

**University of Idaho**  
**2007-2008**  
**FACULTY COUNCIL AGENDA**

**Meeting #24**  
**Tuesday, April 8, 2008, 3:30 p.m.**  
**Brink Hall Faculty Lounge**

**Order of Business**

**I. Call to Order.**

**II. Minutes.**

**III.**

- Minutes of the 2007-08 Faculty Council Meeting #23, April 1, 2008

**IV. Chair's Report.**

**V. Provost's Report.**

**V. Other Announcements and Communications.**

- Teaching Students with Disabilities (Jensen)
- **FC-08-045:** FSH 1470 (New): University Archives (Adams)
- **FC-08-047:** FSH 1800: Staff Affairs By-Laws (Noble)
- **FC-08-046:** FSH 5300: Copyrights, Protectable Discoveries, & IP (Merrell) **FYI**
- **FC-08-048:** APM 45.09: Effort Commitment and Reporting (Inge/Knutson) **FYI**

**VI. Committee Reports.**

University Curriculum Committee:

- **FC-08-049:** NOI: College of Education, Human Resource Development Certificate

**VII. Special Orders.**

- Executive Session: Faculty Secretary Candidate 4:45 p.m.

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

**IX. New Business.**

**X. Adjournment.**

**Professor Don Crowley, Chair 2007-2008, Faculty Council**

Attachments:

Minutes of 2007-2008 FC Meeting #23, April 1, 2008

**FC-08-045:** FSH 1470 (New): University Archives (Adams)

**FC-08-047:** FSH 1800: Staff Affairs By-Laws (Noble)

**FC-08-046:** FSH 5300: Copyrights, Protectable Discoveries, & IP (Kammerzell) **FYI**

**FC-08-048:** APM 45.09: Effort Commitment and Reporting (Inge/Knutson) **FYI**

**FC-08-049:** NOI: College of Education, Human Resource Development Certificate

University of Idaho

**FACULTY COUNCIL MINUTES**  
**2007-2008 Meeting #23, Tuesday, April 1<sup>st</sup>, 2008**

**Present:** Adams (w/o vote), Christiansen (sitting in for Baker, w/o vote), Crowley (chair), Fritz, Guilfoyle, Hubbard, Machlis, McCaffrey, McCollough, McDaniel, Mihelich, Murphy, Oman, Schmeckpeper, Sullivan, Ch. Williams, Wilson. **Absent:** Baker, Griff, Miller, Ripplinger, Rowland, Rush, Schmiede, Ci. Williams, Liaisons: Crepeau (Idaho Falls), Stauffer (Boise), Newcombe (Coeur d'Alene).

**Observers:** 6

A quorum being present, the chair called the meeting to order at 3:34 p.m. in the Brink Hall Faculty Lounge.

**Minutes:** It was moved and seconded (Murphy, Wilson) to accept the minutes of the March 25<sup>th</sup> meeting (Meeting #22) as distributed. The motion carried unanimously.

**Chair's Report:** The chair reported that he would be spending some time in Idaho Falls next week, at the invitation of the Idaho Falls Higher Education Advisory Committee (a consortium of those institutions that offer courses and programs in Idaho Falls). He has been asked to speak briefly on (1) the opportunities and challenges of recruiting and retaining faculty, with particular emphasis on non-salary inducements, (2) the opportunities and challenges of creating endowed chairs and public-private partnerships, and (3) how to advance multi-institutional research in such venues as the Center for Advanced Energy Research. He confessed to being a non-expert in all of those areas and asked council members for their suggestions. The resultant conversation centered around the first topic with several council members reporting situations where their own students had gone out as neophyte assistant professors making as much as their former advisors had done as associate professors at the University of Idaho or anecdotes about hiring here at salaries where the new hire was making as much as advanced assistant professors or even advanced associate professors. Professor Crowley asked that any other suggestions as to what to say in Idaho Falls be e-mailed to him this week.

**Provost's Report:** Sitting in for the provost, the vice provost for academic affairs, Jeanne Christiansen, announced that the Board of Regents/State Board of Education would be meeting on the Moscow campus on April 17<sup>th</sup> and 18<sup>th</sup>. These meetings were open and it would be an excellent opportunity for council members or other interested faculty members to see how the board conducts its business. [One is inevitably reminded of Bismarck's comments about the production of sausage and the workings of democracy.]

On April 16<sup>th</sup> there would be a workshop for all those who were scheduled to go up for tenure or promotion next year, along with their department heads and the administrative assistants in their colleges. And, on April 18<sup>th</sup>, there would be the Honors Convocation.

**Request for Nominations for Open Faculty Positions on Campus Planning Advisory Committee:** Since Faculty Council had recently affirmed the suggestion of the Committee on Committees that the Campus Planning Advisory Committee include three non-council faculty members, Professor Guilfoyle, chair of the Committee on Committees, asked the council members to advertise this possibility to their constituents and forward the names of any interested in this position to the faculty secretary so that the Committee on Committees might make nominations to fill these slots.

**Faculty Council Elections:** The secretary drew the council's attention to the list of those members of the 2007-2008 council whose terms would be concluding at the end of the summer of 2008. Members from those colleges which will have vacancies will need to work with their college offices to hold elections for replacements. The elections should be concluded by the end of April so as to allow the new members to take part with continuing members in the election of officers for the 2008-2009 council.

**FC-08-006: FSH 2700, “Student Evaluation of Teaching”:** Vice Provost Christiansen provided background on this proposal which was coming to council as a seconded motion from the Teaching and Advising Enhancement Committee. She reminded council that she had come before council in October suggesting that the policy on student evaluation of teaching needed some revision and suggested that the Committee on Teaching and Advising Enhancement was the natural place to make suggestions for revision. That process of review was now complete and the proposal was before council. Many of the proposed changes were editorial in nature but there were also some substantive ones: (1) section C on procedure was slated for deletion, (2) the period during which on-line evaluations were open was explicitly extended into finals week, and (3) B-8 was added, providing for an explicit cycle of review of the process.

In a friendly amendment the proposal was changed to specify that student evaluation of teaching would take place in any academic term and not be restricted to just fall and spring semester. More contentious was the proposal to allow student evaluations to be filled out during exam week when grades may already be posted and available to students. It was noted that the final exam, or final project during exam week, was a part of the overall course and should be evaluated as such, but it was also noted that one could not expect the same even-handedness of evaluation from students if they already knew their grades. (By mistake in some relatively recent semester the on-line evaluation process was left open during exam week and the evaluations done then were not significantly different than those done in the previous week. However, in that situation it had not become common knowledge that grades might be available before one had to do evaluations.) The possibility was raised of instructing the registrar not to post grades until the end of exam week if the on-line evaluation process was open during that week. However, it was moved and seconded (Williams, Sullivan) to change the proposal so as to exclude exam week from the period when on-line evaluations might be done. The motion to amend carried 10-2-2. The main motion carried 13-1.

**FC-08-003: Resolution of Indirect Cost Assessments:** Returned to the floor was a resolution (moved and seconded by Oman and Schmeckpeper) that would recommend that certain fixed percentages of indirect cost returns be guaranteed the principal investigator, the department, and the college or institute. The original figures were 5%, 15%, and 30% respectively. By a series of friendly amendments they became 5%, 10%, and 25% respectively. Proponents of the resolution made the point that the adoption of some formula would allow for multi-year planning on the part of PIs and, particularly, research centers. Others, however, made the point that increasing the central administration’s share would have the effect of increasing the transparency of how indirect cost returns were actually spent. It was clear from material compiled by John Tracy, Interim Vice President of Research, that there was no tried and true formula at other institutions about how indirect cost returns were shared out. This was so, in large part perhaps, because there was no uniform way in which the costs of doing research (e.g., bridge grants, travel, instruments, sabbaticals, start-up costs) were covered. The plan for FY09 whereby 75% would be centrally collected, and 25% go to college/department/investigator had been accepted by the deans as a lesser evil when compared to other possible reallocations, but there was little evidence adduced that that consensus extended much beyond the central administration.

Though some expressed a strong preference for bringing the resolution to an immediate vote, it was moved and seconded (McCullough, Fritz) to table the resolution. The motion to table carried 7 to 5. After the vote, John Tracy said that, whatever the fate of this particular resolution, there needed to be a better way of generating recommendations concerning the distribution of these monies and suggested some sort of joint Research Council/Faculty Council committee.

**Adjournment:** The hour having grown late, it was moved and seconded (Murphy, Oman) to adjourn. The motion carried unanimously and the meeting was adjourned at 5:08 p.m.

Respectfully submitted,  
Douglas Q. Adams,  
Faculty Secretary and Secretary to Faculty Council



## POLICY COVER SHEET

(See *Faculty Staff Handbook 1460* for instructions.)

[1/08]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:**     FSH 1470: University Archives

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

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

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

**Originator(s):**                                     Douglas O. Adams 3-24-08  
 (Please see FSH 1460 C)                             Name                                     Date  
**Telephone & Email:**                             885-6151, dqadams@uidaho.edu

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

**Reviewed by General Counsel**    \_x\_ Yes    \_\_\_ No    Name & Date: Sharyl Kammerzell, 3/1/08

- I.     **Policy/Procedure Statement:** Briefly explain the purpose of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.  
       see attached.
- II.    **Reason/Rationale:** Reason this addition, revision, and/or deletion is necessary, if different than above?
- III.   **Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?
- IV.    **Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change.
- V.     **Effective Date:** This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.

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

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

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

*FSH*

Appr. \_\_\_\_\_  
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 GFM  \_\_\_\_\_  
 Pres./Prov. \_\_\_\_\_  
  
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The task force on preserving the university's history was formed in fall of 2006 in response to the difficulty, at times amounting to an impossibility, of locating historically important documents in the university's history. The dearth of material is characteristic not only of the institution's earliest years but lasts well into the 1960s. The task force was chaired by the faculty secretary and had representatives from the Library, Records Management, General Counsel's Office, and UIRA. The task force's twin goals were (1) to locate as much historical documentation as possible and (2) to propose a policy for the university concerning the preservation of historically significant material, whether in paper or electronic form, for the future.

Our first task has met with some success: significant troves of historic documentation were found in the archives of CALS, CLASS (the old L&S archives), COMER (now housed in the College of Science), and even heretofore uncatalogued material in the Library's Special Collections. Our most significant find was a complete run of the *Staff Newsletter*, a predecessor of today's *University Register*.

The second task has resulted in a proposed policy which attempts to formalize the institution's expectations concerning preserving historically significant material, whether it be in paper or electronic form. Once selected for preservation, the process of preserving paper documents is well known. Preserving electronically generated documents for the long term remains much chancier and will require careful monitoring and updating as technologies evolve. In any case, the university needs to be much more intentional about preservation than it has in the past and must create a more history-conscious culture for itself. It is striking in this regard that the library has never been designated the University Archives, although it acts as such and language in policy manuals implies this status.

The policy envisions the creation of an on-going advisory body to make recommendations concerning preservation. It will also require a modest investment on the university's part.

## FSH 1470 - UNIVERSITY ARCHIVES

**A. General Policy.** It is the university's policy that all records of significant value for understanding the university's history and the history of its subunits are permanently retained, appropriately stored, and made accessible. Such records may be on paper or in some sort of digital format. They include, but are not means limited to: all official publications of the university or unit (these documents are also subject to the State of Idaho's state depository law), pictures documenting the people or activities of the university or unit, records documenting significant changes in people or activities of the university or unit. These documents provide primary source material relating to the administrative, academic, legal, fiscal, social, and cultural interaction of individuals, departments, and programs of the university since its inception.

**B. Designated Depository.** Except where the originating unit maintains its own archives, the university library's Special Collections and Archives is the unit designated as the custodian of archival material.

**C. Types of University Records and Files.** A fuller, but still not exhaustive, list of university records that should be preserved archivally:

**C-1.** External executive correspondence documenting basic university operation such as planning, policy, decision making, or interdepartmental relations.

**C-2.** Campus correspondence documenting relationships with non-university agencies and individuals.

**C-3.** Documentation of ASUI, GPSA, Student Bar Association and other student groups and clubs and affiliated entities.

**C-4.** Annual reports.

**C-5.** Organizational information such as organization charts and delegation of responsibility.

**C-6.** Documentation of departmental development.

**C-7.** Committee records, minutes, agenda, reports, position papers, recommendations, and related correspondence.

**C-8.** Subject files, concerning single issues or special programs.

**C-9.** Documentation of conferences, conventions, institutes, and symposiums held on the University campus or in conjunction with university units.

**C-10.** Funded grant proposals and final reports.

**C-11.** Certain records that document compliance with laws and rules.

**C-12.** University and departmental publications such as catalogs, bulletins, yearbooks, directories, handbooks, calendars, newsletters, and brochures (see also State of Idaho's depository law).

**C-13.** Webpages of the university, its colleges, departments, and other major units.

**C-14.** Tape recordings, films, and videotapes documenting university activities.

**C-15.** Photographs of personnel and facilities.

**D. Storing Documents.** These records should be appropriately and securely stored (e.g., in locked file cabinets in climate-controlled, vermin-free areas) in the originating unit or, preferably, as a part of the library's Special Collections and Archives.

**D-1.** If stored in the originating unit, that unit should seek the advice of the Special Collections and Archives' staff concerning appropriate storage.

**D-2.** If transferred to Special Collections and Archives, the originating unit should follow the guidelines of the Records Transfer Form. The form may be obtained from Special Collections and Archives (5-7951).

**D-3.** Whether stored in the originating unit or in Special Collections and Archives provision is to be made for controlled access and reference both to the campus and to the public, except as specifically restricted by state or federal laws.

**D-4.** Material housed in Special Collections and Archives becomes the property of Special Collections and Archives.

**E. Copying to Other Media.** In Special Collections and Archives, in the interest of increasing access and for reasons of preservation, digital copies may be made of paper documents and paper copies or microform copies made of digital documents.

**F. Migration to New Media.** With University of Idaho designated archival depositories, digital documents are migrated to newer technologies and media as appropriate for the purposes of preservation and continued accessibility.

**G. Faculty and Staff Papers.** As faculty members and professional staff retire they are asked if they would like to deposit their professional papers in the library's Special Collections and Archives. As part of the retirement process each faculty member or professional staff person is sent a letter soliciting such materials by the library's archivist. Faculty and professional staff who are not contacted should contact the archivist. These papers document the academic and administrative life of the university as reflected in the careers of individuals. These collections offer insight into the history and operation of the university that would otherwise be lost by relying only on official administrative records. Retiring faculty or staff are encouraged to work with the archivist in deciding which professional papers to archive, as all acquisitions are subject to the approval by the archivist and to normal collections management procedures.

**H.** Under the direction of the library's archivist inventories of all archival materials, wherever located in the university, are kept by designated depositories.

See also APM 65.02



## POLICY COVER SHEET

(See *Faculty Staff Handbook 1460* for instructions.)

[1/08]

**Faculty/Staff Handbook [FSH]**  Addition  Revision\*  Deletion\*  Emergency  
 Minor Amendment   
**Chapter & Title:** FSH 1800-Bylaws of the Staff Affairs Committee

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

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

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

**Originator(s):** Daniel Noble 4-2-08  
 (Please see FSH 1460 C) Name Date  
**Telephone & Email:** 885-6841 dnoble@uidaho.edu

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

**Reviewed by General Counsel** \_\_\_ Yes \_\_\_ No Name & Date: \_\_\_\_\_

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

The changes to FSH 1800 is a normal part of our review of the ByLaws and how we operate as a committee. We are now known as Staff Affairs. Formerly we have been known as SAC (Staff Affairs Committee). We have removed the SAC references. Other substantive changes:

Article III, Section 1 Constituencies: Changed the categories to reflect changes in employment classification (removal of Classified Exempt and rename Non-Faculty Exempt to Exempt)

Article III, Section 2 Representation: We have specified the need to have both on-campus representatives (section a) and we have added off-campus representatives. They are part of the On-Off Campus Committee. We have given the off campus sites 5 positions. We have also helped to formalize the roles of off campus representatives.

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

The rationale was through many discussions as to the role that the off-campus sites play in the advocacy efforts of Staff Affairs. In addition, it is helpful to articulate what their role is specifically such that we can utilize these positions to their utmost effectiveness.

Please note that these changes have been fully vetted through the ByLaws Subcommittee of Staff Affairs. We have also worked with our current representatives on Staff Affairs whom are off-campus for this proposal. In addition, it has had mention in the Staff@Idaho monthly newsletter sent to all staff from the Chair of Staff Affairs. We have received no negative feedback, only positive suggestions as to inclusion of all the off campus sites. Debate centered on the breakdown of the State of Idaho and which configuration made sense.

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

No fiscal impact.

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

The only policy change would be the change to employee classification.

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

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

Policy Coordinator Appr. & Date: _____ <i>[Office Use Only]</i>
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<i>APM</i> F&A Appr.: _____ <i>[Office Use Only]</i>
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<i>FSH</i> Appr. _____ FC _____ GFM _____ Pres./Prov. _____  <i>[Office Use Only]</i>
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**UI FACULTY-STAFF HANDBOOK**

## CHAPTER ONE:

## HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

January 2007

1800

**BYLAWS OF THE STAFF AFFAIRS COMMITTEE**

*PREAMBLE: The Staff Affairs Committee was created on the recommendation of the Faculty Council and the director of personnel services and with the approval of President Ernest Hartung in the summer of 1971. The current version of the Staff Affairs Committee's bylaws were amended in September 2002 and again in January 2007.*

**CONTENTS:**

Article I.	Name
Article II.	Purpose
Article III.	Members
Article IV.	Elections
Article V.	Officers
Article VI.	Annual Reports
Article VII.	Staff Affairs Committee Meetings
Article VIII.	Meetings of the University Staff
Article IX.	Subcommittees
Article X.	Parliamentary Authority
Article XI.	Amendments

**ARTICLE I--NAME.** The organization shall be named the University of Idaho Staff Affairs Committee ~~(SAC)~~.

**ARTICLE II--PURPOSE.**

**Section 1. General.** ~~SAC~~Staff Affairs represents the staff of the University of Idaho. The staff is defined as board-appointed employees at the University of Idaho who do not have faculty status.

Staff Affairs members shall be released from normal work duties for the purpose of attending Staff Affairs meetings, and performing related Staff Affairs responsibilities. This release time shall not be charged against their accrued leave.

**Section 2. Specific.** Specific purposes of ~~SAC~~Staff Affairs are:

- a. To study issues, problems, welfare, and working conditions of staff;
- b. To call to the attention of the president matters concerning staff affairs in any division or department that ~~SAC~~Staff Affairs believes should receive special attention;
- c. To work with the university administration in the development and/or revision of university policies, employment benefits, and other matters where staff are directly affected;
- d. To cooperate with the Faculty Affairs Committee and Faculty Council and participate in the formulation of joint recommendations concerning issues common to the staff and the faculty;
- e. To advise on salary and promotion matters pertaining to staff;
- f. To form subcommittees, as required, to study special or continuing issues;
- g. To serve as a communication link between university administration and staff;
- h. To work with the president's designee, who will serve as a liaison with university administration.

**ARTICLE III--MEMBERS.**

**Section 1. Constituencies.** For the purpose of selecting ~~SAC~~Staff Affairs members, the UI staff is divided into the following groups:

- a. ~~Non-Faculty~~ Exempt;
- b. ~~Classified Exempt~~;

**UI FACULTY-STAFF HANDBOOK**

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

Section 1800: Bylaws of the Staff Affairs Committee

January 2007

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- ~~e~~.b. Secretarial/Clerical;
- ~~d~~.c. Technical/Paraprofessional;
- ~~e~~.d. Skilled Crafts;
- ~~f~~.e. Service/Maintenance.

**Section 2. Representation.**

**a. On-Campus.** Each group listed in Article III, Section 1 is represented on [SACStaff Affairs](#) by one member for every 50 employees or any fraction thereof in the group, provided that each group has at least one representative member on [SACStaff Affairs](#).

**b. Off-Campus.** Permanent positions will represent the campus sites and surrounding extension sites. The five permanent positions would be for (1) Coeur d'Alene/Post Falls/Sandpoint; (2) Boise; (3) Idaho Falls/Tetonia/Dubois/Aberdeen; (4) Twin Falls/Kimberly/Hagerman; and (5) at large (Parma, Caldwell, Caine Center, McCall/Taylor Ranch, Salmon, etc.). These positions would be permanent members of the On-Off Campus Committee, which currently exists as an ad-hoc standing subcommittee. Their roles would be:

- Information Distribution. The Staff Affairs representative for each Center would collect information, report, and attend Staff Affairs meetings via teleconference.
- Staff Appreciation Fair. Each Center (in collaboration with Staff Affairs) would hold a Staff Appreciation Fair at their location during Staff Appreciation month.
- Information Liaison. For any information items that are needed, the representative would be the contact for his/her location. Examples of responsibilities could include: information gathering and dissemination, Human Resources visit coordination (for benefits-related purposes, training, etc.), communication about Staff Affairs activities (Staff Appreciation Fair, War on Hunger, policy issues, etc.), and communication/efforts in other areas.

The Assistant Vice President of Human Resources serves on [SACStaff Affairs](#) in an advisory capacity, without vote.

**Section 3. Term.** [SACStaff Affairs](#) members are elected to serve a term of three years. No ~~SAC~~ member may be elected to more than two consecutive terms.

**Section 4. Eligibility.** All staff, as defined in Article II, Section 1, are eligible for membership on [SACStaff Affairs](#).

**Section 5. Vacancies.**

**a.** The Chair of [SACStaff Affairs](#) must declare a position vacant if a member is absent from four (4) consecutive meetings unless the member has informed the Chair and the absence is considered excused. Excused absences include approval of accrued leave and professional obligations. [SACStaff Affairs](#) will fill the vacancy in the method described in Article III, Section 5, Paragraph b.

**b.** Vacancies are filled as quickly as possible by appointment of the candidate who, at the most recent election for the position vacated, had the next highest number of votes. If the vacancy cannot be filled in this way, the [SACStaff Affairs](#) media coordinator gives notice of the vacancy as soon as possible in official UI communications and/or publications (i.e., The Register, Today@Idaho, [SACStaff Affairs](#) website), as well as via [SACStaff Affairs](#) email listservs, giving staff an opportunity to volunteer for [SACStaff Affairs](#) service. The chair will appoint a person from the same group to complete the unexpired term from those responding to the vacancy notice; the appointment is subject to [SACStaff Affairs](#) approval. A person appointed is eligible for election to the succeeding term.

**Section 6. Change of Constituency.** A [SACStaff Affairs](#) member who changes job classifications, which then results in a change of constituency, may finish the remaining portion of that year of the term of office. Any remaining portion of the term will be filled by election at the next election of [SACStaff Affairs](#) members; a [SACStaff Affairs](#) member so elected is eligible for election to the succeeding term.

**UI FACULTY-STAFF HANDBOOK**

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

Section 1800: Bylaws of the Staff Affairs Committee

January 2007

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The member, whose new job classification puts them in a different category, should run for election on the next regular election ballot if a vacancy exists for the new classification. If a vacancy exists after a regular election, this person may be appointed to the new classification term.

**ARTICLE IV--ELECTIONS.**

**Section 1. Continuity.** To provide continuity of membership on [SACStaff Affairs](#), approximately one-third of the member positions are filled by election each year. As far as possible, terms of members representing the same group are staggered.

**Section 2. Election Date.** Elections of [SACStaff Affairs](#) members are held such that the election results are presented at the April regular [SACStaff Affairs](#) meeting. The election date is announced in official UI communications and/or publications (i.e., The Register, Today@Idaho, [SACStaff Affairs](#) website), as soon as possible.

**Section 3. Nominations.** Appropriate procedures for nominations and elections are developed by the Elections Subcommittee and approved by [SACStaff Affairs](#) (see Article IX).

**Section 4. Seating of Members.** Those elected are seated as [SACStaff Affairs](#) members at the first regular [SAC](#) meeting in June.

**ARTICLE V--OFFICERS.**

**Section 1. Election and Appointment of Officers.** At the May regular meeting, [SACStaff Affairs](#) elects a chair and a vice chair to serve for the year beginning with the first meeting in June. The new chair appoints a secretary, treasurer, off-campus representative, and media coordinator to serve the same term; these appointments are subject to the approval of [SACStaff Affairs](#).

Only seated [SACStaff Affairs](#) members are eligible to vote in the election. Only those persons who have been seated on [SACStaff Affairs](#) are eligible for the office of chair. [rev. 1-07]

[SACStaff Affairs](#) members who know they are going to be absent from officer and new member elections may cast an absentee vote in writing or email. The member's absentee vote must be received by the [SACStaff Affairs](#) chair prior to the election. [add. 1-07]

**Section 2. Chair.** The chair:

- a. Presides at all meetings of [SACStaff Affairs](#);
- b. In consultation with [SACStaff Affairs](#), appoints required subcommittee chairs;
- c. Maintains lines of communication between [SACStaff Affairs](#) and the president, the Faculty Affairs Committee, the Faculty Council, and staff;
- d. Performs all other duties pertaining to the office of chair.

**Section 3. Vice Chair.** The vice chair:

- a. Assumes the duties and responsibilities of the chair in the absence or disability of the chair;
- b. Works closely with, and attends [SACStaff Affairs](#) related meetings with the Chair; prepares reports of recommendations on policy actions for presentation to the president
- c. Is Chair of committees, convening meetings of standing and ad hoc committees, assuring procedures are followed and that specific charges of each committee are carried out;
- d. Performs such other duties as may be assigned by the chair or by [SACStaff Affairs](#).

**Section 4. Past Chair.** The past chair is:

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- a. a valuable resource and is thus considered an ex officio member of Staff Affairs (with vote).
- b. thereby also a member of the Officers Committee, whether or not his/her term has expired.

**Section 5. Secretary. The secretary:**

- a. Maintains an accurate record of all meetings of [SACStaff Affairs](#);
- b. Submits a summary of the minutes to the media coordinator for publication in official UI communications and/or publications (i.e., The Register, Today@Idaho, [SACStaff Affairs](#) website) as soon as possible after each meeting;
- c. Maintains a notebook for the official record for the year. This notebook shall be turned in to the notebook library located in the [SACStaff Affairs](#) office each year. The notebook shall include, but is not limited to:
  - 1) Approved minutes of all meetings;
  - 2) All handouts from all meetings;
  - 3) Letters of resignation or requests to serve on the committee;
  - 4) All committee election results;
  - 5) Annual Reports;
- d. Performs such other duties as may be assigned by the chair or by [SACStaff Affairs](#).
- e. Shall send all annual reports and minutes of meetings to the UI library for official archiving
- f. Maintains responsibility for the [SACStaff Affairs](#) website.

**Section 6. Treasurer. The treasurer:**

- a. Maintains an accurate record of all the budgets and monetary transactions of [SACStaff Affairs](#);
- b. Reports to [SACStaff Affairs](#) at all regular meetings;
- c. Performs such other duties as may be assigned by the chair or by [SACStaff Affairs](#).

**Section 7. Communications On/Off Campus. The Communications representative:**

- a. Helps promote better, consistent, and increased communication with the University of Idaho's on/off-campus staff;
- b. Finds a contact person for each off campus site;
- c. Mails all [SACStaff Affairs](#) materials meeting handouts to off-campus locations;
- d. Creates an e-mail distribution list for all off-campus contact people and sends "staff" e-mail to them for distribution;
- e. Addresses issues and concerns that on/off-campus staff may have, including bringing the information to Staff Affairs Committee meetings;
- f. Performs such other communications duties as may be assigned by the chair or by [SACStaff Affairs](#).

**Section 8. Media Coordinator. The media coordinator:**

- a. Serves as a consistent contact person for information to be published or released to various media sources;
- b. Gathers information from the chair, vice chair, secretary, and subcommittee chairs to be distributed for publication;
- c. Ensures all articles or releases are approved by the chair;
- d. Distributes information to the appropriate media organizations, such as The Register, KUID TV, local newspapers and radio stations, in a timely manner;
- e. Reports to [SACStaff Affairs](#) at all regular meetings;
- f. Maintains a record of all releases;
- g. Performs such other duties as may be assigned by the chair or by [SACStaff Affairs](#).

**Section 9. Filling Officer Vacancies.**

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- a. In the case of the position of Staff Affairs Committee chair being vacant, the vice chair shall become the acting chair until the next regular meeting of [SACStaff Affairs](#), at which time any unexpired portion of the term shall be filled by a special election. If the vice chair becomes the chair at the special election, a new vice chair will also be elected at this meeting.
- b. In the case of the position of Staff Affairs Committee vice chair being vacant, at the next regular meeting of [SACStaff Affairs](#) a special election will be held to fill any unexpired portion of the term of vice chair.
- c. In the case of the positions of secretary, treasurer, off-campus representative, or media coordinator being vacant, at the next regular meeting of [SACStaff Affairs](#) the chair will appoint a secretary, treasurer, off-campus representative, or media coordinator to fill any unexpired portion of the term of that office. The appointment will be subject to the approval of [SACStaff Affairs](#).

**ARTICLE VI--ANNUAL REPORTS.**

**Section 1. Annual Reports.** [SACStaff Affairs](#) will compile an annual report. A preliminary report is to be presented at the June meeting of every year. The final copy of the Annual Report shall be submitted to the membership at the September meeting. Copies of the report will be sent to the President's Office, Provost's Office, Faculty Secretary's Office, and UI library archives.

**Section 2. Contributors.** The report will be composed of year-end summaries from each of the following members:

- a. the chair;
- b. the vice chair;
- c. the secretary;
- d. the treasurer;
- e. the on/off-campus communications representative;
- f. the media coordinator;
- g. the chairs of all standing subcommittees;
- h. the chairs of all ad hoc subcommittees;

**Section 3. The Official Record.** The annual report will constitute the official record for the year for [SACStaff Affairs](#). The final copy will be kept in the yearly Official Record Notebook maintained by the secretary.

**ARTICLE VII--STAFF AFFAIRS COMMITTEE MEETINGS.**

**Section 1. Regular Meetings.** [SACStaff Affairs](#) will hold at least six regular meetings each calendar year. [SACStaff Affairs](#) designates the time and place for regular meetings.

- a. Quorum. A quorum of [SACStaff Affairs](#) consists of half of the voting members of Staff Affairs.
- b. Agenda. The chair is responsible for the preparation of the agenda and distributes it to the members of [SACStaff Affairs](#) (and all staff, if electronic mail permits) at least one week before each regular meeting.
- c. Record of Attendance. The minutes of each meeting will show the names of the members present and of those absent.

**Section 2. Executive Committee Meetings.** The function of the Executive Committee meetings is to act for [SACStaff Affairs](#) on emergency matters when [SACStaff Affairs](#) will not have a regular meeting for a period of two weeks or more, and an issue pertinent to [SACStaff Affairs](#) requires an immediate response. The Executive Committee reports to [SACStaff Affairs](#), and [SACStaff Affairs](#) retains the authority to review actions of the Executive Committee.

- a. Structure and Quorum. The Executive Committee is made of such members of [SACStaff Affairs](#) as are present at a meeting called upon 24 hours written, electronic, or oral notice. Five voting members of [SACStaff Affairs](#) constitute a quorum for the meetings of the Executive Committee.
- b. Officers. The officers of [SACStaff Affairs](#) also serve as the officers of the Executive Committee. In the absence or incapacity of both the chair and the vice chair, the members of the Executive Committee attending the

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Executive Committee meeting will designate a chair pro tempore. Minutes of Executive Committee meetings will be kept and presented in written form at the next regular meeting of [SACStaff Affairs](#).

c. Call of Meetings. Executive Committee meetings may be called on 24 hours' notice by the chair or vice chair or by the president of the university or the president's designee.

**ARTICLE VIII -- MEETINGS OF THE UNIVERSITY STAFF.**

**Section 1. Meetings.** A meeting of the UI staff will be called when requested by four or more members of [SACStaff Affairs](#) or upon the written petition of at least 20 staff members. Notice of such a meeting must be given to the staff at large two weeks before the proposed meeting via official UI communications and/or publications (i.e., The Register, Today@Idaho, [SACStaff Affairs](#) website). Notice will also be given via the [SACStaff Affairs](#) email list serves. The president or the president's designee may call a meeting at any time. The chair of [SACStaff Affairs](#) presides at meetings of the staff.

**Section 2. Quorum.** Those staff members present at a meeting properly called in accordance with this article constitute a quorum.

**Section 3. Agenda.** An agenda listing all substantive items to be acted upon must be published in official UI communications and/or publications (i.e., The Register, Today@Idaho, [SACStaff Affairs](#) website), and sent via [SACStaff Affairs](#) email listservs, at least one week before the meeting.

**ARTICLE IX--SUBCOMMITTEES.**

**Section 1. Standing Subcommittees.** The standing subcommittees will be appointed at the first regular meeting of [SACStaff Affairs](#) in June. Each subcommittee is responsible for maintaining a list of standing rules, policies and procedures which must be approved by [SACStaff Affairs](#). The [SACStaff Affairs](#) chair will appoint a chair of each standing subcommittee. The chair shall be an ex officio (with vote) member of all standing subcommittees, except the Officer Nomination Subcommittee. The standing subcommittees of [SACStaff Affairs](#) are:

- a. Election Subcommittee. The Election Subcommittee manages two tasks:
  1. The Election Subcommittee manages the nomination and election process for new members of [SACStaff Affairs](#) by:
    - (a) Submitting a statement to the Media Coordinator stating which member positions are to be filled by election, for publication in official UI communications and/or publications (i.e., The Register, Today@Idaho, [SACStaff Affairs](#) website), during the month of February. Notice will also be sent via [SACStaff Affairs](#) email listservs. Nominations must be in writing and signed by the nominator.
    - (b) Confirming the eligibility and availability of each nominee;
    - (c) Preparing and distributing ballots, ensuring that each eligible staff employee has an opportunity to vote;
    - (d) Collecting and counting the ballots;
    - (e) Reporting the election results to [SACStaff Affairs](#) at the April regular meeting. The election results are validated and the winning candidates named. The [SACStaff Affairs](#) secretary records the order in which all candidates finished in the election.

In the event the number of candidates and vacancies are equal in any category – the election shall be considered non-contested. These positions shall be elected by voice vote at the April [SACStaff Affairs](#) meeting.
  2. The Election Subcommittee monitors the vacancies and filling of staff positions on all UI standing committees.
- b. Officer Nomination Subcommittee. The Officer Nomination Subcommittee manages the process for electing new officers for [SACStaff Affairs](#) in May. Nominations for new officers may be made from the floor or submitted to the chair of the subcommittee.
- c. Staff Educational Awards Subcommittee. The Staff Educational Awards Subcommittee solicits contributions to the Staff Educational Endowment Fund, invites nominations for awards, ensures that

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information is provided to all staff and faculty regarding donations to the scholarship fund, and conducts the selection process. The nomination process is governed by these bylaws and states that a name shall be entered into nomination only once each year. The selection process is governed by the Endowment Fund criteria. The chair of the subcommittee must present the final number of awards and award amounts for the year to [SACStaff Affairs](#) for approval. The results are presented at the annual Staff Awards Reception.

**d.** Staff Awards Reception Subcommittee. The Staff Awards Reception Subcommittee coordinates the annual Outstanding Employee Award nominations, selection, and award process and plans the annual Staff Awards Reception. The Awards Subcommittee works closely with the President's office and other administrators to coordinate the awarding of the awards.

**e.** Staff Appreciation Fair Subcommittee. The Staff Appreciation Fair Subcommittee plans and produces the annual Staff Appreciation Fair.

**f.** Staff Forum Subcommittee. The Staff Forum Subcommittee plans the annual Staff Forum.

**g.** Benefits and Compensation Subcommittee. The Benefits and Compensation Subcommittee addresses issues directly related to benefits and compensation for staff.

**h.** Bylaws Review and Revision Subcommittee. The Bylaws Subcommittee oversees the bylaws to make sure they are up to date and accurate for the times. The Bylaws Subcommittee shall review and initiate revisions to the bylaws and facilitate presentation of amendments to [SACStaff Affairs](#) and UI Staff for recommendation of approval by vote as required. The chair of the Bylaws Subcommittee will also serve as parliamentarian during [SACStaff Affairs](#) meetings. *[rev. 1-07]*

**i.** Communications Subcommittee. The Communication Subcommittee is responsible for maintaining and updating the [SACStaff Affairs](#) website, assisting with the creation of print material for other subcommittees, distribution of a "Welcome to [SACStaff Affairs](#) letter" to new members, distributing information to UI staff members via the [SACStaff Affairs](#) listserv, and serving as a communication bridge between staff and administration; researching issues/ideas and presenting this information to the committee to include those items that are submitted via the website, at committee meetings or by email inquiries. *[add 1-07]*

**j.** Officers' Subcommittee. The Officer's Subcommittee is responsible for setting agenda items for the monthly [SACStaff Affairs](#) meetings. Members of this committee are the chair, past chair, vice chair, secretary, treasurer, on-off campus communications representative, media coordinator, chairs of all standing subcommittees, and chairs of all ad hoc subcommittees. *[add 1-07]*

**Section 2. Ad Hoc Subcommittees.** Ad Hoc Committees will be appointed as needed. The [SACStaff Affairs](#) chair will appoint a chair of each ad hoc subcommittee. [SACStaff Affairs](#) must approve a motion to form an Ad Hoc committee.

**ARTICLE X--PARLIAMENTARY AUTHORITY.** The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern [SACStaff Affairs](#) in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order [SACStaff Affairs](#) may adopt.

**ARTICLE XI--AMENDMENTS.** These bylaws may be amended either by a majority vote of the members of the staff voting at a duly called University Staff Meeting or by a majority vote of the members of the staff voting on a mail or electronic ballot. The notice of proposed bylaw amendments must be published at least two weeks prior to the vote in official UI communications and/or publications (i.e., The Register, Today@Idaho, [SACStaff Affairs](#) website). These bylaws and amendments thereto are subject to review and approval by the president of the university or the president's designee.



Track # _____
DATE: _____
Posted: _____ (Office Use Only)

**POLICY COVER SHEET**  
(See *Faculty Staff Handbook 1460* for instructions.)  
[7-06]

*Faculty/Staff Handbook [FSH]*  Addition x Revision\*  Deletion\*  Emergency  
Minor Amendment   
**Chapter & Title:** **FSH 5300** COPYRIGHTS, PROTECTABLE DISCOVERIES AND OTHER INTELLECTUAL PROPERTY RIGHTS

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

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

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

**Originator:** Gene Merrell

(Please see FSH 1460 C)

**Telephone & Email:** 5-4630, gmerrell@uidaho.edu

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

**Telephone & Email:** \_\_\_\_\_

**I. Policy/Procedure Statement:** Briefly explain the purpose of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.  
These proposed amendments are made to reflect the restructuring of the technology transfer function of the University, which function is moving from the Idaho Research Foundation into the University Office of Technology Transfer

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

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

The changes to the policy are to make it consistent with the organizational changes that have occurred, there is no fiscal impact as a result of the policy change.

**IV. Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change.  
This is the primary UI policy related to intellectual property and the IRF.

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

**Please make these changes effective upon approval of the policy.** Please note changes to this policy need to be approved by the Board of Regents as well. The Office of General Counsel will insure that the policy amendments are placed on the agenda for the Board's approval once the changes are approved internally. Board Policy V.M.2.c.

\_\_\_\_\_  Approve  Disapprove  
Policy Coordinator

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

**UI FACULTY-STAFF HANDBOOK****CHAPTER FIVE:  
RESEARCH POLICIES**

February 2007

5300

**COPYRIGHTS, PROTECTABLE DISCOVERIES AND OTHER INTELLECTUAL PROPERTY RIGHTS**

*PREAMBLE: This section outlines UI policy concerning copyrights, as they arise from university research. Particularly this section discusses the assignment of ownership to such copyrights. This section was part of the 1979 Handbook but was revised in a significant way 1) in July of 1992 to reflect changes in applicable federal law, 2) in January of 1995 by the addition of subsection C-5 to reflect the change in the Regents' intellectual property and conflict of interest rule (former IDAPA 08.01.09.101.03c), and 3) in 2007 to update terminology and add clarity to the rights and obligations of the University and of its employees and students in dealing with intellectual property. Unless otherwise noted, the text is as of July 1996. For more information, contact the Research Office (208-885-6651). [ed. 7-98, rev. 2-07]*

**CONTENTS:**

- A. Introduction
- B. Copyrights
- C. Protectable Discoveries
- D. Dispute Resolution
- E. Special Arrangements for Federal, State, and Private Grants
- F. Record-Keeping

**A. INTRODUCTION.** The UI encourages the creation of scholarly works as an integral part of its mission. UI participation in the development, marketing, and dissemination of educational materials has as its aim the improvement of the quality, effectiveness, and efficiency of student learning and of faculty and staff development. The UI recognizes its obligation to transfer technology and useful discoveries to society. With respect to all types of intellectual property, the rights and obligations of UI, its employees and students and other third parties shall be governed by this policy. To the extent permitted by this policy, individuals may enter into contracts with UI to address intellectual property, in which case the contract terms shall control, provided that the contract was entered into in a manner consistent with this policy.

**A-1. DEFINITIONS.** For purposes of this Section 5300 and Section 5400, the following terms shall have the following meanings:

- a. "electronic" shall mean relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- b. "written" or "in writing" shall include information created, generated, sent, communicated, received, or stored by electronic means, including without limitation email, telecopy, and facsimile transmissions.
- c. "natural person or persons" means natural person or persons involved in the creation or development of intellectual property.

**B. COPYRIGHTS.** UI participation in the development of copyrightable works raises questions concerning the ownership and use of materials in which UI has become an active and intentional partner through substantial investment of resources. This policy is established to clarify the rights of the natural person or persons and the UI regarding ownership and use of copyrightable materials in the absence of a valid written agreement between the natural person or persons and UI. The UI acknowledges the right of faculty and staff members and students to prepare and publish materials that are copyrightable in the name of the natural person or persons and that may generate royalty income for the natural person or persons. (In this policy, "the natural person or persons" is to be construed broadly as including producers of creative works in the arts and sciences and creators of literary or scholarly writing.)

**B-1. Coverage.** The types of materials to which this policy applies include:

- a. Study guides, tests, syllabi, bibliographies, texts, books, and articles.
- b. Films, filmstrips, photographs, slides, charts, transparencies, illustrations, and other visual aids.
- c. Programmed instructional materials.
- d. Audio and video recordings.
- e. Simultaneously recorded live audio and video broadcasts.
- f. Dramatic, choreographic, and musical compositions.
- g. Pictorial, graphic, and sculptural works.
- h. Computer software, including computer programs, procedural design documents, program documents, and databases as defined below: *[ed. 7-00]*
  - (1) "Computer program" means a set of instructions that direct a computer to perform a sequence of tasks.
  - (2) "Procedural design document" refers to material that describes the procedural steps involved in the creation of a computer program.
  - (3) "Program document" refers to material created for the purpose of aiding the use, maintenance, or other interaction with a computer program.
  - (4) "Data base" means a collection of data elements grouped together in an accessible format.
- i. Other copyrightable materials, including materials generated in the production of any of the above works.

**B-2. Assignment of Ownership.** Faculty, staff members, and students retain all rights in the copyrightable materials they create except in the cases of "UI-Sponsored Materials" as defined in Subsection B-2-b below, materials covered by a Grant or Contract as discussed in Subsection E below, and materials covered by a valid written agreement between the natural person or persons and the UI as discussed in Subsection B-5 below. Faculty members, staff members, and students shall co-operate with reasonable requests from UI for the creation of any documents and records needed to vest and memorialize UI's rights, if any.

**a. Retention of Rights.** Except as otherwise provided in Subsection B-2-b, the natural person or persons retain the rights to: (1) copyrightable works produced while on sabbatical leave; (2) study guides and similar materials; and (3) works prepared as part of the general obligation to produce scholarly or other creative works of the natural person or persons, such as, but not limited to articles, books, musical compositions, and works of art.

**b. UI-Sponsored Materials.** Materials are "UI-Sponsored Materials" within the meaning of this policy if the natural person or persons: (1) was commissioned specifically in writing by UI or one of its distinct units to develop the material as part of his or her employment duties and the writing states that the resulting works would be considered "UI Sponsored"; (2) received extra pay from UI to prepare the specific materials pursuant to a valid written agreement providing that the extra pay is consideration for the preparation of the specific materials; (3) received release time from regular duties to produce the specific materials; or (4) made "substantial use" of UI resources in the creation or development of the specific materials, provided however that the use of UI resources regularly and customarily available to him/her as part of his/her regular employment or as part of his/her regular academic enterprise, shall not be considered "substantial use" of UI resources.

**B-3. Registration of Copyrightable Materials.** Absent a valid written agreement otherwise, UI Sponsored Materials are to be registered in the name of the Regents of the University of Idaho or its' assignee. UI or its

designee has the right to file registrations of UI Sponsored copyrightable works.

#### **B-4. Royalties and Income.**

- a. Out of the gross receipts from royalties and other income from sale or rental of UI Sponsored Materials, the UI, college, department, other unit, or UI's designated agent may recover reasonable expenses that it incurred in the development, marketing, or dissemination of the materials.
- b. Absent a valid written agreement to the contrary, the net proceeds are distributed as follows: 40 percent to the natural person or persons, 40 percent to UI or its designated agent, and 20 percent to the 'college or service unit of the natural person or persons. At least half of the share allocated to the college or other unit is given to the department of the natural person or persons for use in furtherance of its goals.
- c. UI retains a right to royalty-free internal use of any materials designated UI Sponsored under this policy.

#### **B-5. Written Agreements.**

- a. The provost represents UI in negotiating agreements with the natural person or persons pursuant to this policy. The natural person or persons of copyrightable material may negotiate with the provost and arrive at a mutually agreeable contract. The provost consults with the dean or departmental administrator of the department of the natural person or persons in drafting these agreements. (For purposes of this policy, "dean" includes persons with equivalent administrative capacities.)
- b. Valid written agreements concerning copyright ownership, use of copyrighted materials, and distribution of royalties and income from copyrightable works which are entered into by one or more natural person or persons and the provost supersede the provisions of this Section 5300. ' To be valid, such agreements must (1) comply with the terms of any relevant Grants or Contracts as discussed in Subsection E below, (2) comply with the policies of the UI Board of Regents, ~~(3) comply with UI agreements with the Idaho Research Foundation (IRF),~~ and 43) comply with Idaho state and federal law.

**B-6. Use of UI-Sponsored Materials.** Use of UI Sponsored Materials under this policy is subject to the following conditions:

- a. **Internal Use.** Internal use is use by anyone employed by UI, or attending the UI as a student, while acting within the scope of his or her employ or academic enterprise, or any agent of UI acting within the scope of his or her agency, either directly or through a grant or contract, or by any UI unit. Internal use of UI Sponsored Materials for the same general purpose for which they were developed, and revision of such materials, do not require the prior approval or notification of any of the natural person or persons. However, for as long as any natural person or persons involved in the creation or development of UI Sponsored Materials remains a UI employee or student, such natural person or persons may, in a professionally appropriate manner, propose revisions of the material.
- b. **External Use.** External use is any use other than that defined in Subsection B-6-a, above. Licensing or sale of UI Sponsored Materials for external use must be preceded by a valid written agreement between the natural person or persons and UI or the UI's designated agent specifying the conditions of use, and including provisions concerning updating or revision of the materials.

#### **B-7. Protection.**

- a. Allegations of unauthorized use or copyright infringement of UI Sponsored Materials should be made to the Intellectual Property Committee for investigation. The committee will recommend appropriate action to the provost.
- b. If such action is initiated by UI alone or in concert with the natural person or persons, the costs are borne by UI or UI's agent. Proceeds from the action in excess of costs are shared as provided in Subsection B-4-b.
- c. If the natural person or persons involved in the creation or development of the allegedly infringed intellectual property desires to institute a suit and UI decides not to act, UI will co-operate either by

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assigning to the natural person or persons such rights as are necessary for the natural person or persons to pursue redress or by some other reasonable method acceptable to UI. The costs of the suit will be born by the natural person or persons desiring to sue, who will also obtain any monetary relief obtained from the alleged infringer due to the prosecution of the suit.

**B-8. Liability.** When either UI or the natural person or persons involved in the creation or development of materials copyrighted by UI or its assignee is alleged to have violated personal or property rights, UI or its designated agent assumes responsibility for the defense against such allegation and the satisfaction of any judgment rendered against UI or the natural person or persons except insofar as liability of governmental entities is limited by Idaho Code 6-903 as currently written or later amended.

**B-9. Waiver.** Any person involved in the development of copyrightable materials governed by Section 5300 B waives any claim that otherwise legal use of the material by UI, its agents, employees, or distinct units, ~~or IRF~~ creates legal liability by UI, its agents, employees, or distinct units; ~~or IRF~~ on any theory of indirect liability for allegedly infringing actions of third parties.

**C. PROTECTABLE DISCOVERIES.** "Protectable Discoveries," for purposes of this Section 5300 is defined to include anything which might be protected by utility patent, plant patent, design patent, plant variety protection certificate, maskwork, or trade secret. All Protectable Discoveries made by UI employees at any of its facilities in the course of programs carried on by UI or made by persons in the course of working on such programs or projects under contracts or agreements with UI belong to UI. The natural person or persons involved in the creation or development of such Protectable Discoveries shall assign to UI all such (1) Protectable Discoveries, (2) applications for legal protection of such Protectable Discoveries, and (3) utility patents, plant patents, design patents, and plant variety protection certificates resulting from such Protectable Discoveries. Absent a valid written agreement to the contrary, any Protectable Discoveries made by UI employees or such other natural person or persons identified above with the use of facilities (other than library resources, normal office use, incidental use of the UI internet network consistent with UI internet use policy, and other facilities for which the person has paid use fees) owned by UI or made available to it for project or research purposes are deemed to have been made in the course of working on a research program or project of UI.

**C-1. Ownership by Other Than UI.** A Protectable Discovery made by a natural person or persons wholly on his or her own time outside of his or her duties at UI and without the use of UI facilities (other than library resources, normal office use, incidental use of the UI internet network consistent with UI internet use policy, and other facilities for which the person has paid use fees) belongs to that natural person or persons, even though it falls within the field of competence relating to the person's UI position. This provision also allows any Protectable Discovery made by a natural person or persons in the course of private consulting services carried out by the person in conformance with the UI's policy on professional consulting and additional workload [see 3260] to be assigned to the consulting sponsor.

**C-2. ~~IRF and UI Processes.~~ ~~UI and the Idaho Research Foundation (IRF) agree that a~~ All** Protectable Discoveries made by a natural person or persons in the course of working on a UI research program or project must be submitted to ~~IRF for acceptance~~ the Office of Technology Transfer (OTT). If a Protectable Discovery is accepted by ~~IRF-OTT~~ for development, management, marketing, licensing, or assignment in any manner for the purposes of this policy, OTT must ~~ensure that~~ such property ~~to be~~ conveyed, assigned, or transferred to ~~IRFUI~~. ~~IRF has~~ OTT shall have full power to manage such rights and to enter into contracts and ~~licensing licenses~~ concerning such rights, including the right to join in agreements with other nonprofit intellectual property-management entities. [rev. 7-97, 7-06]

**a.** Upon submission of intellectual property to ~~IRFOTT~~, ~~IRF-OTT~~ must make a formal written decision to pursue commercialization for that property within three months ~~or return the rights to UI~~. If ~~IRF-OTT~~ does not file for protection of the intellectual property within eighteen months of the date the disclosure was submitted, the rights ~~are shall be evaluated for~~ returned to ~~UI~~ the inventors. If ~~IRF-OTT~~ submits a provisional patent application for intellectual property protection, a "full" and non-provisional patent application must be submitted within nine months of the date of the submission of the provisional patent ~~or the rights to the property are returned to UI~~. ~~The property may remain with IRF for a second eighteen month period if both UI and IRF agree.~~ [add. 7-97; ed. 7-98]

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b. The ~~IRF-OTT~~ shall submit semi-annual reports, as long as ~~it-UI~~ owns the property, to both the inventor/natural person or persons of and UI to the college or center where the inventor(s) are located. The report will include on 1) the status of the application until such time that protection is granted, 2) the marketing activities for the property being serviced, and 3) an accounting for funds received from the property. In the event that ~~IRF-OTT~~ has been unsuccessful in transferring a property or filing a patent application within three years after its first acceptance, ~~IRF-OTT~~ must notify UI the college or center and inventor(s) in writing ~~and the property shall be transferred to UI.~~ [add. 7-97, rev. 7-06]

c. If ~~IRF the OTT~~ determines not to pursue commercialization of a Protectable Discovery, ~~that it has accepted it shall re-convey, assign, and transfer the Protectable Discovery back to the University. Th~~the University may elect ~~to pursue commercialization of the Protectable Discovery or,~~ subject to controlling federal law, including but not limited to 37 CFR 401 (“Bayh-Dole”), to re-convey, assign and transfer the Protectable Discovery to the natural person or persons (inventors) involved in the creation of the intellectual property.

**C-3. Proceeds.** ~~IRF-OTT~~ will make provision to share the net proceeds, management, and licensing of any Protectable Discovery ~~assigned to IRF~~ as follows:

a. Legal and development expenses incurred by ~~IRF-OTT~~ ~~constitute a lien~~ will be reimbursed first out of the net proceeds, prior to any distributions. until paid.

b. Absent a valid written agreement to the contrary, the net proceeds in excess of ~~such~~ legal and development expenses shall be distributed as follows: 40 percent to the natural person or persons; 40 percent to ~~IRF for tax exempt purposes~~ OTT; and 20 percent to the college or service unit of the natural person or persons. At least half of the share allocated to the college or other unit is given to the department of the natural person or persons for use in furthering its goals.

**C-4. Ownership Questions.** Questions as to the ownership of a Protectable Discovery or division of proceeds between persons involved in development of such discoveries and departments are referred in the first instance to the Intellectual Property Committee. The disputes will be decided in accordance with Section 5300(D).

**D. DISPUTE RESOLUTION.** From time to time, disputes will inevitably occur concerning ownership of the intellectual property (copyrights and Protectable Discoveries) contemplated in this Section 5300. Resolution of such disputes shall be achieved by the following procedure:

**D-1. Intellectual Property Dispute Committee.** The Intellectual Property Dispute Committee (IPD Committee) shall be an Ad Hoc Committee formed when necessary by appointments made by the Provost, in consultation with the Chair of Faculty Council and the President of the Graduate and Professional Student Association (GPSA). Normally the IPD Committee shall be composed of five faculty members and two graduate students. The Provost shall appoint the chair from among the faculty members. In the event the GPSA shall fail to appoint one or more student members, the IPD Committee may nonetheless be formed by the Provost and conduct business without the GPSA student representatives.

**D-2. Recommendation by the Intellectual Property Dispute Committee.** The IPD Committee considers, investigates, and makes recommendations toward resolution of disputes concerning (1) ownership of copyrightable materials and Protectable Discoveries, and (2) allegations or unauthorized use or copyright infringement of UI Sponsored Materials. It reviews all relevant evidence submitted to it before making its recommendation to the provost. The IPD Committee’s recommendation is to be made no later than 60 days after receiving the matter for consideration. The IPD Committee’s recommendation is determined by a majority of all its members voting by secret ballot at a meeting at which over one-half its appointed members are present. No member may participate in any matter in which his or her ownership rights are being determined.

**D-3. Decision by the Provost.** After receiving the recommendation of the IPD Committee, the provost makes a decision concerning ownership or infringement. The provost’s decision is made no later than 30 days after receiving the IPD Committee’s recommendation. That decision is transmitted in writing to the natural person or persons and to his or her departmental administrator and dean.

**D-4. Appeal of the Decision of the Provost.** The decision of the Provost may be appealed to the President of the

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University. Further appeals shall be made as from any other decision of an administrative body under the laws of the State of Idaho in effect from time to time.

**E. SPECIAL ARRANGEMENTS FOR FEDERAL, STATE, AND PRIVATE GRANTS.** Nothing in this policy shall prevent UI from accepting research grants from, and conducting research for, agencies of the United States upon terms and conditions under applicable provisions of federal law or regulations that require a different disposition of rights in any form of intellectual property. Moreover, nothing herein shall prevent cooperative arrangements with other agencies of the state of Idaho for research. Where receipt of a grant in support of research from any nonprofit agency or group may be dependent upon acceptance of terms and conditions of the established intellectual property policy of the grantor that differ from those stated herein, UI may specifically authorize acceptance of such grant upon such terms and conditions. UI may also specifically authorize contractual arrangements with an industrial sponsor for different disposition of rights in any form of intellectual property resulting from its sponsored research.

**F. RECORD-KEEPING.** See Section 5500 for record-keeping procedures that are recommended in order to safeguard the property rights of UI or the faculty member in research and potentially patentable results.

[For form of employment agreement concerning patents, see 5400.]



## 45.09 -- A-21 Personnel Activity Reports (PARs)

Rewritten March 17, 2008

**A. Purpose:** The University is required by federal regulations and accounting standards to ensure that the apportionment of compensation for faculty and professional and other staff accurately reflects the work performed by these individuals in connection with sponsored projects. This document sets forth University policy and procedures for the commitment and certification of effort expended by university employees on sponsored projects awarded to the University.

### B. Definitions:

**B-1. Effort.** Effort, also referred to as "actual effort," is the time that an employee actually spends in pursuit of a particular activity. Effort is most often expressed as a percentage of the total time during a given period that an employee is engaged in activities associated with his or her appointment at the University.

**B-2. Effort Reporting.** Effort reporting is the process through which the University verifies and documents that the effort expended by an employee either paid directly from a sponsored project account or whose effort is used as cost share on a sponsored project activity, is commensurate with the effort he or she has committed to devote to those projects. An essential part of this process is certification by the employee that the portion of the institutional base salary charged against a particular sponsored project is consistent with the effort expended.

**B-3. Person Months.** Person months is the metric typically used in sponsored project applications to express the amount of time that Principal Investigators (PI), other faculty, or key employees devote to a specific project, based upon the type of appointment of the individual at the institution (e.g., fiscal year [FY], academic year [AY], and/or summer term [SM]) and the organization's definition of the period encompassed by the appointment. For example, if the regular pay schedule of an institution is a 9 month academic year and the PI will devote 9 months at 30% time/effort and 3 months summer term at 30% time/effort to the project, then 2.7 academic months and .9 summer months should be listed in the academic and summer term blocks of the application ( $9 \times 30\% = 2.7$  person months;  $3 \times 30\% = .9$ )

**B-4. Institutional Base Salary.** Institutional base salary is the annual compensation paid by the University for the appointment of an employee, irrespective of the nature of the activities in which the employee engaged while fulfilling the requisites of his or her appointment (e.g. research, instruction, public service, and administration). Institutional base salary excludes any income that an individual may earn outside of the University. The institutional base salary for each faculty member is enumerated in the faculty member's annual salary letter. Base salary may not be increased by replacing organization salary funds with sponsored funds. (See [OMB Circular A-21, Principles for Determining Costs applicable to Grants, Contracts, and Other Agreements with Educational Institutions, §J-10. Compensation for Personal Services; NIH Grants Policy Statement, Part I-General Information, Definitions of Terms](#))

**B-5. Cost Sharing.** The portion of the total project costs for a sponsored project that is borne by the University rather than the sponsor.

**(a). Mandatory Committed Cost Sharing.** Mandatory committed cost sharing, also known as "mandatory cost sharing," is cost sharing that is required by a sponsor as a condition for receiving an extramurally funded award. Such cost sharing commits the University not only to supply a specified amount of its

resources in support of the project but also to monitor and report on University contributions to the project. Mandatory cost sharing must be consistent with the terms and conditions of the sponsored research award and captured by the recipient accounting system.

**(b). Voluntary Committed Cost Sharing.** Voluntary committed cost sharing is the pledge of discrete and quantified institutional resources included in a research project proposal in the absence of a sponsor mandate. An award for which cost sharing is proposed renders the commitment of resources binding on the recipient and therefore the commitment must be captured by the recipient accounting system. University policy is to provide only the minimum cost sharing necessary to meet the requirements of a sponsor (see Section B-5(a), Mandatory Committed Cost Sharing). Any voluntary committed cost sharing must be approved by the Vice President for Research. ([APM 45.08, Cost Sharing or Matching Requirements](#))

**(c). Voluntary Uncommitted Cost Sharing (VUCS).** Voluntary uncommitted cost sharing is the voluntary contribution of institutional resources, including faculty effort, that is over and above mandatory or voluntary cost share. Such cost sharing is not required by the sponsor as a condition of the award and is not committed in the project budget or other application (proposal) forms, but expended by faculty or staff.

Voluntary uncommitted cost sharing should not be included in the organized research base for calculating the finance and administration rate or reflected in any allocation of F&A costs. VUCS in the form of faculty effort should be excluded from the effort reporting. (See [Office of Management and Budget Memorandum M-01-06 \[January 5, 2001\], "Clarification of OMB A-21 Treatment of Voluntary Uncommitted Cost Sharing and Tuition Remission Costs"](#))

**C. FEDERAL GUIDELINES:** As a recipient of sponsored project funding, the University must comply with Federal regulations and procedures promulgated to ensure that costs charged against sponsored project awards are allowable and allocable to those projects. Because salaries and associated fringe benefits constitute the majority of direct costs for sponsored projects, allowability of salary and benefits charged to these awards is conditioned by the requirement of a formal process that substantiates that such direct costs are reasonable relative to the effort expended on the awards. [OMB Circular A-21, Principles for Determining Costs applicable to Grants, Contracts, and Other Agreements with Educational Institutions, §J-10 Compensation for Personal Services](#) expressly requires that educational institutions maintain a payroll distribution system that allows for the documentation of salary and wage apportionment and that is supported by activity reports that offer reasonable verification of the effort expended by employees engaged in sponsored research at the institution.

The University follows this directive for the stewardship of sponsored project funds and offers necessary assurances to its research funding sponsors by monitoring salary allocations and by requiring periodic reporting of effort by any university employee whose salary is charged or cost shared to one or more sponsored projects. Federal regulations acknowledge that a precise assessment of the factors that contribute to costs is not always feasible, given that teaching, research, service, and administration are inextricably intermingled in an academic setting. They, therefore, admit a degree of tolerance in the estimation of effort expended on sponsored research. ([OMB Circular A-21, §J-10b\(1\)\(c\)](#)). Reported effort must be a reasonable accounting of all institutional activities for which an individual is paid by the University and must be validated by the individual whose activity is being reported or by a responsible individual who has a suitable means of verifying that the work was performed. If an effort report must be

completed by someone other than the employee, the Office of Sponsored Programs must first be contacted.

Failure to produce reasonably accurate estimates of effort or to otherwise comply with Federal cost requirements could result in financial penalties, expenditure disallowances, withholding of future sponsored project awards by an agency, and damage to the reputation of the University. Providing inaccurate estimates of effort, whether knowingly or through carelessness or mismanagement, may even be regarded as fraud and may subject the University and the certifying individual to civil proceedings and criminal prosecution.

**D. Determination and Commitment of Effort.** When preparing proposals for sponsored projects, the primary responsibility for establishing a reasonable estimate of the effort necessary to carry out the project rests with the PI. In determining the amount of effort that will be devoted to the proposed project, the PI must consider existing effort commitments to other sponsored projects, university duties associated with his or her appointment, and the ability of other key project personnel who are to be involved in the project to make contributions of effort necessary for its success. In addition to ensuring that proposed effort commitment conforms to university expectations and policy, the PI must also make certain that it is consistent with the parameters established by the sponsor.

**D-1. University Delineation of Effort.** Faculty and professional staff with full-time appointments at the University are expected to devote no fewer than forty (40) hours per week in the fulfillment of their institutional responsibilities. (See *Faculty Staff Handbook* [3120, Faculty Obligations during Period of Appointment](#); [3140, Performance Expectations for Faculty](#); and [3260, Professional Consulting and Additional Workload](#).) Although the University defines the minimum effort that may be expended on University obligations, the University imposes only two constraints that establish an upper limit on effort.

First, an appointment-related activity must not diminish the ability of faculty or professional staff to discharge other appointment obligations, unless appropriate authorization has been obtained for the reduction of effort on some appointment responsibilities in order to allow for augmented effort on others (*e.g.* the buy-out of teaching time so that faculty may pursue research). Full workload for faculty members is defined primarily by their department or college, which determines annual performance expectations for each faculty member within the context of his or her service obligations to the University. (See FSH 3140.)

Second, faculty and staff with full-time appointments are required to limit professional consulting activity to thirty-nine (39) days in an academic year or forty-eight (48) days in a fiscal year. Such pursuits must not compromise the capacity of faculty or staff to meet their commitments to the University. (See FSH 3620).

**D-2. Expression and Calculation of Proposed Effort.** Proposed effort should be stated in terms that are consistent with sponsor requirements (usually either in terms of person months or of percentage of total effort). While federal agencies may require that proposed effort be expressed in terms of person months, the University requires that faculty and professional staff certify actual effort expended in terms of percentages of effort. (The Office of Sponsored Programs will provide mechanisms to assist with the translation of effort between these two metrics.) Calculating effort using a percentage basis fosters faculty and staff compliance with effort reporting requirements by encouraging an individual to estimate his or her effort on a given activity as a percentage of his or her total University activities rather than as a fraction of a fixed time-period (such as the forty hour week). This process

acknowledges that some fluctuation in effort levels is inherent in the conduct of academic activities.

The amount of salary support requested should normally be calculated by multiplying the proposed level of effort for each individual by his or her institutional base salary. However, several federal agencies (including the National Institutes of Health [NIH], the Substance Abuse and Mental Health Services Administration [SAMHSA], and the Agency for Healthcare Research and Quality [AHRQ]), as well as some state and private entities, impose limitations on the amount of direct salary that may be charged to a sponsored project. The federal salary cap is fixed at Executive Level I for the Federal Pay Scale and establishes the maximum rate of pay at which an individual can be compensated from a federally sponsored project during a twelve (12) month period. For an individual working full-time for a 12-month period, salary charges to a contract or grant subject to the cap cannot be paid at a monthly rate that exceeds 1/12th of the maximum capped annual rate of pay in effect multiplied by the number of months of full-time effort being devoted to the project. The effort report of an individual who is subject to the salary cap must show the percent of effort for the salary that is within the maximum rate and the percent of effort for salary that is above the cap (either as cost sharing or as a part of university salary).

**D-3. Proposal of Voluntary Committed Cost Sharing.** A voluntary commitment of effort as a form of cost sharing may only be done in instances where the Vice President for Research has determined that circumstances surrounding the research proposal are so competitive or institutional benefits arising from the award are so compelling that the commitment of university or other resources is warranted.

**E. Effort Management and Reporting:** Once an award is made by a sponsor, the provisional commitments included in the proposal (unless they have been modified prior to the conferring of the award) become mandatory, and the oversight and reporting of effort for faculty and staff associated with the award becomes required. Faculty and staff with salary charged to or committed as cost sharing for one or more sponsored projects must: review initial salary allocations, regularly monitor actual effort, and certify effort through the completion of a Personnel Activity Report (PAR) at the conclusion of each academic term. Reported effort must be as accurate as possible. A five percent variance above or below the estimated effort for any given project is permitted without requiring modification of salary allocations.

**E-1. Establishment and Confirmation of Salaries on Sponsored Projects Accounts.** It is crucial that the Electronic Personnel Action Forms (EPAF) for new awards are accurately and expeditiously completed and entered into the payroll distribution system. Salary allocations associated with a new award must be reviewed and approved by the PI (s) for the project prior to the entry of this information into the payroll system. Consistent with committed effort, distributions of salary on sponsored project or cost sharing accounts should coincide with the commencement of actual effort on the sponsored project. In consultation with the employee, the Department Grant Administrators provide the cost shared effort to be included in effort reports.

**E-2. Personnel Action Report Form.** The electronic Personal Action Report (PAR) system is located in the University of Idaho VandalWeb System at: <https://vandalweb.uidaho.edu/PROD/owa/uioapparweb.menu>.

Instructions for completion of the PAR form can be found at: [www.uro.uidaho.edu/PARInstructions](http://www.uro.uidaho.edu/PARInstructions).

**E-3. Completion and Certification of Effort (Personnel Activity Report).** At the close of each academic term, an effort report, or "Personnel Activity Report," will be electronically generated for and made available online to each individual whose compensation was partially or totally charged or committed as cost share to a sponsored project. Individuals who may be required to complete an effort report include: faculty, managerial and professional staff, post-doctoral fellows, and graduate students. Drawing on data from the University payroll distribution system, the Personnel Activity Report allows an individual to review the payroll salary allocations, represented as percentages of total effort, and to indicate whether the allocations reasonably correspond to his or her actual effort expended on each project or activity. If salary allocations reasonably reflect actual effort expended during the reporting period, the person confirming the accuracy of the data in the form should certify the effort report by electronically signing and submitting the completed report.

If, however, the salary allocations included in the report are not commensurate with actual effort, the person completing the effort report should indicate the appropriate percentages of effort or provide an explanation for the discrepancy in the section for notes provided in the Personnel Activity Report. Actual effort may vary by five (5) percent above or below the estimated effort for any given project without requiring additional action. The report then must be approved and submitted. In cases in which actual effort differs from estimated effort by more than five (5) percent, the certifier shall notify the appropriate Department Grant Administrator that a change may be necessary to realign salary and effort. In the event that an effort report does not include a project or activity for which the individual expended effort during the reporting period, the employee shall contact the Department Grant Administrator.

*Voluntary uncommitted cost sharing, which refers to time and effort not required by the sponsor as a condition of the award, not committed in the project budget or application forms (proposal), but expended by faculty or staff, should not be included in the effort reported.* If, for example a PI has an annual salary of \$120,000 and commits 50 percent of his or her effort to the project but expends 60 percent of his or her effort on the project, the 10 percent of effort over and above the budgeted commitment is considered voluntary uncommitted cost share and does not need to be either captured and reported or included in the F&A base.

In all cases, certified effort cannot exceed one hundred (100) percent. *Personnel Activity Reports must be completed and certified within thirty (30) working days of the date that they are made available to the employee. Failure to return forms in a timely manner may result in suspension of activity on any or all sponsored projects involved and the ability of the noncompliant individual to apply for other sponsored project funding.*

The University requires, in keeping with federal regulations, that an effort report be certified by the individual whose effort is being reported or by a responsible person who has a suitable means of verification (direct and personal knowledge) of the effort expended. (See *OMB Circular A-21*). Faculty members should certify their own effort reports. PIs, providing they have direct knowledge, can certify the effort reports of the research staff working on their sponsored projects, but staff should complete their respective effort reports, if possible. Department Grant Administrators or other administrators are presumed not to have the requisite means of verification; they may certify effort reports only if they have written and signed confirmation of effort by an individual with direct knowledge of the activities of the person for whom the report was generated and only when that individual is unavailable to perform the certification. If extraordinary conditions preclude a faculty member from certifying his or her effort, and no written and signed confirmation of effort can be obtained, the

Vice President for Research, or the Vice President's designee, will determine the best means for verification of effort expended.

**E-4. Modification of Salary Allocations.** Careful consideration of effort available for commitment to sponsored projects and ongoing monitoring of the correspondence between the committed and actual effort by participating faculty and staff should make substantial adjustments of salary allocations to sponsored projects an uncommon occurrence. If the PI determines that there will be lengthy absences or significant reductions of the effort of the PI or key personnel, the PI must obtain prior approval for a reduction of effort commitment from the sponsor and the University, through the Office of Sponsored Programs, and salary must be reduced so that it is commensurate with the revised effort commitment. ([APM 45.14, Post-Award Changes and Approvals to Sponsored Programs](#)).

Salary allocations represent an estimation of the effort that will be expended during a given period. Certified effort serves as after-the-fact confirmation of effort distribution. If an effort report reveals a discrepancy between estimated and actual effort, reallocation of employee salary may be required, in order to assure that distributed compensation is aligned with actual costs. Actual effort may vary by five percent above or below the estimated effort for any given project without requiring modification of salary allocations. Reallocations of salary are accomplished through cost transfers and in cooperation with the Office of Sponsored Programs.

**IDAHO STATE BOARD OF EDUCATION  
 ACADEMIC/PROFESSIONAL-TECHNICAL EDUCATION**

**NOTICE OF INTENT**

**To initiate a**

**New, Expanded, Cooperative, Discontinued, program component or Off-Campus Instructional Program or Instructional/Research Unit**

Institution Submitting Proposal: University of Idaho

Name of College, School, or Division: College of Education

Name of Department(s) or Area(s): Adult, Career and Technology Education (ACTE)

Indicate if this Notice of Intent (NOI) is for an Academic or Professional Technical Program  
 Academic X Professional - Technical \_\_\_\_\_

A New, Expanded, Cooperative, Contract, or Off-Campus Instructional Program or Administrative/Research Unit (circle one) leading to:

Human Resource Development Certificate  
 \_\_\_\_\_  
 (Degree or Certificate)

Proposed Starting Date: Summer 2008

**For New Programs:**

**For Other Activity:**

\_\_\_\_\_  
 Program (i.e., degree) Title & CIP 2000

- Program Component (major/minor/option/emphasis)
- Off-Campus Activity/Resident Center
- Instructional/Research Unit
- Addition/Expansion
- Discontinuance/consolidation
- Contract Program
- Other

**Dean's signature on file** 8/28/07

College Dean (Institution) \_\_\_\_\_ Date

VP Research & Graduate Studies \_\_\_\_\_ Date

Chief Fiscal Officer (Institution) \_\_\_\_\_ Date

State Administrator, SDPTE \_\_\_\_\_ Date

Chief Academic Officer (Institution) \_\_\_\_\_ Date

Chief Academic Officer, OSBE \_\_\_\_\_ Date

President \_\_\_\_\_ Date

SBOE/OSBE Approval \_\_\_\_\_ Date

**Before completing this form, refer to Board Policy Section III.G. Program Approval and Discontinuance.**

1. Briefly describe the nature of the request e.g., is this a new program (degree, program, or certificate) or program component (e.g., new, discontinued, modified, addition to an existing program or option).

The Adult, Career and Technology Program, College of Education, University of Idaho is proposing a certificate program as a new option in an already existing, approved program. The program will be comprised of a number of existing master's level courses and is intended for students who wish to develop skills in the area of human resource development but do not wish at the time to complete a full master's degree.

2. Provide a statement of need for program or a program modification. Include student and state need, demand, and employment potential. **Attach a Scope and Sequence, SDPTE Form Attachment B, for professional-technical education requests.** (Use additional sheets if necessary.)

This certificate is intended to support the University's enrollment management plan.

Currently no Human Resource Development graduate-level or degreed certificate program exists in the state.

Differing from MBA or BBA programs, HRD focuses on individual and organizational learning and development in order to improve organizational effectiveness. Students receiving an HRD certificate will be more prepared to move into higher levels of leadership and human resource development positions. The program is designed for internal and external management consultants; organizational trainers; and leaders in business, governmental and non-profit organizations. It will serve as a launching pad for students' professional growth and increased effectiveness in their current and future positions.

The certificate program is designed for working professionals and focuses on applying theory, research, and real world examples to workplace challenges. The program will also provide a preview to the Adult and Organizational Learning and Leadership program. Graduates may apply for the Master's program and, upon acceptance, will receive credit for all certificate courses toward completion of the degree.

The certificate will consist of existing courses totaling 15 hours. Proposed courses are listed below, though other existing HRD courses may be substituted as the certificate offering matures to meet the needs of working professionals.

Proposed Courses for the Human Resource Development Certificate		
Course Number	Title	Credits
ADOL 510	Foundations of Human Resource Development	3
ADOL 526	Instructional Systems Design	3
ADOL 528	Program Planning, Development, and Evaluation	3
ADOL 577	Organization Development	3
ADOL 581	Theory, Practices, and Challenges of Leadership	3
<b>Total Credits</b>		<b>15</b>

3. Briefly describe how the institution will ensure the quality of the program (e.g., accreditation, professional societies, licensing boards, etc.).

All courses are established courses in the field of Human Resource Development, and similar in nature, scope, content, and learning objectives to award-winning HRD programs recognized by the Academy of Human Resource Development, the scholarly professional society in the field.

4. Identify similar programs offered within the state of Idaho or in the region by other

colleges/universities. If the proposed request is similar to another program, provide a rationale for the duplication. This may not apply to PTE programs if workforce needs within the respective region have been established.

There are no other graduate level or degeered HRD certificate programs in the state.  
There is no comparable certificate program with which to compare enrollment or other numbers.

Enrollment and Graduates (i.e., number of majors or other relevant data)

By Institution for the Proposed Program – N/A

Last three years beginning with the current year and the 2 previous years

Institution	Relevant Enrollment Data			Number of Graduates		
	Current	Previous Year	Previous Year	Current	Previous Year	Previous Year
BSU						
CSI						
EITC						
ISU						
LCSC						
NIC						
UI						

Degrees offered by school/college or program(s) within disciplinary area under review

Institution and Degree name	Level	Specializations within the discipline (to reflect a national perspective)	Specializations offered within the degree at the institution
BSU			
CSI			
EITC			
ISU	Grad	Master's in Training & Development	
LCSC			
NIC			
UI	Grad	MS in Adult & Organizational Learning	<ul style="list-style-type: none"> <li>• ABE/GED</li> <li>• Human Resource Development</li> <li>• Prof. Tech. Technology Ed.</li> </ul>

- Describe how this request is consistent with the State Board of Education's policy or role and mission of the institution. (i.e. centrality).

One of the **SBOE's goals** is to ensure education and training services are relevant to Idaho's workforce, business, industry, citizens, and local, state, and federal government (SBOE 8 Year Plan).

The **University of Idaho's strategic plan** calls for the delivery of programs based upon

community needs, drawing upon university expertise (Strategic Goal 3, Objective B, Strategy 2) and, further, to cultivate key industry/business relationships (Strategic Goal 3, Objective A, Strategy 6), and to grow the university’s capacity to engage with communities and organizations (Strategic Goal 3, Objective A, Strategy 3).

The certificate program supports the **College of Education’s Vision** “to maximize human potential” via **(Goal 1)**, “preparing quality graduates for their workplace.” Too, the proposed program reinforces the **ACTE strategic plan goal #3** (Outreach and Engagement); that is: “Engage with public, private, and non-profit sectors through mutually beneficial partnerships that enhance teaching, learning, discovery and creativity.”

The proposed certificate program will facilitate relationships with the business, non-profit, and governmental communities, and draw professionals from those sectors into the university.

6. Is the proposed program in the 8-year Plan? Indicate below. Yes  No

If not on 8-year plan, provide a justification for adding the program.

The certificate program is a new option, using existing courses, within an approved and operating program, and will provide opportunities for students seeking professional and career growth in the area of HRD and leadership development who are not currently being served.

8. Resources--Faculty/Staff/Space Needs/Capital Outlay. (Use additional sheets if necessary.):

Estimated Fiscal Impact	FY <u>08</u>	FY <u>09</u>	FY <u>10</u>	Total
<b>A. Expenditures</b>				
1. Personnel				
2. Operating	\$500.00	\$500.00	\$500.00	\$1,500.00
3. Capital Outlay				
4. Facilities				
<b>TOTAL:</b>	\$500.00	\$500.00	\$500.00	<b>\$1,500.00</b>
<b>B. Source of Funds</b>				
1. Appropriated-reallocation	✓	✓	✓	✓
2. Appropriated – New				
3. Federal				
4. Other:				
<b>TOTAL:</b>				
<b>B. Nature of Funds</b>				
1. Recurring *	✓	✓	✓	✓
2. Non-recurring **				
<b>TOTAL:</b>				

\* Recurring is defined as ongoing operating budget for the program, which will become of the base.

\*\* Non-recurring is defined as one-time funding in a fiscal year and not part of the base.  
**Expenditures are for dissemination of program information.**