

**University of Idaho**  
**Special Meeting of the Faculty Minutes**

**February 19, 2004**

**Call to Order.** Interim President Gary Michael called the meeting to order at 3:40 p.m. in room 104 of the Janssen Engineering Building. The attendance of 90 faculty members did not constitute a quorum. However, the President opened the meeting to a general discussion of the items on the agenda.

**Announcements.** Jeff Bailey, Vice-chair of Faculty Council and Chair of the Committee on Committees, indicated that there were still a number of Faculty Council committee vacancies and encouraged those present to serve on one or more committees.

**Personnel Files.** Danielle Hess from the UI Counsel's office gave a brief history of the evolution of UI policies regarding personnel files. She said that the UI relies primarily on SBOE policies. UI policy FSH 3040 was deleted in 2002 to reflect the Idaho Public Records Law and changes in SBOE policies that severely limit the contents of closed files. This change was approved by the Faculty Council at its 2001-2002 Faculty Council Meeting #19, April 16, 2002. Hess indicated that the current location(s) of personnel files is not ideal. Departments, colleges and the provost's office each maintain a file for members of the faculty. In addition, Human Resources maintains a file dealing with benefits, long-term disability, etc. Typically, department files are the "heaviest." College files generally contain fewer documents than do department files and the provost's office files often contain fewer documents yet. Hess said that an individual's official file includes all the existing files. All employees have the right to inspect and copy their files, subject to the public records law. Employees also have the right to request amendments to the files if it is established that the files are inaccurate or incomplete.

Hess suggested that if there was a desire to change the UI's current personnel files policies, a committee consider and recommend possible changes. With regard to the proposed personnel files changes brought to the floor by Idaho AFT President Nick Gier (Professor Emeritus of Philosophy), Hess questioned the practicality of notifying an employee in writing each time a document was added to his/her file or asking permission of an employee in order to copy any file documents. She also pointed out that the UI could not declare what is admissible or inadmissible in court regarding the contents of a file.

Professor Gier said he had not been aware of the changes made in 2002 to the UI personnel file policies and was also unaware that files were kept in the provost's office. He described the role he had played in developing the UI files policy, and in light of Hess's comments suggested that this issue should be referred to the Faculty Affairs Committee.

President Michael asked if the university might not be better served by using electronic files. In response to an assertion that he had not acquiesced to a request for providing the personnel file of Glenn Grishkoff, Provost Pitcher said that he had received a weekend email from Professor Gier concerned about "stray documents" coming into Grishkoff's file. Pitcher pointed out that there were multiple locations and files. Gier stated that there were plans to resolve the issue with a suit; as a result Pitcher suggested it would be best that Grishkoff's attorney contact the UI counsel about obtaining the complete file of related documents. Gier reiterated his surprise to learn that files were kept in different locations. He suggested that there be an annual check to assure that files are in good order and that more attention be given to the adequate maintenance of personnel files.

**Faculty Governance and Academic Freedom.** President Michael reminded those present that it would not be appropriate to discuss the particulars surrounding any specific case. Gier stated that an attorney had been retained to represent Grishkoff and that he (Gier) was confident that if the case goes to trial, a jury would be favorably disposed towards Grishkoff's position. Gier then gave an historical overview of AFT successes in representing faculty during the past several years. He placed special emphasis on the dollar amounts (totaling approximately \$1,800,000) involved in the cases where the AFT's position prevailed. In stating that the UI should not have to undergo more costs of this nature, he asked President Michael to reverse his decision in the Grishkoff case and allow Professor Grishkoff to finish his probationary period. President Michael did not respond to this suggestion in light of his earlier remark of the inappropriateness in discussing any specific case.

In response to a question how the Grishkoff case applied to academic freedom, Gier said that faculty members should be able to pursue research, teaching and creative activity in any way they choose. Moreover, a faculty member's colleagues should be the determining factor in deciding whether the faculty member should be retained. David Giese, professor of art and design, who chaired Grishkoff's third year review, said that Grishkoff had 100% support from the Department of Art and Design and that those making this decision had had over 280 years of teaching experience.

There were no more comments from the floor and the meeting was adjourned at 4:25 p.m.

Respectfully submitted,  
Bill Voxman, Interim Faculty Secretary