature. It includes the following:
 1. **Fighting.** Engaging in violence, combat, or aggression.
 2. **Assault.** Behavior intended to cause apprehension of harmful or offensive contact that causes apprehension of physical safety of another. The act required for an assault must be overt. Although words alone are insufficient, they may create an assault when coupled with some action that indicates the ability to carry out the threat and it creates a fear of it being carried out in the person the assault behavior is directed at.
 3. **Battery.** Actual and intentional unwanted touching or contact with another person, even if the physical injury is slight.

- 4. Use of a knife, gun, or other weapon.** The use of a knife, gun, or other weapon except in reasonable self-defense in any act of violence as defined in the Code.
- 5. Involuntary restraint or transport.** Restraining or transporting a person against their will.
- 6. Other.** Any action that threatens or endangers the physical health or safety of any person.

b. Prohibited harassment

1. General definition. Prohibited harassment is hostile or threatening conduct or speech, whether verbal, written, or symbolic, that ~~i:~~—
~~(a) Is sufficiently severe or pervasive, as viewed by a reasonable person under similar circumstances and with similar identities to the victim, and results in an objectively hostile or threatening environment that interferes with or diminishes another's ability to participate in or benefit from the services, activities, or privileges provided by the University. and~~

~~—(b) Describes with personal particularity or is personally directed to one or more specific individuals.~~

~~**2. Definitions used for sex- or gender-based harassment.** When harassment is sex- or gender-based, the definitions used to determine coverage can be found in FSH 6100. Violations that meet the definitions of FSH 6100 but that do not occur within the covered Applicability of paragraph B of that policy, may be investigated and determined under this Code.~~

23. Exception. Speech that is protected by the First Amendment to the United States Constitution, including relevant academic speech spoken in a classroom or writing assignment, protests and statements that do not meet the narrow definition described above, is not a violation of this Code, though it may go against community norms and may be harmful or hurtful to other members of the University community or members of certain groups.

c. Threatening or intimidating behavior. Threatening or intimidating behavior includes, but is not limited to:

- 1. Coercion.** The practice of persuading someone to do something by using force or threats.

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2. Bullying. Behavior seeking to harm, intimidate, or coerce another.

3. Deliberate destruction of or damage to property. Deliberate destruction of or damage to public or private property, where a reasonable person would believe that the full or partial intention of the act is to harass an individual or a group based on protected characteristics as defined in [FSH 3200 Policy of Nondiscrimination](#).

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

Hazing also includes any activity that compels a student to participate in any activity that is unlawful, publicly indecent, or contrary to the policies and regulations of the University, or any activity that unreasonably and materially interferes with a student's academic efforts.

E-5. Discrimination and retaliation.

a. Discrimination. Limiting or denying services, benefits, or opportunities of the University based on a protected status. Examples of prohibited discrimination can be found on the OCRI website or by directing inquiries to ocri@uidaho.edu.

A person can engage in prohibited discrimination even if the person belongs to has the same protected Class status as or does not mean to offend the target(s) of the conduct. Alleged discrimination will be referred to OCRI, the office responsible for investigating those claims using its complaint resolution processes.

Discrimination includes:

— Conduct prohibited by this Code, if based on a protected status, including harassment as defined in paragraph E-4.a, above.

1.

2. Retaliation, as defined in paragraph E-5.b, below, when the protected activity is based on a protected status.

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3. Different treatment discrimination, meaning intentionally treating an individual or group differently based on a protected statusClass.
4. Disparate impact discrimination, meaning evenhandedly implementing a facially neutral practice or rule in a way that has an adverse impact on one or more individuals based on a protected Classtatus.

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

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b. Retaliation. Retaliation includes conduct that intimidates, interferes with, threatens, coerces, or otherwise discriminates against any individual because that individual opposes or reports a perceived wrongdoing, inequity, or violation of law or University policy, files a complaint alleging illegal or prohibited discrimination, participates in a grievance or response procedure, or participates in dispute resolution. Alleged retaliation when the protected activity is based on a protected status or when the alleged perpetrator is an employee will be referred to OCRI, the office responsible for investigating those claims using its complaint resolution processes. Discrimination. Discrimination includes conduct that violates the Board of Regent's or the University's nondiscrimination and antidiscrimination policies contained in FSH 3200, 3210, or 3215.

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

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E-6. Disruption, obstruction, or interference with normal University activities. Members of the University community have the right to a campus that is free from unreasonable disruption, obstruction, or interference. Disrupting or obstructing normal University activities, including, but not limited to, all academic activities, University programming, athletic events, and administrative functions is prohibited. Examples include:

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- a. Classroom disruption: Behavior that interferes with the teaching or learning process in the classroom or educational setting and continues after an instructor's request to cease.
- b. Obstruction of the free flow of pedestrian or vehicular traffic on campus.
- c. Conduct that is lewd, indecent or disruptive that is not otherwise constitutionally protected speech.
- d. Falsifying, distorting, or misrepresenting information provided to the University.
- e. Interference with the student conduct system, which includes, but is not limited to, any of the following:
 - 1. Failure to cooperate with the University's investigation or disciplinary proceeding. If a party in a case does not want to participate because they believe that doing so would cause them to speak or offer evidence against themselves, and they notify the DOS that this is the reason they are choosing not to participate or only to participate partially, this violation will not apply.
 - 2. Disrupting or interfering with the University's investigation and student conduct proceedings.
 - 3. Making false allegations.
 - 4. Attempting to discourage an individual's proper participation in, or use of, the student conduct process.
 - 5. Harassment (verbal, physical, written, or electronic) or intimidation of any person participating in the University's investigation prior to, during, or after the investigation and conduct process concludes.
 - 6. Failure to comply with the outcome(s) imposed pursuant to the disciplinary process.
- f. Influencing or attempting to influence another person to commit any violation of the Code.
- g. Engaging in speech, including but not limited to verbal, electronic, or written communication, that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

E-7. Use and Misuse of Substances

- a. **Smoking.** Smoking in violation of APM 35.28.
- b. **Drugs and controlled substances**

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1. Using, possessing, manufacturing, cultivating, selling, or distributing any state or federally controlled drug, designer/synthetic drug, or substance, including, but not limited to, cannabis, heroin, narcotics, or other controlled substances, in violation of any applicable law or University policy.
2. Possessing or using any paraphernalia used for drug consumption. Paraphernalia includes but is not limited to bongs, bowls, pipes, or any homemade smoking device.
3. Using, possessing, selling or distributing prescription or over-the-counter medications by an individual for whom it was not prescribed.
4. Inhaling or ingesting any substance (e.g., nitrous oxide, glue, paint, etc.) that is intended to alter a student's mental state without a prescription.
5. A violation may also occur when the odor of an illegal or controlled substance or drug is present when more than one individual can reasonably trace it to a specific individual.

c. Alcohol

1. Consuming, possessing, manufacturing, or distributing alcoholic beverages in violation of any applicable law or University policy (see APM 80.01 for alcohol permit requirements and APM 95.31 for alcohol policy).
2. For persons under 21, the use or possession of alcoholic beverages. public intoxication or excessive consumption of alcohol. disorderly or irresponsible conduct resulting from consumption of alcohol.
3. For persons over 21, the use or possession of alcohol in public areas where alcohol is not permitted. excessive consumption of alcohol resulting in disorderly or irresponsible conduct.
4. Selling, distributing, or furnishing alcohol to a person under 21 years of age.

E-8. Housing and living groups. Violations of any rules imposed by University Housing or living groups outlined in the Housing contract and Housing handbook.

E-9. Violation of University policy. Violation of published University policies, rules and regulations.

E-10. Violation of law. Any violation of federal law, state law, or local ordinance may be a violation of the Code, independent of the status of any civil or criminal litigation in court or criminal arrest and prosecution. Decisions made or outcomes imposed under this Code will not be subject to change because criminal charges arising out of the same facts were adjudicated in a civil or criminal court process. The University will cooperate as appropriate with law enforcement and other agencies in the enforcement of criminal law and in the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with University policies.

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E-11. Furnishing false information, refusal to identify, and refusal to comply

- a. Furnishing false information or false representations to any person working for or authorized to act as an authority on behalf of the University.
- b. Refusal to identify oneself to an institutional representative in response to a request when on any University owned or managed property.
- c. Failure to comply with directions of a University official, law enforcement, fire department, or other government official acting in performance of their duties.
 - 1. Identification includes giving one's name, substantiated by a current driver license or student identification card or other official documentation, or by stating truthfully whether one is a student of the University or not.
 - 2. An institutional representative includes any employee, faculty member, or representative of the University, and any attorney, peace officer, or campus security officer of the University acting under the authority of the University.
- d. Using false identification or another individual's identification card to procure goods, entry or services.
- e. Submission of false information or withholding requested information at the time of admission or readmission.

E-12. Firearms, explosives, and other weapons. Possessing or using firearms, explosives, other weapons, projectile or explosive devices or substances, or dangerous chemicals in violation of APM 95.12, APM 35.34, or APM 35.35.

E-13. Disruption to community

- a. Attempted, threatened, or actual theft of or damage to another's property.
- b. Unauthorized entry into or use of another's property.
- c. Excessive noise, amplified sound, or music that produces a level of noise that disrupts members of the community.

F. Conduct resolution process

F-1. Reporting alleged violations

- a. The DOS will accept reports from anyone with knowledge of potential Code violations. Reports must be made to the DOS. Reports of Title IX and related violations covered by [FSH 6100](#) will not be reviewed under this Code but will be accepted by DOS and then forwarded to the Title IX Coordinator or other appropriate office for review. Allegations against Student Organizations will be addressed as per the Student Organization Code of Conduct, FSH 2350.

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- b. Reports should be in writing but may be reported orally to the appropriate University official. A report should be submitted as soon as possible after the incident takes place.

F-2. Initial review. The DOS will review all reports of Code violations. The purpose of the review is to gather relevant information concerning each allegation and determine whether further investigation is warranted. When appropriate, the DOS will transfer the notice and investigation process to the Office of Civil Rights & Investigations (OCRI). The initial review may include interviewing the involved parties and witnesses without formal notice.

F-3. Notice of allegation.

- a. Following the initial review, the hearing officer will determine whether to initiate the conduct resolution process. In order to initiate that process, the hearing officer will provide notice of reported Code violation(s) to the respondent.
- b. The notice informs the respondent of the reported Code violations including a short description of the basis of the reported violation.
- c. The notice may include resolution options if further investigation is not required. Resolution options are detailed in the Hearing Process section below. If further investigation is required, the notice will include details of the investigative process.
- d. The notice will include a link to or copy of this Code.
- e. The hearing officer must give the respondent an opportunity to meet in person within a reasonable time after the notice of allegation is delivered to the respondent. The meeting gives the respondent an opportunity to respond to the notice, present any information the respondent would like the hearing officer to consider, and provide the names of any witnesses the respondent would like the hearing officer to contact.
- f. If a respondent does not participate in the initial meeting, the hearing officer will make reasonable attempts to reach the respondent for five business days. If there is no response, the hearing officer will determine the appropriate resolution process.

F-4. Initial meeting. The hearing officer must give the respondent an opportunity to meet in person within a reasonable time after the notice of allegation is delivered to the respondent. The meeting gives the respondent an opportunity to respond to the notice, present any information the respondent would like the hearing officer to consider, and provide the names of any witnesses the respondent would like the hearing officer to contact.

F-5. Interim action.

- a. At any time before a final institutional decision, the Administrator, or designee, may impose restrictions on a student or separate the student from the University community pending the final institutional decision. If circumstances allow, the Administrator (or designee) should meet with the student prior to imposing the interim action.
- b. Other than issuance of no-contact orders, an interim action issued prior to a hearing before the Hearing Panel may only be imposed when
 1. The Administrator determines that the student represents a threat of serious harm to any person.
 2. The student is facing allegations of serious criminal activity.
 3. The action is necessary to preserve the integrity of the investigation.
 4. The action is necessary to preserve University property or the action is necessary to prevent disruption of, or interference with, the normal operations of the University.
- c. After the hearing decision, pending any response review of the decision, the Administrator may impose an outcome issued by the Hearing Panel as an interim action at the discretion of the Administrator.
- d. Interim actions may include, but are not limited to, the following:
 - Suspension from the University pending a final institutional decision.
 - Issuance of a no-contact order.
 - Exclusion from University property.
 - Removal from the residence halls.
 - Removal from extracurricular activities, including participation on athletic teams.
 - Withholding the award of a degree pending the conclusion of the investigation and hearing process. or
 - Any other action deemed necessary and appropriate by the Administrator to maintain orderly and appropriate University operations.
- e. When a student is suspended from the University, or directed not to attend certain classes, alternative coursework options may be pursued, with the approval of the Administrator and the appropriate college dean, to ensure as minimal an impact as possible on the responding student.

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- f. An interim action must be issued in writing and is effective when the Administrator delivers the Notice of Interim Action to the responding student either in person or by email sent to the student's official University of Idaho email account.
- g. The respondent may submit a response to the issuance of any interim action by filing a response with the Administrator. There are no formal procedures for this response, and the interim outcomes remain in effect unless removed by the Administrator.
- h. A violation of the provisions of an interim action will be considered a violation of the Code.

F-6. Informal resolution process: Decision by hearing officer

- a. During the initial meeting, the respondent may be given an opportunity to resolve the complaint informally. All parties must mutually agree to engage in the Informal Resolution Process. The Informal Resolution Process may also be used when the respondent is not participating.
- b. At any point in the Informal Resolution process, any party may request a Formal Resolution Process, described below. The hearing officer may refer a matter to Formal Resolution Process at any point during the Informal Resolution process.
- c. In the Informal Resolution Process, the hearing officer determines based on the preponderance of the evidence whether the respondent is responsible for a code violation and determines the outcomes. The hearing officer will first meet with the parties (if applicable), share available information, and hear their response, if any. A respondent may also accept responsibility for a Code violation at any point in the process. If the respondent accepts responsibility, the hearing officer will determine the outcomes.
- d. Informal Resolution decisions are not subject to response review.
- e. If the respondent does not participate and a decision is made through Informal Resolution, the respondent may request their case to be reopened. Requests must be made in accordance with the instructions in the outcome notice and received no later than five (5) days after that outcome notice. If the request is timely submitted, the hearing officer will offer to meet with the respondent. During that meeting the respondent can share information with the hearing officer. The hearing officer reserves the right to update the decision of responsibility and any applicable outcomes after meeting with the respondent. The

hearing officer will notify the respondent within five (5) days whether the decision of responsibility or applicable outcomes have changed.

F-7. Formal resolution process: Decision by Administrator or Student Conduct Board

a. Investigation

1. The University will investigate the allegations. At any time during the investigation, either the complainant or the respondent may, but is not required to, provide information to the investigator for consideration. Such information may include documentary information, the names of witnesses, witness statements, suggested questions to ask other Parties or other witnesses, etc. Except in the rare circumstances described in this Code, only information that is presented to the investigator may be used in a hearing.
2. The investigator will provide the interview summaries to all parties and witnesses to review and provide additional comments and clarifications. Comments must be received within five days of receiving the interview summaries. The investigator will revise the interview summaries based on relevant comments provided by the parties and witnesses.

b. Preliminary report review

1. At the conclusion of the investigation, the investigator will draft a Preliminary Report of Investigation (Preliminary Report). The preliminary report will include the steps taken during the investigation., a list of witnesses contacted. a detailed summary of any witness interviews. a detailed summary of any interviews of the respondent or complainant (if applicable). a detailed summary of any other information considered as part of the investigation. and complete copies of any relevant documentary evidence gathered during the investigation, including copies of documentary information provided by the respondent or the complainant.
2. The Preliminary Report will not include any conclusions, findings, or credibility analysis.
3. The parties will be provided an opportunity to review the Preliminary Report and may provide a written response to the

Preliminary Report within five days of the review of the report. A party will be deemed to have waived the right to review the report if the party does not make arrangements with the investigator to review the report within five days of being notified that the report is available to be reviewed. The written response may include requests for additional investigation, additional witnesses to interview, or additional questions to ask any witness.

4. After the time for submitting a written response to the Preliminary Report has passed, the investigator will review any responses received and determine whether additional investigation is needed. After addressing the responses, if any, the investigator will incorporate the responses into the final report.
5. The investigator has sole discretion of determining whether sufficient information has been obtained to end the investigation process.

c. Final Report of Investigation

1. The Final Report of Investigation (final report) will include the following:
 - Everything included in the Preliminary Report,
 - Complete copies of any timely-submitted written responses to the Preliminary Report,
 - A credibility analysis, and
 - Findings of facts.
2. The final report will be provided to the Administrator. The Administrator or designee will provide the final report simultaneously to the parties. The investigator may serve as the Administrator's designee to send out the final report to parties.
3. The credibility analysis is an analysis of the statements provided by each party and interviewee, as necessary, to determine whether the statements provided by that person are credible. The analysis may include a description of the person's demeanor during the interview(s), a comparison of statements made to known facts or statements from other witnesses, the person's ability to observe the event described, the person's bias, whether the person was under the influence of a controlled substance or alcohol, and any other information that a reasonable person would use to determine a person's credibility. Not every case will require a detailed credibility analysis of each interviewee, and the credibility analysis may be

part of the finding of facts. However, in cases where the credibility of the interviewee is material to the conclusion, there should generally be a separate credibility analysis.

4. The findings of facts will include a description of the basis for each finding. Each finding will be based on a more likely than not standard and will include a rationale based on supporting documentation or information such as information from the interviews, documentary information obtained during the investigation, and, if relevant to that finding, information regarding the credibility of the respondent, complainant and/or witnesses.

d. Review by Administrator

1. The final report will be provided to the Administrator. The Administrator or designee will provide the final report simultaneously to the parties. The parties may submit a written response to the final report to the Administrator no later than five days after the final report is provided to the parties. The Administrator may meet with the parties, separately, to discuss the final report.
2. Decisions are made either by the Student Conduct Board (SCB) after a hearing or by the Administrator after their review. A party may request that the matter be referred to the SCB for a hearing. The request must be in writing and must be submitted to the Administrator no later than five days after the final report is provided to the parties. The Administrator may also decide to refer matters to the SCB.

e. Decision by Administrator

1. If a matter is not referred to the SCB for a hearing, the Administrator will decide whether the respondent violated the Code. The Administrator will make the decision based on the information contained in the final report, the written responses to the report, if any, submitted to the Administrator by the parties, and, if the Administrator chooses to meet with the parties, the information provided at the meeting to the Administrator by the parties.
2. The Administrator will adopt the findings and credibility analysis contained in the final report if the Administrator finds that they are more likely than not to be accurate. Any additional or different

findings issued by the Administrator must be based on a more likely than not standard.

3. If the Administrator determines that the respondent violated the Code, the Administrator will determine the appropriate outcome.
4. The Administrator's decision will be in writing and include the basis for the decision. The written decision will be simultaneously provided to the parties.
5. The Administrator's decision may be subject to a response review in accordance with this Code.
6. At any time before the matter is submitted to the SCB, DOS may refer a charge of a violation of the Code to mediation or other forms of appropriate alternative resolution. All parties must agree to participate with DOS in an alternative resolution process.

f. Hearing and Decision by Student Conduct Board

1. **Student Conduct Board in general.** The description and makeup of the SCB can be found in FSH [1640.83](#).
2. **Conflict of interest.** A member of the SCB will not serve on any Hearing Panel or Response Review Panel in any case where the member has a conflict of interest or bias for or against either party.
3. **Training required.** A member cannot serve on either a Hearing Panel or Response Review Panel until the member has completed training as required by DOS.
4. **Confidentiality.** Proceedings before the SCB, whether before a Hearing Panel or Response Review Panel, are confidential and protected by the Family Educational Rights and Privacy Act (FERPA). In specific disciplinary cases, members of the SCB must protect the confidentiality of the information they receive in fulfilling their duties as members of the SCB. Panel members must not discuss specific cases or share any information regarding specific disciplinary cases or their deliberations with anyone other than the SCB Chair, the Office of General Counsel, the Administrator, or fellow panel members appointed to the same panel in that specific case, and in all such instances, the discussion or sharing of information must be reasonably necessary for the panel's consideration of the specific case.

- 5. Notice of Hearing.** In matters referred to the SCB, the Administrator (or designee) must send written notice of the hearing to the SCB and the parties. The notice will include the following:
- a. the specific provision(s) of the Code the respondent is accused of violating.
 - b. a short description of the basis of the alleged violation,
 - c. the date and time for the hearing, and
 - d. the deadline for submitting written materials to the Administrator.
 - e. a link to or copy of the final report and any responses to the final report which were timely submitted to the Administrator.

6. Scheduling

The hearing will be held no fewer than five days after the notice is provided to the parties, unless extended by the Administrator. It is each party's responsibility to inform the panel chair and the Administrator of scheduling conflicts no less than three days prior to the scheduled hearing. The Administrator will have the sole discretion as to whether to reschedule the hearing. Except in cases of grave or unforeseen circumstances, if either party fails to appear, the hearing will proceed as scheduled.

7. Consolidation

If a report of a violation of the Code involves more than one respondent, the Hearing Panel will conduct a joint hearing with all respondents. However, the panel chair may permit the hearing pertinent to each respondent to be conducted separately. In joint hearings, separate decisions of responsibility will be made for each respondent.

8. Composition of the Hearing or Response Review Panel

- a. The chair of the SCB will appoint three to five members of the SCB to serve as a Hearing Panel to review each matter.
- b. The chair of the SCB will appoint one of the Hearing Panel members to serve as chair of the panel. If procedures call for the appointment of three or more members to serve on a Hearing Panel or Response Review Panel, the chair of the SCB should endeavor to appoint at least one student to the Hearing Panel or Response Review Panel. A student may not serve as chair of the Hearing Panel or Response Review Panel.

- c. The Administrator (or designee) will serve as a non-voting, ex-officio member of every Hearing Panel and may be present and available as a resource during all deliberations.

9. Pre-hearing procedures. In every case submitted to a Hearing Panel, the parties may submit written materials for the panel to review as part of its decision. To be considered by the Hearing Panel, all written materials must be submitted to the Administrator prior to the deadline set forth in the notice. The Administrator will ensure that any materials timely submitted are distributed to the parties and the Hearing Panel prior to the hearing. The written materials may only consist of the following:

- a. Suggested questions for the panel to ask the respondent or the complainant.
- b. Written discussion or argument addressing the information contained in the final report.
- c. Information (as opposed to a discussion of the information contained in the report) that was not considered by the investigators in the final report only if the information was not available prior to the completion of the final report or if the information was provided to the investigator prior to the completion of the investigation but the information was not included in the final report.

10. Hearing logistics

- a. The hearing will be held at the time and place listed in the notice.
- b. All hearings are closed to the public. The only people allowed to be present during the hearing are the parties, each individual party's Advisor, the investigator(s), the Administrator, members of the Hearing Panel, and others only if requested by DOS.
- c. Hearings may be held in person or using secure video conferencing software supported by the University. The University will make a single record of all hearings. Hearing Panel deliberations are not recorded. Failure to record the hearing for any reason is not to be considered a procedural error that substantially impacts the decision and will not be grounds for response review or reversal of the Hearing Panel's decision. All parties will work with the Administrator for access to the software and a private secure space to use the software.

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- d. All parties are invited to fully participate in the hearing. The administrator may grant any party the ability to attend the hearing, answer questions, and make a statement from behind a partition, from another room, or through another alternative method.
- e. The complainant, if any, may only be present during the portion of the hearing where the Hearing Panel questions the complainant, unless the Administrator determines in appropriate cases that the complainant may remain for the entire hearing. In extraordinary circumstances, if the investigator is unable to be present at the hearing, the DOS may designate a representative to be there in the place of the investigator. Neither the complainant nor the respondent is required to speak at the hearing.
- f. The panel chair may give permission for others to attend the hearing in the panel chair's discretion, after consultation with the Administrator. Additional witnesses may be called by the chair after consultation with the Administrator if additional witnesses are necessary for the Hearing Panel to properly resolve the case. The intention of the Code is that the final report, in most cases, should provide a sufficient basis for the Hearing Panel's decision, recognizing that the parties may speak in person to the Hearing Panel and to respond to the final report.
- g. Only the chair of the Hearing Panel may ask questions during the hearing and doing so is at the sole discretion of the chair. However, the chair may seek input from panel members on areas for questioning. The parties may submit suggested questions in writing if the questions are received prior to the deadline for submitting written materials contained in the notice. Questions based on information that arises during the hearing may be submitted in writing during the hearing at the discretion of the panel chair.
- h. The hearing will generally be conducted as follows:
 - i. Introductions to those present
 - ii. Summary of the hearing process
 - iii. Explanation of the charges against the respondent

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- iv. Opening statement by the complainant (if applicable) addressing the final report and the allegations that the respondent violated the Code.
- v. Opening statement by the respondent addressing the final report and the allegations that the respondent violated the Code.
- vi. Questions, if any, by the Hearing Panel chair for the investigator(s) or the parties.
- vii. Final statements by the parties.
- viii. All parties dismissed, and the recording of the hearing is stopped.
- ix. Hearing Panel deliberation.

11. Hearing Panel decision.

- a. All Hearing Panel decisions will be made by a majority vote.
- b. In making its decision, the Hearing Panel will consider all relevant information from the following sources:
 - i. The final report, including the findings and conclusions contained in the report.
 - ii. Any written information provided by the parties as provided above.
 - iii. The information received at the hearing.
- c. The Hearing Panel should adopt the findings and credibility analysis contained in the Final Report, unless the Hearing Panel finds that the information presented at the hearing warrants a different finding. Any findings issued by the Hearing Panel must be based on a more likely than not standard.
- d. The Administrator will also serve as a resource to the Hearing Panel, including to help ensure that outcomes are reasonably consistent among similar cases. If the Hearing Panel determines that a respondent is responsible for a violation of this Code, the Administrator will inform the panel of any previous conduct violations or other relevant disciplinary actions involving the respondent.
- e. The Hearing Panel will not consider previous findings in any legal or campus proceeding when determining responsibility for violation of this Code. The Hearing Panel may consider such previous findings solely when determining outcomes after a finding of responsibility is made.

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- f. The Hearing Panel will issue a written decision within 10 days after completing deliberations. If the Hearing Panel needs additional time to issue the written decision, the Administrator will notify the parties. The panel chair will provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.
- g. The Hearing Panel may return the matter for additional investigation if the Hearing Panel determines that:
 - i. The investigator failed to properly investigate the allegation and the failure was substantial and impacted the decision. or
 - ii. There is new information that could substantially affect the decision and the new information could not have been discovered before the issuance of the final report.

F-8. Response to the Formal Resolution Process Decision

- a. Any party may respond to the Formal Resolution Process decision, whether it was made by the Administrator or the SCB.
- b. Responses are not limited to arguments that the Hearing Panel decision should be overturned or modified but can be statements in support of the findings using the factors for response established below. That is to say, the Response is an opportunity to argue in favor of, or against, the decision based on the specific listed factors.
- c. Outcomes imposed by the Hearing Panel will not go into effect until either the deadline for a response has expired and no response has been filed or until the decision is upheld after response. However, the Administrator may impose any outcome issued by the Hearing Panel as an interim action pending the response review.
- d. Any party may submit a response to the Administrator's, Hearing Officer's, or Hearing Panel's final decision. Responses must be submitted in writing to the Administrator and must set forth the grounds for the response. The response must be filed no later than five days after the decision is delivered to the parties. Responses are to be directed to the University and will not be provided to other parties in the case, if any. There is no expectation that the response be of a certain level of formality or read like a legal filing.
- e. Responses are limited to the following grounds:

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1. A conflict of interest by a decision maker that significantly impacted the outcome of the hearing or a procedural error in the investigation process that significantly impacted the outcome of the hearing.
2. New information, unavailable during the investigation or hearing, or information that was technically available but for which no reasonable person would have sought that information in advance of the hearing, as the need for the information or its evidentiary value did not reasonably arise until during the hearing, and that would likely have substantially impacted the original finding or outcome if known.
3. The outcomes imposed are substantially disproportionate to the severity of the violation. Note that the imposition of an administrative fee is not a outcome, and therefore cannot be reversed or modified.

f. A response review will be limited to a review of the decision, the final report, any written material considered in the decision, the recording of the hearing held before the Hearing Panel, and- any written materials submitted with the response. Where a response is based on the discovery of new information, the new information may be considered only to determine whether the information was unavailable at the time of the decision and whether the new information would likely have substantially impacted the original finding or outcome if known.

g. Response review procedure

1. The chair of the SCB will appoint three to five members of the SCB to serve on the Response Review Panel and will designate one member to serve as chair of the Response Review Panel. Any member who served on the Hearing Panel will not serve on the Response Review Panel on the same case. A student may not serve as chair of a Response Review Panel.
2. The Response Review Panel will issue a written decision. The decision should be issued within 15 days of receiving the response or responses. The chair of the Response Review Panel will provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.
3. The Response Review Panel may:
 - a. Uphold the Administrator's, Hearing Officer's, or Hearing Panel's decision.

- b. Uphold the finding that the respondent violated the code but revise the outcome(s).
- c. Return the matter for reconsideration. or
- d. Return the matter for additional investigation.

h. Unless the case is returned for reconsideration or to the investigator for additional investigation, the decision of the Response Review Panel is the final institutional decision. If the decision upholds the finding that the respondent violated the Code, the outcomes imposed will go into effect immediately.

F-9. Supplemental process and standards applying to allegations of academic dishonesty

- a. Academic dishonesty allegations are processed following the Conduct Resolution Processes in this Code. Following a report to DOS of instances or concerns of academic dishonesty, DOS will investigate the incident and will determine if there is a code violation, resulting in potential outcomes intended to address acts of academic dishonesty. Instructors may issue an academic outcome separate from any outcome that the DOS may impose if under this Code there is a finding of responsibility for academic dishonesty/misconduct.
- b. The following information supplements the resolution processes in cases of academic dishonesty:
 - i. When the alleged academic dishonesty is discovered by the instructor, the instructor will notify the student of the allegation of academic dishonesty and will notify DOS.
 - ii. DOS receives the report and communicates with the instructor on the process of resolving the complaint.
 - iii. The instructor will have an opportunity to provide additional information regarding the allegation.
 - iv. DOS will meet with the student and may seek additional information from the instructor.
 - v. The instructor is included in the following communication with the student: the notice of allegation and decision letter.
 - vi. If the student chooses an informal process, DOS will meet with the student and provide an informal decision, consistent with policies, progressive discipline, and other previous and similar examples of academic dishonesty. The outcome of an informal process is not eligible for Response Review.

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- vii. If the student chooses a formal process, the hearing officer will conduct a formal investigation and will interview the instructor and other witnesses as part of the investigation.
- viii. In disciplinary cases involving allegations of academic dishonesty, a majority of the Hearing Panel or Response Review Panel should be faculty members.
- ix. The instructor will not issue an academic outcome until after the conclusion of the resolution process, including any responses, and after the decision is communicated to the student.
- x. The resolution decision of DOS, subject to the Response Review process outlined in this Code, is final.
- xi. In situations where grades need to be submitted and the process is not yet complete, the instructor will enter a grade of "incomplete" until the process is complete.
- xii. In situations where the instructor is no longer in their position prior to the completion of the conduct process, the instructor of record or the chair of the department may be asked to step in to finish the conduct process and the instructor may coordinate the final grade based on the totality of the academic performance.

F-10. Outcomes.

a. Outcomes may be imposed for any student determined to have violated the Code. Possible outcomes include, but are not limited to:

- **Warning:** Written notice to the student.
- **Probation:** Written reprimand accompanied by a probationary period during which the student must not violate the Code to avoid more severe disciplinary outcomes.
- **Loss of privileges:** Denial of specified privileges for a designated period of time.
- **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.
- **Educational outcomes:** Completion of work assignments, essays, service to the University, community service, workshops, or other related educational assignments.
- **Deferred suspension:** The last opportunity before being suspended, which remains in place until the natural end of the academic relationship with the University.

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- **Housing suspension:** Separation of the student from University Housing for a definite period of time, after which the student is eligible to return. Conditions for return may be specified.
- **Housing expulsion:** Permanent separation of the student from University Housing.
- **University suspension:** Separation of the student from the University for a definite period, after which the student is eligible to return. Conditions for return may be specified.
- **University expulsion:** Permanent separation of the student from the University.
- **Revocation of admission:** Admission to the University may be revoked .
- **Revocation of degree:** A degree awarded from the University may be revoked.
- **Withholding of degree:** The University may withhold awarding a degree otherwise earned until the completion of all outcomes imposed.

b. More than one of the outcomes listed above may be imposed for any single violation.

c. A student who fails to comply with the outcome(s) imposed will have a disciplinary hold placed on their record until the student complies with all outcome(s) imposed.

d. Disciplinary outcomes other than suspension, expulsion or revocation or withholding of a degree will not be made part of the student's permanent academic record but will become part of the student's disciplinary record. Such outcomes will be expunged from the student's disciplinary record seven years after final disposition of the case unless the University is legally required to maintain them for a further time.

G. MISCELLANEOUS

G-1. Role of an advisor. In accordance with the educational purpose of the Code, all students, including respondents and complainants, are expected to speak for themselves at all stages of proceedings under the Code, including, but not limited to, during the investigation, hearing, and any response. Any student may have an Advisor present at any time during any interview, meeting, or proceeding under the Code, but the Advisor's role is to advise the student, not to speak for the student or make any presentation on behalf of the student. The student may, at any time and for a reasonable period of time, confer with the Advisor. If the University official conducting the proceeding determines at any time that the Advisor is acting outside of these parameters, the Advisor may be required to leave the proceeding at the official's discretion. In appropriate circumstances, at the sole discretion of the University official

conducting the proceeding, the University official may allow the Advisor to speak on behalf of the student or make a presentation on behalf of the student.

G-2. Administrative fee. Any time a student is found to have violated the Code, except in situations where the hearing officer issues only a warning, the hearing officer may charge the student an administrative fee of \$150. This is not considered an outcome and will not be a subject of a response review.

G-3. Parent notification. The University may notify parents of students under the age of 21 when a student has been found to have committed a drug- or alcohol-related violation. This is not considered an outcome and may not be a subject of a response review. The decision as to whether to notify the parents or not rests entirely within the discretion of DOS.

G-4. Training. All members of the SCB, the Administrator, and the investigators will receive annual training in accordance with the requirements of the policies of the Board of Regents of the University of Idaho and the Idaho State Board of Education, as well as all applicable federal and state laws.

G-5. Timeframe. With the exception of deadlines for requesting a hearing before the SCB (see section F.7) or for filing a response (see section F.8), all other timeframes contained in the Code are suggested timeframes. While the timeframes should be followed absent exceptional circumstances, the failure to conduct any action within a designated timeframe is not grounds for response review or reversal of any decision.

G-6. Interpretation. Any question of interpretation regarding the Code or these procedures will be referred to the Administrator or their designee for final decision.

G-7. Disclosure. The University will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of Title 18, United States Code), incest, or statutory rape, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the reporting victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim will be treated as the victim for purposes of this paragraph.

G-8. Review by President: Any decision or action taken under the Code may be reviewed by the President at the President's discretion.

G-9. Review by Board of Regents: Board of Regents review of a final institutional decision to the Board of Regents is governed by Idaho State Board of Education Governing Policies and Procedures Section III.P.17.

Version History

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Amended October 2023: Interim policy. Changes to B-2 to clarify jurisdiction of OCRI, added definition of protected status, changes to E-4 regarding prohibited harassment and E-5 regarding discrimination and retaliation.

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Amended August 2023. Editorial and legal edits.

Amended August 2023: Interim policy. Complete rewrite. FSH 2300 Student Code of Conduct and FSH 2400 University Disciplinary Process for Alleged Violations of Student Code of Conduct were combined into one policy, FSH 2300 Student Code of Conduct and Resolution Process. FSH 2400 was deleted. Procedure related to Title IX sexual harassment was removed to align with the recently revised FSH 6100.

Amended July 2021. Editorial changes.

Amended July 2014. All disciplinary language from FSH 2300 Student Code of Conduct was consolidated into FSH 2400 and updated removing redundancies in policy.

Amended July 2009. Editorial changes.

Amended January 2007. Reformatted the Student Code of Conduct into subsections for easier management of judicial cases

Amended July 2005. Revised Article II, Section 2.

Amended July 1998. Revised Article II.

Amended July 1993.

Amended July 1992.

Adopted July 1970.



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 x Revision* Deletion* Interim Minor Amendment
Policy Number & Title: **FSH 2300 STUDENT CODE OF CONDUCT**

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.”

Policy originator: Cari Fealy, Associate Dean of Students

Policy sponsor, if different from originator: Blaine Eckles, Dean of Students

Reviewed by General Counsel: __Yes X__No Name & Date: Review pending

Comprehensive review? _x_Yes __No

- Policy/Procedure Statement:** Briefly explain the reason for the proposed change. Comprehensive review resulting in rewrite. FSH 2300 Student Code of Conduct and FSH 2400 University Disciplinary Process for Alleged Violations of Student Code of Conduct have been combined into one policy, FSH 2300 Student Code of Conduct and Resolution Process. This policy revision is accompanied by the proposed deletion of FSH 2400.

The following are the major changes to the policy:

- The policy was rewritten using language more accessible and understandable for students.
- The Code of Conduct and conduct process were combined in a single policy for ease of use.
- Removed processes related to Title IX sexual harassment to align with the recently revised FSH 6100.
- Added clarifying language around academic dishonesty resolution.
- Added language aligning with case law to follow best practices in student conduct policies.
- Added a section on free speech.

- Fiscal Impact:** What fiscal impact, if any, will this change have?

No direct impact.

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

FSH 2400
FSH 6100

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.

2300

STUDENT CODE OF CONDUCT & RESOLUTION PROCESS

CONTENTS:

- A. Introduction**
- B. Purpose**
- C. Scope**
- D. Definitions**
- E. Prohibited conduct**
- F. Conduct resolution process**
- G. Miscellaneous**

A. Introduction

A-1. The University of Idaho is committed to creating and maintaining a productive living-and-learning community that fosters the intellectual, personal, cultural, and ethical development of its students. Self-discipline and respect for the rights and privileges of others are essential to the educational process and to good citizenship. Student expectations include:

- Students are expected to show respect for order, civility, and respect for the rights of others within and without the University as these attributes are demanded of good citizens.
- Students are expected to uphold the rights and dignity of others regardless of race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation or gender identity..
- Students are expected to uphold the integrity of the University as a community of scholars in which free speech is available to all and intellectual honesty is demanded of all.
- Students are expected to respect University policies as well as local, state, and federal law.

A-2. The University of Idaho conduct process works to balance the safety and security of the members of the University of Idaho community through personal accountability, reflection, and growth. Students have an opportunity to reflect on their choices, understand how their actions have an impact on those around them, and grow from the experience.

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A-3. The University strives to provide a fair and consistent student conduct process based on university policy and best practices. By educating students to better understand how their decisions affect themselves and their community they learn reflection, follow-up, and accountability. The Dean of Students Office collaborates with campus and community partners to provide resources and support to students.

B. Purpose

B-1. The Student Code of Conduct & Conduct Resolution Process (“the Code”) contains prohibited student conduct and regulations for addressing reports of of such conduct in a manner consistent with the requirements of procedural due process. In addition to the general expectations for conduct as set forth in this chapter, it contains a description of prohibited conduct.

B-2. The Dean of Students or their designee (referred to collectively in the Code as “the DOS”) has primary authority and responsibility for the administration of the Code, except that the Director of the University’s Office of Civil Rights and Investigations (“OCRI”) has primary authority and responsibility for the administration of prohibited student conduct that includes allegations of discrimination, as defined in the Code. We invite you to learn more about the interplay between the Code and OCRI’s policies, procedures, and processes by visiting [OCRI’s website](#) or directing inquiries to ocri@uidaho.edu.

The DOS, upon finding, in its discretion, that there is a conflict of interest, or for other reasons necessary to effectuate the policy, may appoint an external person to serve in any of the roles created in the Code. The Dean of Students works with faculty, staff, hearing officers, and/or the student conduct board in the disposition of Student Code of Conduct violations. There is no standard discipline that applies to violations of the Student Code of Conduct. In deciding the outcome in each situation, the Dean of Students will consider, among other factors, the nature and seriousness of the behavior, the motivation underlying the behavior, and precedent in similar cases.

B-3. The Code does not restrict protected speech, even speech that some may find objectionable. The interplay between freedom of speech and expectations for students is complex and we invite you to learn more about freedom of speech and the Dean of Students office student conduct processes as they relate to freedom of speech by directing inquiries to askjoe@uidaho.edu.

B-4. The University bears the burden of proving that a student engaged in misconduct by a preponderance of evidence. A “preponderance of evidence” means that quantity and quality of evidence which, when fairly considered, produces the stronger impression, and has the greater weight, and is more convincing as to its truth than the evidence in opposition – or in other words, the facts as determined by the Hearing Officer or Board indicate that it is more likely than not that the student violated the Code. Formal rules of evidence applied in courtroom proceedings do not

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apply to this process. Evidence that is determined to be relevant to a case, by the Hearing Officer, Administrator, or Board Chair, is admissible at a hearing. This may include direct evidence, circumstantial evidence, documentary evidence, hearsay evidence, and signed statements. Admitting evidence does not imply that the evidence carries specific level of weight, including persuasiveness and credibility. Unduly repetitive information is not relevant.

B-5. The administration of the Student Code of Conduct and Student Conduct Process applies affirmative action and equal opportunity standards consistent with FSH 3060 and 3065. Additionally, the Code is supported by nondiscrimination practices and definitions in FSH 3200, 3210, 3215, and 6100.

C. Scope

C-1. Individuals subject to the Code

a. Students

1. By enrolling at the University of Idaho, students voluntarily accept responsibility for compliance with all University policies including the Code.
2. Students are responsible for their behavior from time of admittance to the University through the awarding of a degree, even though conduct may occur before classes begin or after classes end. Students are responsible for their conduct during the academic year and during periods between enrollment terms.
3. The University recognizes that students may also be employees, and their conduct may be subject to review and discipline under the Code and any applicable employment policies.

b. Reporting parties. Employees and students who are reporting student behavior that may be prohibited by the Student Code of Conduct.

c. Other. Employees and students who are otherwise involved in the conduct process.

C-2. Behavior subject to the Code

a. The Code applies to conduct that occurs on University property, within or at University-sponsored activities, off campus, online, or through other electronic means.

b. The University may address off-campus behaviors when the Dean of Students determines that the off-campus conduct affects a University interest. University interests include but are not limited to health and safety, protection of rights or property of others and promoting the University's mission.

c. Jurisdiction for the DOS to address student behavior or misconduct begins upon admission and ends at commencement. If serious misconduct was committed while a student was enrolled but is reported after graduation, the University may invoke the disciplinary process referred to in Article III and may revoke the student's degree if they are found responsible.

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- d.** If a student withdraws from school while a conduct matter is pending, the Code remains applicable to the student's conduct prior to withdrawal.
- e.** The University reserves the right to proceed with the conduct process in a student's absence or to delay the process until the student seeks re-enrollment.
- f.** Depending on conduct process outcomes, a hold may be placed on the student's ability to re-enroll and the student may be required to satisfy all outcome requirements prior to re-enrollment eligibility.
- g.** Behavior conducted online, or through any other electronic medium, including online postings, video, photographs, blogs, web postings, chats, and social networking sites is in the public sphere and is not private and falls within the jurisdiction of the Code provided the other criteria, e.g., student status, are satisfied.
- h.** If the prohibited conduct involves a student organization, the individual students are subject to the Code, and the organization is subject to FSH 2350 Student Organization Code and Resolution Process.
- i.** DOS encourages all behavior to be reported in a timely manner but understands that barriers may exist to reporting prohibited behavior and that some reported behavior warrants DOS review for conduct proceedings even if the reported behavior occurred well in the past. DOS has discretion to initiate conduct proceedings for all reported behaviors, regardless of time of occurrence, based on the nature of and totality of the circumstances.

D. Definitions. The following definitions explain the terminology used in the Code. Particular code violations are listed and defined in Section E Prohibited conduct.

D-1. Academic dishonesty: Intentional participation in deceptive practice in one's academic work or the academic work of others. Examples include cheating, fraud, plagiarism, or falsification of research results and are individually addressed and more fully defined in Article II .

D-2: Academic outcome: A consequence imposed by instructors for findings of academic dishonesty. Academic outcomes include, but are not limited to, grade adjustments, failing a class, or resubmission of academic work.

D-3: Academic work: Any academic work required for completion of academic requirements in a course. Academic work includes but is not limited to assignments, quizzes, examinations, problem solving, class exercises, and/or drafts of work.

D-4: Administrator: The Dean of Students or designee will serve as the administrator. The administrator can serve as a decision-maker and is the non-voting advisor to the Student Conduct Board and each SCB hearing panel.

D-5: Advisor: The person of the student's choosing who has agreed to

advise the student during the University disciplinary process and attend scheduled meetings with the student. The Advisor's role is simply to advise the student, and the Advisor is not permitted to speak during hearings, conferences, or interviews unless allowed by the University official conducting the interview.

D-6: Complainant: An individual who is alleged to have been subjected to conduct that could constitute prohibited conduct under the Code. There may be more than one complainant for an incident. In certain circumstances, the Dean of Students or another University official may initiate a resolution process under the Code against one or more respondents on behalf of the University where there is not a complainant in the incident, the complainant(s) is(are) unknown, or the complainant(s) does(do) not wish to participate in the resolution process. Initiating a resolution process under the Code does not suggest that the allegations are credible or have merit or that there is evidence sufficient to determine responsibility. The Dean of Students or other University official who initiates the resolution process does not become a complainant or other party to the resolution process and still serves free from bias or conflict of interest for or against any party in the process.

D-7: Conduct decision: A written decision determining the resolution of the reported behavior. The decision will include a finding of responsible or not responsible and any applicable outcomes.

D-8: Conduct record: The student conduct record maintained by the Dean of Students in connection with a reported or substantiated violation of the Code. The student conduct record may include complaints, notices, hearing records, conduct findings, outcomes, and other documents deemed relevant by the Dean of Students.

D-9: Consent: Knowing, voluntary, and clear permission by word or action to engage in activity with another individual(s), not limited to sexual activity. Consent can be withdrawn at any time upon notice, by word or action, to the other party.

D-10: Days: Days that the University is open for business, not including Saturdays, Sundays, Fall Recess, Winter Recess, Spring Recess, or University holidays.

D-11: DOS: The Office of the Dean of Students, which is responsible for the administration of the Student Code of Conduct and includes the Dean of Students and their designees.

D-12: Educational setting: All academic, educational, extracurricular, athletic, and other programs of the University of Idaho, regardless of location, and including online formats.

D-13: Finding: A conclusion reached as result of an inquiry, investigation, or hearing and is also referred to as a decision.

D-14: Formal resolution process: A conduct process by which notice and opportunity to be heard is provided and that often includes a student conduct process occurring before a Hearing Officer or Student Conduct Board which issues a written decision following the hearing.

D-15: Hearing: A formal process maintained by the University to review and address allegations of violations of the Code that follows the process and rules outlined in the Code but is not subject to other external rules (such as federal or state evidentiary rules or procedures).

D-16: Hearing officer: A person appointed by the Administrator to serve as the person presiding over a hearing. The hearing officer investigates the alleged behavior and administers the conduct process for informal resolutions. The Administrator may also serve as the hearing officer.

D-17: Hearing panel: A panel composed of members of the Student Conduct Board, who are selected by the Student Conduct Board chairperson for purposes of hearing a formal resolution process and issuing a written decision that may include findings of responsibility of Code violation.

D-18: Informal resolution process: An alternative method of resolving a matter under the Code, entered into voluntarily by all parties and the University, that seeks to address and resolve the alleged conduct or harm without the use of the formal resolution process outlined below.

D-19: Instructor: In cases of academic dishonesty, the instructor may be the faculty member, teaching assistant, or other employee responsible for course instruction.

D-20: Investigator: The person assigned by the University to investigate a report of a violation of the Code.

D-21: Mediation: An intervention between conflicting parties to promote reconciliation, settlement, or compromise.

D-22: Misconduct: Behavior that is prohibited by the Student Code of Conduct or that violates a University directive or policy.

D-23: Office of Civil Rights & Investigations (OCRI): The Office at the University that is responsible for ensuring compliance with federal and state laws and University policies related to discrimination or harassment based on a protected class. This includes retaliation when engaging in a protected process. OCRI undertakes necessary investigations and prepares recommendations and written reports that may be reviewed by the DOS for further conduct processes related to the underlying facts investigated and the nature of the reported behaviors of students investigated by their office.

D-24: Outcome: Disciplinary or corrective action imposed by the deciding body of a student conduct process following a finding of student misconduct. The term includes, but is not limited to, educational programming, restitution, community service activities, apology letters, probation (including denial of specified University privileges), suspension, termination, or other such outcomes deemed appropriate.

D-25: Parties: The Respondent(s) and the Complainant(s).

D-26: Policy: The written regulations of the University as found in, but not limited to, the Faculty Staff Handbook, including the Student Code of Conduct, the Administrative Procedures Manual, the Residence Hall Handbook, all Housing and Residence Life policies, and Graduate and Undergraduate Catalogs.

D-27: Protected Status: Protected status includes race, color, religion, national origin, age, protected military status, disability, family status, genetic information, creed, or sex (including pregnancy, parenting, sexual orientation, or gender identity or expression).

D-28: More likely than not standard: The standard of evidence that is used to decide responsibility of Code violation in a hearing, it means that it is more likely than not, based upon the totality of all relevant evidence and reasonable inferences from the evidence, that there is a violation of the Code.

D-29: Probation: The process or period of observing the character or abilities of a student to determine whether other corrective action should occur. An additional resolution process is not necessary to modify outcomes following a finding of misconduct where probation is imposed. The DOS has discretion to modify the terms of probation as necessary based on the information available to the DOS during a student's probation.

D-30: Respondent: The student who is alleged to have violated the Code.

D-31: Student: Includes, but is not limited to, all persons admitted to the University, either full time or part time, online or in person, to pursue undergraduate, graduate, or professional studies, and includes non-degree seeking students. The following persons are also considered "students":

- a. Persons who are suspended, or those who withdraw or graduate after allegedly violating the Code of Conduct.
- b. Persons who are eligible to enroll for classes without applying for re-admission.
- c. Individuals participating in the American Language and Culture Program,

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Independent Study of Idaho sponsored by the University of Idaho, the University of Idaho International Student Success Program (UI-ISSP), or any other similar educational program of the University.

D-32: The Code: The Student Code of Conduct and Conduct Resolution Process.

D-33: Student Conduct Administrator (Administrator): The University of Idaho official designated by the DOS to serve as an investigator or hearing officer. It will also include the Administrator's designee.

D-34: Student Conduct Board (SCB): The formal body that reviews student conduct matters, as set forth in the Code.

D-35: Weapon: Weapon is defined in APM 95.12.

E. Prohibited conduct. Specific behaviors of misconduct are identified and defined below.

E-1. Academic dishonesty. Acts of academic dishonesty include but are not limited to the following:

- a. **Cheating.** Cheating includes, but is not limited to, the following actions as they relate to academic work:
 - 1. Using, purchasing, providing, or possessing unauthorized materials, sources, or assistance without authorization from the instructor.
 - 2. Copying from another's academic work either for the student's own use or for the use of others.
 - 3. Sharing academic work without prior permission from instructor.
 - 4. Acquiring, without written or verbal permission, tests or other academic material belonging to the instructor or another member of the University faculty or staff.
 - 5. Completing academic work for someone else or having someone else complete academic work on your behalf.
 - 6. Representing another student in a class for attendance or participation purposes or asking another person for representation for attendance or participation purposes.
 - 7. Fabrication or falsification of data, research or academic content and the unauthorized alteration or invention of any information or citation.
 - 8. Forging, altering, reproducing, removing, destroying, or misusing any University document, record, or instrument of identification.

b. **Plagiarism.** Plagiarism includes, but is not limited to, the following:

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1. Using, by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgment.
 2. The unauthorized alteration or invention of a citation.
 3. Buying or selling academic work for the purpose of submitting it for course completion.
 4. Submitting academic work, or any part of academic work, completed for one course as work for another course without the express prior approval of both instructors.
- c. **Prohibited behavior.** Engaging in any behavior related to course completion prohibited by the instructor or otherwise including but not limited to unauthorized collaboration and reliance on prohibited technological assistance/artificial intelligence tools.
- d. **Misrepresenting facts for academic advantage.** Examples include but are not limited to providing false academic achievements and false medical documentation for academic extensions.
- e. **Violation of University policy regarding intellectual property and research.** All data acquired through participation in University research programs is the property of the University and must be provided to the principal investigator. In addition, collaboration with the Office of Research and Economic Development for the assignment of rights, title, and interest in patentable inventions resulting from the research is also required. See FSH 3200 and 5400.

E-2. Disruption or misuse of University resources or property. This behavior includes but is not limited to the following:

- a. **Theft or damage.** Attempted or actual theft of or damage to University property.
- b. **Unauthorized possession.** Unauthorized possession, duplication, or use of University keys, lock combinations or other access codes or passwords that can be used to access University property or facilities.
- c. **Unauthorized entry or use.** Unauthorized entry into or use of any University owned or managed building, space, outdoor area, or property. This also includes other restricted areas identified in APM 35.35.
- d. **Violation of law or other policy.** Violation of local, state, federal or campus fire policies including but not limited to:

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1. Building or setting fire(s) without proper authorization as required by APM 35.25.
2. Removing or otherwise tampering with fire equipment or fire alarm systems.
3. Failure to promptly vacate a building
4. Intentionally or recklessly causing a fire that damages University or personal property or causes injury.
5. Causing, making, or circulating a false report or warning of fire, explosion or another emergency.

E-3. Misuse of technology resources. Theft or other abuse of University computer facilities or resources. This includes but is not limited to the following:

- a. Interfering with the normal operation of the University computing system or resources.
- b. Inappropriate or disproportionate use of an IT resource owned or controlled by the University.
- c. Any violation of APM 30.12 [University Acceptable Use of Technology Resources](#).

E-4. Threat of harm or actual harm to a person's physical or mental health or safety. This behavior includes but is not limited to the following:

- a. **Behavior involving physical force or threat of physical force.** Behavior involving physical force that hurts another person or intimidation or threat of such force directed at another person where a reasonable person would believe the threat to be serious and imminent in nature. It includes the following:
 1. **Fighting.** Engaging in violence, combat, or aggression.
 2. **Assault.** Behavior intended to cause apprehension of harmful or offensive contact that causes apprehension of physical safety of another. The act required for an assault must be overt. Although words alone are insufficient, they may create an assault when coupled with some action that indicates the ability to carry out the threat and it creates a fear of it being carried out in the person the assault behavior is directed at.
 3. **Battery.** Actual and intentional unwanted touching or contact with another person, even if the physical injury is slight.
 4. **Use of a knife, gun, or other weapon.** The use of a knife, gun, or other weapon except in reasonable self-defense in any act of violence as defined in the Code.
 5. **Involuntary restraint or transport.** Restraining or transporting a person against their will.

6. Other. Any action that threatens or endangers the physical health or safety of any person.

b. Prohibited harassment

1. General definition. Prohibited harassment is hostile or threatening conduct or speech, whether verbal, written, or symbolic, that is sufficiently severe or pervasive, as viewed by a reasonable person under similar circumstances and with similar identities to the victim, and results in an objectively hostile or threatening environment that interferes with or diminishes another's ability to participate in or benefit from the services, activities, or privileges provided by the University.

2. Exception. Speech that is protected by the First Amendment to the United States Constitution, including relevant academic speech spoken in a classroom or writing assignment, protests and statements that do not meet the narrow definition described above, is not a violation of the Code, though it may go against community norms and may be harmful or hurtful to other members of the University community or members of certain groups.

c. Threatening or intimidating behavior. Threatening or intimidating behavior includes, but is not limited to:

1. Coercion. The practice of persuading someone to do something by using force or threats.

2. Bullying. Behavior seeking to harm, intimidate, or coerce another.

3. Deliberate destruction of or damage to property. Deliberate destruction of or damage to public or private property, where a reasonable person would believe that the full or partial intention of the act is to harass an individual or a group based on protected characteristics as defined in [FSH 3200 Policy of Nondiscrimination](#).

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

acts. They are also violations of this rule.

Hazing also includes any activity that compels a student to participate in any activity that is unlawful, publicly indecent, or contrary to the policies and regulations of the University, or any activity that unreasonably and materially interferes with a student's academic efforts.

E-5. Discrimination and retaliation.

- a. Discrimination.** Limiting or denying services, benefits, or opportunities of the University based on a protected status. Examples of prohibited discrimination can be found on the [OCRI website](#) or by directing inquiries to ocri@uidaho.edu.

A person can engage in prohibited discrimination even if the person has the same protected status as or does not mean to offend the target(s) of the conduct. Alleged discrimination will be referred to OCRI, the office responsible for investigating those claims using its complaint resolution processes.

Discrimination includes:

1. Conduct prohibited by the Code, if based on a protected status, including harassment as defined in paragraph E-4.a, above.
2. Retaliation, as defined in paragraph E-5.b, below, when the protected activity is based on a protected status.
3. Different treatment discrimination, meaning intentionally treating an individual or group differently based on a protected status.
4. Disparate impact discrimination, meaning evenhandedly implementing a facially neutral practice or rule in a way that has an adverse impact on one or more individuals based on a protected status.

- b. Retaliation.** Retaliation includes conduct that intimidates, interferes with, threatens, coerces, or otherwise discriminates against any individual because that individual opposes or reports a perceived wrongdoing, inequity, or violation of law or University policy, files a complaint alleging illegal or prohibited discrimination or violation of law or University policy, participates in a University grievance or response procedure, or participates in a University dispute resolution process. Alleged retaliation when the activity is based on a protected status will be referred to OCRI, the office responsible for investigating those claims using its complaint resolution processes.

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E-6. Disruption, obstruction, or interference with normal University activities.

Members of the University community have the right to a campus that is free from unreasonable disruption, obstruction, or interference. Disrupting or obstructing normal University activities, including, but not limited to, all academic activities, University programming, athletic events, and administrative functions is prohibited. Examples include:

- a. Classroom disruption: Behavior that interferes with the teaching or learning process in the classroom or educational setting and continues after an instructor's request to cease.
- b. Obstruction of the free flow of pedestrian or vehicular traffic on campus.
- c. Conduct that is lewd, indecent or disruptive that is not otherwise constitutionally protected speech.
- d. Falsifying, distorting, or misrepresenting information provided to the University.
- e. Interference with the student conduct system, which includes, but is not limited to, any of the following:
 - 1. Failure to cooperate with the University's investigation or disciplinary proceeding. If a party in a case does not want to participate because they believe that doing so would cause them to speak or offer evidence against themselves, and they notify the DOS that this is the reason they are choosing not to participate or only to participate partially, this violation will not apply.
 - 2. Disrupting or interfering with the University's investigation and student conduct proceedings.
 - 3. Making false allegations.
 - 4. Attempting to discourage an individual's proper participation in, or use of, the student conduct process.
 - 5. Harassment (verbal, physical, written, or electronic) or intimidation of any person participating in the University's investigation prior to, during, or after the investigation and conduct process concludes.
 - 6. Failure to comply with the outcome(s) imposed pursuant to the disciplinary process.
- f. Influencing or attempting to influence another person to commit any violation of the Code.
- g. Engaging in speech, including but not limited to verbal, electronic, or written communication, that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

E-7. Use and Misuse of Substances

a. Smoking. Smoking in violation of APM 35.28.

b. Drugs and controlled substances

1. Using, possessing, manufacturing, cultivating, selling, or distributing any state or federally controlled drug, designer/synthetic drug, or substance, including, but not limited to, cannabis, heroin, narcotics, or other controlled substances, in violation of any applicable law or University policy.

2. Possessing or using any paraphernalia used for drug consumption. Paraphernalia includes but is not limited to bongs, bowls, pipes, or any homemade smoking device.

3. Using, possessing, selling or distributing prescription or over-the-counter medications by an individual for whom it was not prescribed.

4. Inhaling or ingesting any substance (e.g., nitrous oxide, glue, paint, etc.) that is intended to alter a student's mental state without a prescription.

5. A violation may also occur when the odor of an illegal or controlled substance or drug is present when more than one individual can reasonably trace it to a specific individual.

c. Alcohol

1. Consuming, possessing, manufacturing, or distributing alcoholic beverages in violation of any applicable law or University policy (see APM 80.01 for alcohol permit requirements and APM 95.31 for alcohol policy).

2. For persons under 21, the use or possession of alcoholic beverages. public intoxication or excessive consumption of alcohol. disorderly or irresponsible conduct resulting from consumption of alcohol.

3. For persons over 21, the use or possession of alcohol in public areas where alcohol is not permitted. excessive consumption of alcohol resulting in disorderly or irresponsible conduct.

4. Selling, distributing, or furnishing alcohol to a person under 21 years of age.

E-8. Housing and living groups. Violations of any rules imposed by University Housing or living groups outlined in the Housing contract and Housing handbook.

E-9. Violation of University policy. Violation of published University policies, rules and regulations.

E-10. Violation of law. Any violation of federal law, state law, or local ordinance may be a violation of the Code, independent of the status of any civil or criminal litigation in court or criminal arrest and prosecution. Decisions made or outcomes imposed under the Code will not be subject to change because criminal charges

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arising out of the same facts were adjudicated in a civil or criminal court process. The University will cooperate as appropriate with law enforcement and other agencies in the enforcement of criminal law and in the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with University policies.

E-11. Furnishing false information, refusal to identify, and refusal to comply

- a. Furnishing false information or false representations to any person working for or authorized to act as an authority on behalf of the University.
- b. Refusal to identify oneself to an institutional representative in response to a request when on any University owned or managed property.
- c. Failure to comply with directions of a University official, law enforcement, fire department, or other government official acting in performance of their duties.
 1. Identification includes giving one's name, substantiated by a current driver license or student identification card or other official documentation, or by stating truthfully whether one is a student of the University or not.
 2. An institutional representative includes any employee, faculty member, or representative of the University, and any attorney, peace officer, or campus security officer of the University acting under the authority of the University.
- d. Using false identification or another individual's identification card to procure goods, entry or services.
- e. Submission of false information or withholding requested information at the time of admission or readmission.

E-12. Firearms, explosives, and other weapons. Possessing or using firearms, explosives, other weapons, projectile or explosive devices or substances, or dangerous chemicals in violation of APM 95.12, APM 35.34, or APM 35.35.

E-13. Disruption to community

- a. Attempted, threatened, or actual theft of or damage to another's property.
 - b. Unauthorized entry into or use of another's property.
 - c. Excessive noise, amplified sound, or music that produces a level of noise that disrupts members of the community
- F. Conduct resolution process**

F-1. Reporting alleged violations

- a. The DOS will accept reports from anyone with knowledge of potential Code violations. Reports must be made to the DOS. Reports of Title IX and related violations covered by [FSH 6100](#) will not be reviewed under the Code but will be accepted by DOS and then forwarded to the Title IX

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Coordinator or other appropriate office for review. Allegations against Student Organizations will be addressed as per the Student Organization Code of Conduct, FSH 2350.

b. Reports should be in writing but may be reported orally to the appropriate University official. A report should be submitted as soon as possible after the incident takes place.

F-2. Initial review. The DOS or office assigned by DOS will conduct an initial review of reports of Code violations. The purpose of the review is to gather relevant information concerning each allegation and determine whether further investigation is warranted. When appropriate, the DOS will transfer the notice and investigation process to the Office of Civil Rights & Investigations (OCRI). The initial review may include interviewing the involved parties and witnesses without formal notice.

F-3. Notice of allegation.

- a.** Following the initial review, the hearing officer will determine whether to initiate the conduct resolution process. In order to initiate that process, the hearing officer will provide notice of reported Code violation(s) to the respondent.
- b.** The notice informs the respondent of the reported Code violations including a short description of the basis of the reported violation.
- c.** The notice may include resolution options if further investigation is not required. Resolution options are detailed in the Hearing Process section below. If further investigation is required, the notice will include details of the investigative process.
- d.** The notice will include a link to or copy of the Code.
- e.** The hearing officer must give the respondent an opportunity to meet in person within a reasonable time after the notice of allegation is delivered to the respondent. The meeting gives the respondent an opportunity to respond to the notice, present any information the respondent would like the hearing officer to consider, and provide the names of any witnesses the respondent would like the hearing officer to contact.
- f.** If a respondent does not participate in the initial meeting, the hearing officer will make reasonable attempts to reach the respondent for five business days. If there is no response, the hearing officer will determine the appropriate resolution process.

F-4. Initial meeting. The hearing officer must give the respondent an

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opportunity to meet in person within a reasonable time after the notice of allegation is delivered to the respondent. The meeting gives the respondent an opportunity to respond to the notice, present any information the respondent would like the hearing officer to consider, and provide the names of any witnesses the respondent would like the hearing officer to contact.

F-5. Interim action and supportive measures.

- a. At any time before a final institutional decision, the Administrator, or designee, may impose restrictions on a student or separate the student from the University community pending the final institutional decision. If circumstances allow, the Administrator or designee should meet with the student prior to imposing the interim action.
- b. Other than issuance of no-contact orders, an interim action issued prior to a hearing before the Hearing Panel may only be imposed when
 1. The Administrator determines that the student represents a threat of serious harm to any person.
 2. The student is facing allegations of serious criminal activity.
 3. The action is necessary to preserve the integrity of the investigation.
 4. The action is necessary to preserve University property or the action is necessary to prevent disruption of, or interference with, the normal operations of the University.
- c. After the hearing decision, pending any response review of the decision, the Administrator may impose an outcome issued by the Hearing Panel as an interim action at the discretion of the Administrator.
- d. Supportive measures are neutral actions intended to preserve the ability of the parties to continue their academic and other pursuits. Supportive measures may continue beyond the final resolution of the incident.
- e. Interim actions and supportive measures may include, but are not limited to, the following:
 - Suspension from the University pending a final institutional decision.
 - Issuance of a no-contact order.
 - Exclusion from University property.
 - Removal from the residence halls.
 - Removal from extracurricular activities, including participation on athletic teams.

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- Withholding the award of a degree pending the conclusion of the investigation and hearing process.
- Requesting class section changes.
- Housing relocation (either temporary or permanent).
- Any other action deemed necessary and appropriate by the Administrator to maintain orderly and appropriate University operations.

f. When a student is suspended from the University, or directed not to attend certain classes, alternative coursework options may be pursued, with the approval of the Administrator and the appropriate college dean, to ensure as minimal an impact as possible on the responding student.

g. An interim action must be issued in writing and is effective when the Administrator delivers the Notice of Interim Action to the responding student either in person or by email sent to the student's official University of Idaho email account.

h. The respondent may submit a response to the issuance of any interim action by filing a response with the Administrator. There are no formal procedures for this response, and the interim outcomes remain in effect unless removed by the Administrator.

i. A violation of the provisions of an interim action will be considered a violation of the Code.

F-6. Informal resolution process: Decision by hearing officer

- a.** During the initial meeting, the respondent may be given an opportunity to resolve the complaint informally. All parties must mutually agree to engage in the Informal Resolution Process. The Informal Resolution Process may also be used when the respondent is not participating.
- b.** At any point in the Informal Resolution process, any party may request a Formal Resolution Process, described below. The hearing officer may refer a matter to Formal Resolution Process at any point during the Informal Resolution process.
- c.** In the Informal Resolution Process, the hearing officer determines based on the preponderance of the evidence whether the respondent is responsible for a code violation and determines the outcomes. The hearing officer will first meet with the parties (if applicable), share available information, and hear their response, if any. A respondent may also accept responsibility for a Code violation at any point in the

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process. If the respondent accepts responsibility, the hearing officer will determine the outcomes.

- d. Informal Resolution decisions are not subject to response review.
- e. If the respondent does not participate and a decision is made through Informal Resolution, the respondent may request their case to be reopened. Requests must be made in accordance with the instructions in the outcome notice and received no later than five (5) days after that outcome notice. If the request is timely submitted, the hearing officer will offer to meet with the respondent. During that meeting the respondent can share information with the hearing officer. The hearing officer reserves the right to update the decision of responsibility and any applicable outcomes after meeting with the respondent. The hearing officer will notify the respondent within five (5) days whether the decision of responsibility or applicable outcomes have changed.

F-7. Formal resolution process: Decision by Administrator or Student Conduct Board

a. Investigation

- 1. The University will investigate the allegations. At any time during the investigation, either the complainant or the respondent may, but is not required to, provide information to the investigator for consideration. Such information may include documentary information, the names of witnesses, witness statements, suggested questions to ask other Parties or other witnesses, etc. Except in the rare circumstances described in the Code, only information that is presented to the investigator may be used in a hearing.
- 2. The investigator will provide the interview summaries to all parties and witnesses to review and provide additional comments and clarifications. Comments must be received within five days of receiving the interview summaries. The investigator will revise the interview summaries based on relevant comments provided by the parties and witnesses.

b. Preliminary report review

- 1. At the conclusion of the investigation, the investigator will draft a Preliminary Report of Investigation (Preliminary Report). The

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preliminary report will include the steps taken during the investigation., a list of witnesses contacted. a detailed summary of any witness interviews. a detailed summary of any interviews of the respondent or complainant (if applicable). a detailed summary of any other information considered as part of the investigation. and complete copies of any relevant documentary evidence gathered during the investigation, including copies of documentary information provided by the respondent or the complainant.

2. The Preliminary Report will not include any conclusions, findings of facts, credibility analysis, or recommended findings of responsibility of Code violation.
3. The parties will be provided an opportunity to review the Preliminary Report and may provide a written response to the Preliminary Report within five days of the review of the report. A party will be deemed to have waived the right to review the report if the party does not make arrangements with the investigator to review the report within five days of being notified that the report is available to be reviewed. The written response may include requests for additional investigation, additional witnesses to interview, or additional questions to ask any witness.
4. After the time for submitting a written response to the Preliminary Report has passed, the investigator will review any responses received and determine whether additional investigation is needed. After addressing the responses, if any, the investigator will incorporate the responses into the final report.
5. The investigator has sole discretion of determining whether sufficient information has been obtained to end the investigation process.

c. Final Report of Investigation

1. The Final Report of Investigation (final report) will include the following:
 - Everything included in the Preliminary Report,
 - Complete copies of any timely-submitted written responses to the Preliminary Report,
 - A credibility analysis,
 - Findings of facts, and
 - Recommended findings of code of conduct violation

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2. The final report will be provided to the Administrator. The Administrator or designee will provide the final report simultaneously to the parties. The investigator may serve as the Administrator's designee to send out the final report to parties.
3. The credibility analysis is an analysis of the statements provided by each party and interviewee, as necessary, to determine whether the statements provided by that person are credible. The analysis may include a description of the person's demeanor during the interview(s), a comparison of statements made to known facts or statements from other witnesses, the person's ability to observe the event described, the person's bias, whether the person was under the influence of a controlled substance or alcohol, and any other information that a reasonable person would use to determine a person's credibility. Not every case will require a detailed credibility analysis of each interviewee, and the credibility analysis may be part of the finding of facts. However, in cases where the credibility of the interviewee is material to the conclusion, there should generally be a separate credibility analysis.
4. The findings of facts will include a description of the basis for each finding. Each finding will be based on a more likely than not standard and will include a rationale based on supporting documentation or information such as information from the interviews, documentary information obtained during the investigation, and, if relevant to that finding, information regarding the credibility of the respondent, complainant and/or witnesses.
5. The recommended finding of responsibility includes the specific section of the code of conduct that was reportedly violated, which will not exceed the scope of the notice of allegation. The investigator will provide their assessment regarding the finding of responsibility based on the totality of the investigative report.

d. Review by Administrator

1. The final report will be provided to the Administrator. The Administrator or designee will provide the final report simultaneously to the parties. The parties may submit a written response to the final report to the Administrator no later than five days after the final report is provided to the parties. The Administrator may meet with the parties, separately, to discuss the final report.

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2. If all parties agree to the recommended findings of responsibility, the parties can request that the Administrator make a decision on applicable outcomes only, and forgo a request for a hearing. If parties do not agree with the recommended findings of responsibility, the decisions regarding findings of responsibility are made by either the Administrator or the Student Conduct Board (SCB).
3. Decisions regarding findings of responsibility are made either by the Student Conduct Board after a hearing or by the Administrator after their review. A party may request that the matter be referred to the SCB for a hearing. The request must be in writing and must be submitted to the Administrator no later than five days after the final report is provided to the parties. The Administrator may also decide to refer matters to the SCB.

e. Decision by Administrator

1. If a matter is not referred to the SCB for a hearing, the Administrator will decide whether the respondent violated the Code. The Administrator will make the decision based on the information contained in the final report, the written responses to the report, if any, submitted to the Administrator by the parties, and, if the Administrator chooses to meet with the parties, the information provided at the meeting to the Administrator by the parties.
2. The Administrator will adopt the findings of facts, credibility analysis, and recommended findings of responsibility of Code violation contained in the final report if the Administrator finds that they are more likely than not to be accurate. Any additional or different findings issued by the Administrator must be based on a more likely than not standard.
3. If the Administrator determines that the respondent violated the Code, the Administrator will determine the appropriate outcome.
4. The Administrator's decision will be in writing and include the basis for the decision. The written decision will be simultaneously provided to the parties.
5. The Administrator's decision may be subject to a response review in accordance with the Code.
6. At any time before the matter is submitted to the SCB, DOS may refer a charge of a violation of the Code to mediation or other forms

of appropriate alternative resolution. All parties must agree to participate with DOS in an alternative resolution process.

f. Hearing and Decision by Student Conduct Board

- 1. Student Conduct Board in general.** The description and makeup of the SCB can be found in FSH 1640.83.
- 2. Conflict of interest.** A member of the SCB will not serve on any Hearing Panel or Response Review Panel in any case where the member has a conflict of interest or bias for or against either party.
- 3. Training required.** A member cannot serve on either a Hearing Panel or Response Review Panel until the member has completed training as required by DOS.
- 4. Confidentiality.** Proceedings before the SCB, whether before a Hearing Panel or Response Review Panel, are confidential and protected by the Family Educational Rights and Privacy Act (FERPA). In specific disciplinary cases, members of the SCB must protect the confidentiality of the information they receive in fulfilling their duties as members of the SCB. Panel members must not discuss specific cases or share any information regarding specific disciplinary cases or their deliberations with anyone other than the SCB Chair, the Office of General Counsel, the Administrator, or fellow panel members appointed to the same panel in that specific case, and in all such instances, the discussion or sharing of information must be reasonably necessary for the panel's consideration of the specific case.
- 5. Notice of Hearing.** In matters referred to the SCB, the Administrator or designee must send written notice of the hearing to the SCB and the parties. The notice will include the following:
 - a. the specific provision(s) of the Code the respondent is accused of violating.
 - b. a short description of the basis of the alleged violation,
 - c. the date and time for the hearing, and
 - d. the deadline for submitting written materials to the Administrator.
 - e. a link to or copy of the final report and any responses to the final report which were timely submitted to the Administrator.

6. Scheduling

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The hearing will be held no fewer than five days after the notice is provided to the parties, unless extended by the Administrator. It is each party's responsibility to inform the panel chair and the Administrator of scheduling conflicts no less than three days prior to the scheduled hearing. The Administrator will have the sole discretion as to whether to reschedule the hearing. Except in cases of grave or unforeseen circumstances, if either party fails to appear, the hearing will proceed as scheduled.

7. Consolidation

If a report of a violation of the Code involves more than one respondent, the Hearing Panel will conduct a joint hearing with all respondents. However, the panel chair may permit the hearing pertinent to each respondent to be conducted separately. In joint hearings, separate decisions of responsibility will be made for each respondent.

8. Composition of the Hearing or Response Review Panel

- a. The chair of the SCB will appoint three to five members of the SCB to serve as a Hearing Panel to review each matter.
- b. The chair of the SCB will appoint one of the Hearing Panel members to serve as chair of the panel. If procedures call for the appointment of three or more members to serve on a Hearing Panel or Response Review Panel, the chair of the SCB should endeavor to appoint at least one student to the Hearing Panel or Response Review Panel. A student may not serve as chair of the Hearing Panel or Response Review Panel.
- c. The Administrator (or designee) will serve as a non-voting, ex-officio member of every Hearing Panel and may be present and available as a resource during all deliberations.

9. Pre-hearing procedures. In every case submitted to a Hearing Panel, the parties may submit written materials for the panel to review as part of its decision. To be considered by the Hearing Panel, all written materials must be submitted to the Administrator prior to the deadline set forth in the notice. The Administrator will ensure that any materials timely submitted are distributed to the parties and the Hearing Panel prior to the hearing. The written materials may only consist of the following:

- a. Suggested questions for the panel to ask the respondent or the complainant.

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- b. Written discussion or argument addressing the information contained in the final report.
- c. Information (as opposed to a discussion of the information contained in the report) that was not considered by the investigators in the final report only if the information was not available prior to the completion of the final report or if the information was provided to the investigator prior to the completion of the investigation but the information was not included in the final report.

10. Hearing logistics

- a. The hearing will be held at the time and place listed in the notice.
- b. All hearings are closed to the public. The only people allowed to be present during the hearing are the parties, each individual party's Advisor, the investigator(s), the Administrator, members of the Hearing Panel, and others only if requested by DOS.
- c. Hearings may be held in person or using secure video conferencing software supported by the University. The University will make a single record of all hearings. Hearing Panel deliberations are not recorded. Failure to record the hearing for any reason is not to be considered a procedural error that substantially impacts the decision and will not be grounds for response review or reversal of the Hearing Panel's decision. All parties will work with the Administrator for access to the software and a private secure space to use the software.
- d. All parties are invited to fully participate in the hearing. The administrator may grant any party the ability to attend the hearing, answer questions, and make a statement from behind a partition, from another room, or through another alternative method.
- e. The complainant, if any, may only be present during the portion of the hearing where the Hearing Panel questions the complainant, unless the Administrator determines in appropriate cases that the complainant may remain for the entire hearing. In extraordinary circumstances, if the investigator is unable to be present at the hearing, the DOS may designate a representative to be there in the place of

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the investigator. Neither the complainant nor the respondent is required to speak at the hearing.

- f. The panel chair may give permission for others to attend the hearing in the panel chair's discretion, after consultation with the Administrator. Additional witnesses may be called by the chair after consultation with the Administrator if additional witnesses are necessary for the Hearing Panel to properly resolve the case. The intention of the Code is that the final report, in most cases, should provide a sufficient basis for the Hearing Panel's decision, recognizing that the parties may speak in person to the Hearing Panel and to respond to the final report.
- g. Only the chair of the Hearing Panel may ask questions during the hearing and doing so is at the sole discretion of the chair. However, the chair may seek input from panel members on areas for questioning. The parties may submit suggested questions in writing if the questions are received prior to the deadline for submitting written materials contained in the notice. Questions based on information that arises during the hearing may be submitted in writing during the hearing at the discretion of the panel chair.
- h. The hearing will generally be conducted as follows:
 - i. Introductions to those present
 - ii. Summary of the hearing process
 - iii. Explanation of the charges against the respondent
 - iv. Opening statement by the complainant (if applicable) addressing the final report and the allegations that the respondent violated the Code.
 - v. Opening statement by the respondent addressing the final report and the allegations that the respondent violated the Code.
 - vi. Questions, if any, by the Hearing Panel chair for the investigator(s) or the parties.
 - vii. Final statements by the parties.
 - viii. All parties dismissed, and the recording of the hearing is stopped.
 - ix. Hearing Panel deliberation.

11. Hearing Panel decision.

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- a. All Hearing Panel decisions will be made by a majority vote.
- b. In making its decision, the Hearing Panel will consider all relevant information from the following sources:
 - i. The final report.
 - ii. Any written information provided by the parties as provided above.
 - iii. The information received at the hearing.
- c. The Hearing Panel should adopt the findings of facts, credibility analysis, and recommended findings of responsibility of Code violations contained in the Final Report, unless the Hearing Panel finds that the information presented at the hearing warrants a different conclusion. Any findings of responsibility of Code violation issued by the Hearing Panel must be based on a more likely than not standard.
- d. The Administrator will also serve as a resource to the Hearing Panel, including to help ensure that outcomes are reasonably consistent among similar cases. If the Hearing Panel determines that a respondent is responsible for a violation of the Code, the Administrator will inform the panel of any previous conduct violations or other relevant disciplinary actions involving the respondent.
- e. The Hearing Panel will not consider previous legal or campus proceedings when determining responsibility for violation of the Code. The Hearing Panel may consider such previous proceedings solely when determining outcomes after a finding of responsibility is made.
- f. The Hearing Panel will issue a written decision within 10 days after completing deliberations. If the Hearing Panel needs additional time to issue the written decision, the Administrator will notify the parties. The panel chair will provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.
- g. The Hearing Panel may return the matter for additional investigation if the Hearing Panel determines that:
 - i. The investigator failed to properly investigate the allegation and the failure was substantial and impacted the decision. or
 - ii. There is new information that could substantially affect the decision and the new information could not

have been discovered before the issuance of the final report.

F-8. Response to the Formal Resolution Process Decision

- a. Any party may respond to the Formal Resolution Process decision, whether it was made by the Administrator or the SCB.
- b. Responses are not limited to arguments that the Hearing Panel decision should be overturned or modified but can be statements in support of the findings of responsibility of Code violations using the factors for response established below. That is to say, the Response is an opportunity to argue in favor of, or against, the decision based on the specific listed factors.
- c. Outcomes imposed by the Hearing Panel will not go into effect until either the deadline for a response has expired and no response has been filed or until the decision is upheld after response. However, the Administrator may impose any outcome issued by the Hearing Panel as an interim action pending the response review.
- d. Any party may submit a response to the Administrator's, Hearing Officer's, or Hearing Panel's final decision. Responses must be submitted in writing to the Administrator and must set forth the grounds for the response. The response must be filed no later than five days after the decision is delivered to the parties. Responses are to be directed to the University and will not be provided to other parties in the case, if any. There is no expectation that the response be of a certain level of formality or read like a legal filing.
- e. Responses are limited to the following grounds:
 - 1. A conflict of interest by a decision maker that significantly impacted the outcome of the hearing or a procedural error in the investigation process that significantly impacted the outcome of the hearing.
 - 2. New information, unavailable during the investigation or hearing, or information that was technically available but for which no reasonable person would have sought that information in advance of the hearing, as the need for the information or its evidentiary value did not reasonably arise until during the hearing, and that would likely have substantially impacted the original findings of responsibility of Code violation or outcome if known.
 - 3. The outcomes imposed are substantially disproportionate to the severity of the violation. Note that the imposition of an administrative fee is not a outcome, and therefore cannot be reversed or modified.

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f. A response review will be limited to a review of the decision, the final report, any written material considered in the decision, the recording of the hearing held before the Hearing Panel, and- any written materials submitted with the response. Where a response is based on the discovery of new information, the new information may be considered only to determine whether the information was unavailable at the time of the decision and whether the new information would likely have substantially impacted the original findings of responsibility of Code violation or outcome if known.

g. Response review procedure

- 1.** The chair of the SCB will appoint three to five members of the SCB to serve on the Response Review Panel and will designate one member to serve as chair of the Response Review Panel. Any member who served on the Hearing Panel will not serve on the Response Review Panel on the same case. A student may not serve as chair of a Response Review Panel.
- 2.** The Response Review Panel will issue a written decision. The decision should be issued within 15 days of receiving the response or responses. The chair of the Response Review Panel will provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.
- 3.** The Response Review Panel may:
 - i.** Uphold the Administrator's, Hearing Officer's, or Hearing Panel's decision.
 - ii.** Uphold the finding that the respondent violated the code but revise the outcome(s).
 - iii.** Return the matter for reconsideration. or
 - iv.** Return the matter for additional investigation.

h. Unless the case is returned for reconsideration or to the investigator for additional investigation, the decision of the Response Review Panel is the final institutional decision. If the decision upholds the finding that the respondent violated the Code, the outcomes imposed will go into effect immediately.

F-9. Supplemental process and standards applying to allegations of academic dishonesty

- a.** Academic dishonesty allegations are processed following the Conduct Resolution Processes in the Code. Following a report to DOS of instances or

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concerns of academic dishonesty, DOS will investigate the incident and will determine if there is a code violation, resulting in potential outcomes intended to address acts of academic dishonesty. Instructors may issue an academic outcome separate from any outcome that the DOS may impose if under the Code there is a finding of responsibility for academic dishonesty/misconduct.

- b.** The following information supplements the resolution processes in cases of academic dishonesty:
1. When the alleged academic dishonesty is discovered by the instructor, the instructor will notify the student of the allegation of academic dishonesty and will notify DOS.
 2. DOS receives the report and communicates with the instructor on the process of resolving the complaint.
 3. The instructor will have an opportunity to provide additional information regarding the allegation.
 4. DOS will meet with the student and may seek additional information from the instructor.
 5. The instructor is included in the following communication with the student: the notice of allegation and decision letter.
 6. If the student chooses an informal process, DOS will meet with the student and provide an informal decision, consistent with policies, progressive discipline, and other previous and similar examples of academic dishonesty. The outcome of an informal process is not eligible for Response Review.
 7. If the student chooses a formal process, the hearing officer will conduct a formal investigation and will interview the instructor and other witnesses as part of the investigation.
 8. In disciplinary cases involving allegations of academic dishonesty, a majority of the Hearing Panel or Response Review Panel should be faculty members.
 9. The resolution decision of DOS, subject to the Response Review process outlined in the Code, is final.
 10. The instructor will not issue an academic outcome until after the conclusion of the resolution process, including any responses, and after the decision is communicated to the student.
 11. In situations where grades need to be submitted and the process is not yet complete, the instructor will enter a grade of “incomplete” until the process is complete.
 12. In situations where the instructor is no longer in their position prior to the completion of the conduct process, the instructor of record or the

chair of the department may be asked to step in to finish the conduct process and the instructor may coordinate the final grade based on the totality of the academic performance.

F-10. Outcomes.

a. Outcomes may be imposed for any student determined to have violated the Code. Possible outcomes include, but are not limited to:

- **Warning:** Written notice to the student.
- **Probation:** Written reprimand accompanied by a probationary period during which the student must not violate the Code to avoid more severe disciplinary outcomes.
- **Loss of privileges:** Denial of specified privileges for a designated period of time.
- **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.
- **Educational outcomes:** Completion of work assignments, essays, service to the University, community service, workshops, or other related educational assignments.
- **Deferred suspension:** The last opportunity before being suspended, which remains in place until the natural end of the academic relationship with the University.
- **Housing suspension:** Separation of the student from University Housing for a definite period of time, after which the student is eligible to return. Conditions for return may be specified.
- **Housing expulsion:** Permanent separation of the student from University Housing.
- **University suspension:** Separation of the student from the University for a definite period, after which the student is eligible to return. Conditions for return may be specified.
- **University expulsion:** Permanent separation of the student from the University.
- **Revocation of admission:** Admission to the University may be revoked .
- **Revocation of degree:** A degree awarded from the University may be revoked.
- **Withholding of degree:** The University may withhold awarding a degree otherwise earned until the completion of all outcomes imposed.

b. More than one of the outcomes listed above may be imposed for any single violation.

c. A student who fails to comply with the outcome(s) imposed will have a disciplinary hold placed on their record until the student complies with all

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outcome(s) imposed.

d. Disciplinary outcomes other than suspension, expulsion or revocation or withholding of a degree will not be made part of the student's permanent academic record but will become part of the student's disciplinary record. Such outcomes will be expunged from the student's disciplinary record seven years after final disposition of the case unless the University is legally required to maintain them for a further time.

G. MISCELLANEOUS

G-1. Role of an advisor. In accordance with the educational purpose of the Code, all students, including respondents and complainants, are expected to speak for themselves at all stages of proceedings under the Code, including, but not limited to, during the investigation, hearing, and any response. Any student may have an Advisor present at any time during any interview, meeting, or proceeding under the Code, but the Advisor's role is to advise the student, not to speak for the student or make any presentation on behalf of the student. The student may, at any time and for a reasonable period of time, confer with the Advisor. If the University official conducting the proceeding determines at any time that the Advisor is acting outside of these parameters, the Advisor may be required to leave the proceeding at the official's discretion. In appropriate circumstances, at the sole discretion of the University official conducting the proceeding, the University official may allow the Advisor to speak on behalf of the student or make a presentation on behalf of the student.

G-2. Administrative fee. Any time a student is found to have violated the Code, except in situations where the hearing officer issues only a warning, the hearing officer may charge the student an administrative fee of \$150. This is not considered an outcome and will not be a subject of a response review.

G-3. Parent notification. The University may notify parents of students under the age of 21 when a student has been found to have committed a drug- or alcohol-related violation. This is not considered an outcome and may not be a subject of a response review. The decision as to whether to notify the parents or not rests entirely within the discretion of DOS.

G-4. Training. All members of the SCB, the Administrator, and the investigators will receive annual training in accordance with the requirements of the policies of the Board of Regents of the University of Idaho and the Idaho State Board of Education, as well as all applicable federal and state laws.

G-5. Timeframe. With the exception of deadlines for requesting a hearing before the SCB (see section F.7) or for filing a response (see section F.8), all other timeframes

contained in the Code are suggested timeframes. While the timeframes should be followed absent exceptional circumstances, the failure to conduct any action within a designated timeframe is not grounds for response review or reversal of any decision.

G-6. Interpretation. Any question of interpretation regarding the Code or these procedures will be referred to the Administrator or their designee for final decision.

G-7. Disclosure. The University will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of Title 18, United States Code), incest, or statutory rape, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the reporting victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim will be treated as the victim for purposes of this paragraph.

G-8. Review by President: Any decision or action taken under the Code may be reviewed by the President at the President's discretion.

G-9. Review by Board of Regents: Board of Regents review of a final institutional decision to the Board of Regents is governed by Idaho State Board of Education Governing Policies and Procedures Section III.P.17.

Version History

Amended October 2023: Interim policy. Changes to B-2 to clarify jurisdiction of OCRI, added definition of protected status, changes to E-4 regarding prohibited harassment and E-5 regarding discrimination and retaliation.

Amended August 2023. Editorial and legal edits.

Amended August 2023: Interim policy. Complete rewrite. FSH 2300 Student Code of Conduct and FSH 2400 University Disciplinary Process for Alleged Violations of Student Code of Conduct were combined into one policy, FSH 2300 Student Code of Conduct and Resolution Process. FSH 2400 was deleted. Procedure related to Title IX sexual harassment was removed to align with the recently revised FSH 6100.

Amended July 2021. Editorial changes.

Amended July 2014. All disciplinary language from FSH 2300 Student Code of Conduct was consolidated into FSH 2400 and updated removing redundancies in policy.

Amended July 2009. Editorial changes.

Amended January 2007. Reformatted the Student Code of Conduct into subsections

for easier management of judicial cases

Amended July 2005. Revised Article II, Section 2.

Amended July 1998. Revised Article II.

Amended July 1993.

Amended July 1992.

Adopted July 1970.