

University of Idaho  
**FACULTY COUNCIL MINUTES**

**2001-2002 Meeting #21, Tuesday, April 30, 2002**

**Present:** Smelser (chair), Bitterwolf (vice-chair), Butts-Matheson, Chandler, Chun, Dickinson, Fairchild, Haggart (w/o vote), Hong, Kraut, Lillard, McCaffrey, McClure, Meier, Murray, Nelson, Netzer, Nielsen, Olson, Pikowsky, Pitcher (w/o vote), Thompson, Wagner **Absent:** Goodwin, Guentner **Observers:** 8

**Call to Order.** A quorum being present, Faculty Council Chair, Professor Ronald Smelser, called the meeting to order at 3:38 p.m. in the Brink Hall Faculty Lounge.

**Minutes.** The official minutes of the previous council meeting were corrected to show that the new degree program in Early Childhood Development and Education was a B.S. degree. The council then accepted the minutes of the April 23, 2002, meeting as distributed and corrected.

**Chair's Report.** Chair Smelser made the following announcements to the council:

- attention was called to three *Faculty-Staff Handbook (FSH)* policy changes that were noted in a memorandum distributed to the council concerning a series of policy changes
  - *FSH 3270* – Membership Dues and Licensing Fees – the governor chose not to renew his executive order prohibiting the use of state funds for dues and licensing fees, but the U of Idaho may still elect not to allow this practice – probably dealing with requests on a case-by-case basis
  - *FSH 3740* – Employee Educational Assistance – has only been updated to have the language consistent between the U of Idaho and the SBOE/Regents policies
  - *FSH 3750* Employee Spouse Education – also updated for consistency in language
- the *Intellectual Property Committee* sent a report that brought up a number of issues that should be taken up by the 2002-2003 council – the report will be forwarded to the chair of next year's council for action
- the SBOE/Regents changed “non-faculty exempt” employees to the category of “at will,” eliminating employment contracts – the U of Idaho, however, will continue to issue yearly contracts to this classification of employees
- two items dealt with at the last council meeting – *FSH 3910* (Dismissal of Faculty Members) and *FSH 5400* (Patents and Copyrights) – bringing these policies in line with SBOE/Regents policy have resulted in no changes in U of Idaho policy – they are merely language changes to satisfy SBOE policy
- reminded the council that SBOE/Regents policies take precedence over all U of Idaho policies
- a rumor is circulating that a policy change that the council approved or one that the SBOE/Regents changed will cause employees who teach labs to carry their own accident insurance because they would no longer be covered under U of Idaho insurance policies – no basis in fact to support this rumor can be found – however, if any faculty or staff member finds that there is policy language that does affect an instructors' liability in a laboratory course, please let university counsel know – if it is a U of Idaho policy it will be changed, and if it is an SBOE/Regents policy, they will be notified of needed changes

**Provost's Report.** Provost Brian Pitcher announced the U of Idaho has come to a contractual agreement with the Regence Blue Shield to provide **health insurance** for U of Idaho employees for the next two years. Coverage will remain the same as in previous years, but total premium costs will increase 12 percent. This is the lowest health insurance cost increase for any Idaho agency. The full 12 percent increase will be passed on to the employee for the coverage of a spouse or children. The university will budget for the increased costs to insure its employees.

In response to a councilor's question concerning a **discrepancy between the rates** charged by medical specialists and the rates accepted by the U of Idaho's insurance provider, the provost advised all employees to seek help and guidance from the experts at Human Resource Services (HRS). He said that it also helps to request this help before any treatment begins. HRS maintains a list of medical specialists who have been screened and approved.

**Associated Students University of Idaho (ASUI) Report.** Isaac Myhrum and Caroline Miner provided the council with updates on two matters currently under investigation by the ASUI:

1. ASUI would like to provide **on-line test files** for students, particularly those files currently being housed by the Teaching and Learning Center. The ASUI acknowledges that there are probably some ownership and approval issues that need to be settled, but it was hoped that this request could be taken up by the 2002-2003 council.
2. ASUI continues working on the writing and implementation of a **Student Honor Code**. The ASUI is requesting money from the *Strategic Investment Fund* to help finance this project. Students are excited about the code and are anxious to get one in place at the U of Idaho. Councilor Nielsen volunteered to work with the students on this project.

**Sabbatical Leave Recommendations.** The council was in receipt of a memorandum from the provost requesting approval of the *Sabbatical Leave Evaluation Committee* recommendations for sabbatical leaves for 2003-2004. This seconded motion was **adopted** by unanimous voice vote.

**University Standing Committee Membership Recommendations for 2002-2003.** Councilor Thomas Bitterwolf, Chair of the *Committee on Committees*, presented the council with the committee's recommendations for university committee membership for the 2002-2003 academic year. Bitterwolf indicated that his committee had encountered unexpected delays caused by faculty members considering early retirement and the restructuring of several colleges. He also said that it seemed to be more difficult to find people willing to serve as committee chairs this year. The seconded motion was **adopted** by unanimous voice vote. Faculty members will be notified of their committee assignments by the Office of the Faculty Secretary. The council also instructed the Committee on Committees, or a sub-committee thereof, to continue filling vacancies during the summer and report those appointments to the new council in the fall.

**Approval of Candidates for Earned Degrees, Spring 2002.** As is its custom and Constitutional responsibility, the Faculty Council, acting for the university faculty, reviewed the candidates for earned degrees to be awarded at the May commencement ceremonies. It was **moved and seconded** (Kraut, Meier) to **approve the list of candidates** provided by the Office of the Registrar of May graduates. The motion was **adopted** by unanimous voice vote.

**FC-02-044 – Proposed Changes to *Faculty-Staff Handbook* Section 3080, Classification and Appointment.** After a brief discussion it was **moved and seconded** (Meier, Bitterwolf) to **approve the recommended handbook changes**. The motion was adopted by unanimous voice vote.

**FC-02-045 – Proposed Change to *Faculty-Staff Handbook* Section 3085, Recruitment Procedures.** After a brief discussion it was **moved and seconded** (Meier, Bitterwolf) to **approve the recommended handbook changes**. The motion was **adopted** by unanimous voice vote.

**FC-02-028A – Proposed Changes to *Faculty-Staff Handbook* Sections 3050, 3140, 3320, and their Associated Forms.** It was **moved and seconded** (Meier, Fairchild) to *remove the consideration of Part A of Section 3320 from the table*. The motion was **adopted** by unanimous voice vote.

It was **moved and seconded** (Nielsen, Wagner) to **call the previous question** and therefore end discussion on Part A of Section 3320. The motion was **adopted** by unanimous voice vote.

The previous question having been called, **Part A of Section 3320** (including Form 1) was **adopted** by majority voice vote. It was also noted that any references in any section of 3320 to "Form 2" would be removed and reference made to the *Banner* procedures for reporting salary recommendations.

The council then shifted its attention to a discussion of **Part B of Section 3320**, an entirely new part to this section of the handbook entitled “*Performance Below Expectations of Tenured Academic Personnel*.” The **debate centered on** the wording of Parts B-1 and B-2 with regard to **what actions were expected from the academic unit administrator** when dealing with an instructor who was performing below expectations. The arguments were divided between those who were inclined to give the administrator full responsibility in determining the problem and those who believed that the administrator should not be the “doctor” providing the “cure” or determining the cause, but should be evaluating the instructor’s performance and then seeking (along with the instructor) help when that performance was below expectations.

Ombudsman Tom Trotter **summed up the thinking of the framers of this section** by saying that this should be thought of as a collaborative approach to solving a problem. He said that in many cases an administrator’s “diagnosis” was not only inaccurate, but incomplete. The administrator should join with the faculty member in looking at why an individual’s performance is sub-standard. Trotter went on to say that he wanted to underscore the need for a change in university policy and that the language of Part B of Section 3320 was a positive approach to solving performance problems. He said that it is an approach that is both nurturing and developmental. Trotter said that the U of Idaho has lost too many junior faculty members because we do not have a developmental approach to handling performance reviews. He pointed out that this new evaluation approach will provide administrators with the tools they need to do a constructive narrative evaluation of faculty members in their unit.

Following several suggestions for wording changes it was agreed by the council to **change the beginning of the second paragraph of B-1** to read, “*It is not the unit administrator’s role to diagnose the cause of the problem. . . .*”

Vice Chair Tom Bitterwolf complemented the *Faculty Affairs Committee* for their work in writing this new policy. It **represents a change in policy that has been needed for a very long time**. The new policy provides a framework to help faculty members who are “slipping below the line.” We have never had this before, and he strongly endorsed the proposal.

Councilor Thompson commented that **B-4-a was much too specific** in its composition of a review committee. He believed that this would lead to problems in small academic units. He argued for a rewording that would give a college dean more latitude in forming a committee and yet would retain the philosophy of Part B. Professor Kerry McKeever, Chair of the *Faculty Affairs Committee* (FAC), responded that institutional history says that this duty should not be left up to a dean. She said that the FAC wanted to create a system that would lower the level of paranoia. Thompson suggested that a “trusted” third party should be used in helping construct the review committee. FAC ex-officio committee member, Phil Berger, commented that it was important to require that review committee members be from the academic unit (they understand the “culture” of the unit) and that they be balanced with some members from outside the unit.

Another debate centered around the concept of **peer review** of faculty members. The new policy would seem to eliminate peers from initiating a review. Several councilors noted that the current regents policy is of no help in getting at the reasons or even solving the problem of a faculty member performing at an unacceptable level. Peers are simply not willing to find one of their own “incompetent” and there is no vehicle to provide any help to an under performing faculty member. It was pointed out that this proposal will not replace the regent mandated 5-year performance review. However, if the new policy is approved and followed, it should lead to the regents allowing the U of Idaho to replace the old policy with the new one.

Professor McKeever reminded the council that this policy was a **“trigger” system**. Certain actions by a faculty member will trigger a review and the finding of a solution to the problem, perhaps through a faculty development program. She also pointed out that a review simply cannot wait for five years. There needs to be a process for initiating an earlier review. The new policy also provides for a review triggered by three consecutive years of poor performance or by pattern of performance occurring over a five year period.

It was **moved and seconded** (Meier, Wagner) to **call the previous question** on Part B of Section 3320. The motion was **adopted** by unanimous voice vote. **FSH Section 3320 Part B as amended** was then **adopted** by unanimous voice vote.

The council then turned its attention to **FSH Section 3320, Part C, “Performance Evaluation of Academic Administrators.** The change to this section was merely the change of the letter “B” to the letter “C” in designating the section. Part C was **adopted** by unanimous voice vote.

Chair Smelser and Professor McKeever pointed out that **work was not complete** on this section of the handbook. The *Faculty Affairs Committee* would be reviewing the rest of the handbook material relating to the subject of performance reviews in the fall, as well as the section on “incentives” for post-tenure development.

**Changes to Faculty-Staff Handbook Section 3050, Position Descriptions.** Approval of the changes in the Section 3320 required editorial changes to Section 3050 to make it consistent with the changes made to Section 3320. Coming as a seconded motion from the *Faculty Affairs Committee*, the motion was **adopted** by unanimous voice vote.

**Changes to Faculty-Staff Handbook Section 3140, Performance Expectations for Faculty.** Approval of the changes in the Section 3320 required editorial changes to Section 3140 to make it consistent with the changes to Section 3320. Coming as a seconded motion from the *Faculty Affairs Committee*, the motion was **adopted** by unanimous voice vote.

**Recognition of Chair Smelser.** On behalf of the entire Faculty Council, Faculty Secretary Peter Haggart presented Chair Ronald Smelser with a thank you card and a gift certificate to an area restaurant. The presentation was met by applause and words of praise from the councilors. Chair Smelser thanked the council for its good work this year. He indicated that it has certainly been an “interesting” year. The council has been a “great group of people” to work with and he believed that a lot was accomplished this year in a spirit of good will.

**Recognition of Council Members.** Provost Pitcher extended the thanks of the administration and that of the continuing council members to councilors Butts-Matheson, Chun, Dickinson, Goodwin, Kraut, Meier, Murray, Nielsen, Olson, and Thompson, who were finishing their terms on the council.

**Adjournment.** It was **moved and seconded** (Lillard, McClure) to adjourn. The motion was **adopted** by unanimous voice vote, and Chair Smelser adjourned the last meeting of the 2001-2002 Faculty Council at 4:40 p.m., while at the same time reminding the council that its duties did not officially end until the start of the fall semester.

Respectfully submitted,

Peter A. Haggart  
Secretary of the Faculty Council