

**REGULAR MEETING OF THE
FACULTY OF THE UNIVERSITY OF IDAHO**

Monday, May 1, 2006
3:30 p.m., University Auditorium
President Tim White Presiding

- **Call to Order**
- **In Memoriam**
- **Minutes** Meeting of August 30, 2005
- **Announcements**
- **Special Orders**

Report from the Faculty Council

[Full documentation can be accessed at the Faculty Council website

<http://www.webs.uidaho.edu/facultycouncil>) **University Faculty Meetings link**

http://www.webs.uidaho.edu/facultycouncil/General%20Faculty%20Meetings/univ_faculty_meetings.htm]

I. Proposed Changes to the University of Idaho Catalog.

1. FC-06-029: Regulation J-5
2. FC-06-030: Regulation B
3. FC-06-031: Regulation J-2

II. Proposed Changes to the *Faculty-Staff Handbook*.

1. FC-06-017: FSH 3520 G-9: Compassionate Tenure Clock Extension
2. FC-06-026: FSH 1565: Academic Ranks & Responsibilities - Teaching Load and Scholarship
3. FC-06-027: FSH 1565: Academic Ranks & Responsibilities - Interdisciplinary Activity
4. FC-06-028: FSH 5300 & 5400: Intellectual Property
5. FC-06-032: FSH 1420: University Administration

- **President's Remarks**
- **Adjournment**

Douglas Q. Adams
Secretary of the Faculty
<http://www.webs.uidaho.edu/facultycouncil>
(885-6151)

117 faculty members constitute a quorum. Those who are recognized by the president for the purpose of speaking should identify themselves by name and discipline or position.

NOTICE: Hardcopies of all pertinent documents for this meeting can be accessed at the Faculty Council Website at http://www.webs.uidaho.edu/facultycouncil/General%20Faculty%20Meetings/univ_faculty_meetings.htm also available at this site will be a streaming video link that can be viewed after the meeting for those unable to attend.

Off-campus faculty will receive an email providing instructions on how to watch this meeting live.

University of Idaho
General Faculty Meeting Minutes

August 30, 2005

Call to Order. The meeting was called to order by President Tim White at 3:35 p.m. in JEB 104. He welcomed those present, including those who were viewing the proceedings via webcast at non-Moscow locations across the state.

In Memoriam: A moment of silence was requested to honor those faculty members who passed away since the last General Faculty Meeting. Faculty members remembered on this occasion were:

Gary Alexander (Professor of Educational Administration)
Stephen Campbell (Professor of Accounting)

Minutes: It was moved and seconded to approve the minutes of the April 28th special meeting of the university faculty and the minutes of the May 4th regular meeting of the university faculty as distributed. The motion carried unanimously by voice vote.

President's Remarks: The president reminded those assembled of the reception he, his wife, and his son were holding immediately following the meeting at the president's house and expressed regret that those viewing from non-Moscow locations would be unable to join in those festivities.

Introduction of New Faculty Members and Administrative Changes. One of the two main orders of business for this meeting was the introduction of new faculty and administrators. The president then asked the deans and vice provost for academic affairs, Linda Morris, to introduce new faculty members and/or administrative changes in their respective areas. There were two new administrators, fifteen changes in administrative assignments, and thirty-six new faculty listed in the printed announcement provided by the University administration and available on the Provost's website <http://www.webs.uidaho.edu/provost/>.

The president closed the introductions by introducing the new provost and executive vice president, Doug Baker. He praised him for his thoughtfulness as well as his ability to make necessary tough decisions. The president also pointed out that Dr. Baker's position was in some sense a new one, as reflected in the title, "provost and executive vice president." He will not only be the university's chief academic officer but also its chief operating officer. Finally the president thanked Linda Morris for her willingness to step into the position of interim provost in a difficult time. She has returned to her former position as vice provost for academic affairs. The president presented her with a plaque of appreciation, the assembly showed their appreciation with a round of applause. The president remarked that after the Labor Day weekend some further administrative reorganizations would be announced that has as their goal the making of the university a more nimble and "flatter" institution.

President's Remarks: The president began his remarks by saying how boring he found the university without the majority of its faculty and students (he did manage to suggest, however, that it was a restful and refreshing time for him nonetheless). He welcomed the thirty some new colleagues who were joining us this fall and the thirty new classrooms that were coming back “on-line” in the remodeled Teaching and Learning Center (in a previous life the University Classroom Center). The total number of students at the university was down just slightly, largely occasioned by having graduated the largest graduating class in the university's history last May. However, the number of first year students was up some 4.7% which bodes well for the future. The College of Business and Economics had seen a 25% rise in its freshman class, a tribute he supposed to the success and growing renown of its integrated curriculum, and the College of Letters, Arts, and Social Sciences had seen an increase of some 7%. (In CLASS the big percentage of increases had come in Justice Studies, Journalism and Mass Communication and, on the graduate level, in the English Department's creative writing program.) He also remarked on the strength of certain quality indicators: the thirty-three National Merit Scholarship winners, the increase in racial diversity by 6%, and the increase in first-generation students by 11.5%. Less positively, the university's retention rate has slipped from the low 80's to the high 70's; that trend will bear close watching.

He expressed his appreciation for the efforts of faculty and staff to help students and the obvious value they put in creating a living and learning community. He particularly commended faculty and staff for their efforts to find internships, scholarships, and jobs for University of Idaho students. In short, he was very optimistic about the university's students and the education the university provided them.

The president was also optimistic about the university's growing research role. He noted its diversity in highlighting the achievements of Dirk Vanderwall's work in animal reproduction, Steve Spooner's in music, David Thompson's in math education in the high schools, Russ Miller's in law, and Kim Barnes' in creative writing, particularly her outreach efforts throughout the state. Funded research at the university was in excess of \$100 million. Looking to the future that total included a million dollar grant for planning a new research laboratory. Also looking to the future was a task force led by Mike Laskowski, which is in the process of making recommendations concerning the university's future electronic infrastructure needs.

A third area of optimism was that of university finances. There was a substantial carry-over from FY 2005 that was in the range of the best practices for universities of our size and complexity. He thanked the deans and other responsible parties for their discipline in only spending money for things central to the university's mission. Most of those carry-over funds are, of course, earmarked for particular purposes but still this money forms a healthy addition to the university's bottom line. The budget for FY 2006 is balanced and that balanced budget includes money for 4% merit-based salary increases that will be awarded mid-year (the university is working on bringing the salary increase cycle back to the beginning of the fiscal year in the future) and a million dollars set aside for innovative academic investments. Investments from this fund are intended to become signature activities for the university. Preproposals will be due December 1, 2005, with selected full proposals submitted in January of 2006, and awards made in February. Awards will be up to a million and half dollars over five years (money which can be leveraged in

several ways); projects supported by this initiative are intended to be transformative. He also noted the special 1% one-time special salary increase funded by excess state budget receipts.

While we should celebrate this balanced budget, it had not come without sacrifice and the university lamented the loss of many positions. It also was fully aware that important needs were not being met. For the future the president was focused on two areas of budget improvement: faculty and staff compensation and deferred maintenance. While the state's coffers were looking relatively healthy and while there was increased awareness among state leaders that Idaho's higher education needs had been relatively underserved, there were many competing needs for funds and achieving our goals with regard to compensation and deferred maintenance would require time, vigilance, and work. Specifically for the proposed FY 2007 budget the university has requested money for an 8% salary increase, substantial funds for deferred maintenance, and resources for information technology.

On the legal front the president stated that the university was engaged in multiple efforts to recover funds lost by prior administrations in overly ambitious attempts to expand the university's presence in Boise. Because of the ongoing nature of the litigation he could not say anything more specific. He did, however, emphasize that it was incorrect to characterize the expansion as a "failed initiative" since the result, while considerably smaller than initially envisioned, was a wonderful structure in Boise into which most University of Idaho programs had been consolidated.

The president expressed great pleasure in announcing the gift to the College of Natural Resources of 1650 acres near McCall, a very diverse area that is to be used for research and a second gift, this to the College of Agricultural and Life Sciences, of 1000 acres near Salmon. The university is grateful for these gifts and very mindful of the responsibilities for their maintenance. The university is also engaged in the early stages of planning for a comprehensive campaign which will be launched when the time is right.

The president expressed his gratitude to Harold Gibson who has stepped into the vacant directorship of University Communications. The university has engaged a public relations firm in Boise and a consulting firm in Portland to handle enrollment related issues. The university requires strategic, thoughtful people to tell its story and to tell that story repeatedly and consistently.

Planning will continue within the university as well. The university worked hard last spring on planning issues last spring. That process went into a hiatus in the summer with so many faculty and students gone. With the start of the fall semester and the advent of the new provost we will continue to work on strategic planning and strategic implementation activities. These strategic plans will ultimately be tied in to resource allocations.

Finally the president was optimistic about the university's increasing diversity, the adoption of the new diversity plan last spring, and his conversations with leaders of both the Coeur d'Alene and Nez Perce. He was also optimistic about the university's outreach potential but we needed to think how to best organize that outreach.

Questions: At the conclusion of his remarks, the president opened the floor to questions. Kenton Bird (Journalism and Mass Media) asked about the fate of the proposal to adopt a plus/minus grading system. The president responded that he had rejected it because he had not had time to study a proposal which was obviously not universally beloved. It was also unclear to him what the various possibilities of implementation were, if the proposal was adopted. His questions about the proposal included those of equity and fairness to students and faculty. Although he doesn't object to such a change, such a change should come forward with the consent of the general faculty. He also said that he had rejected those suggested changes to the tenure process with the exception of those necessary to put our policy in line with that of the Board of Regents. He went on to say that he had met with the chair of Faculty Council and with the faculty secretary and they had agreed to meet once a semester with him and the provost about matters proceeding through faculty governance so that he might be better informed early in the process about controversial issues. The President did accept the additional eleven changes forwarded from the Faculty Council for his consideration and approval.

Another question came from Bryce Contor, from Idaho Falls, who asked about the high cost of engineering outreach courses and whether that obstacle could be reduced or eliminated. The president replied that the additional fees for engineering outreach courses (those added on top of ordinary fees) were the sole source for running the Engineering Outreach program. It was at least conceivable that if lowering the special fees generated a greater number of registrations, the initial loss might be made up by increased volume. He didn't know the answers but the question bore further investigation.

Adjournment: There being no further questions, the meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Douglas Q. Adams
Faculty Secretary

FC-06-029
UCC-06-037

TO: University Curriculum Committee
FROM: Associate Deans Group
RE: Proposed Changes to Regulation J-5 [Effective: Summer 2007]
DATE: February 15, 2006

J-5. Credit Limitations. A candidate may count toward a baccalaureate degree no more than:

J-5-a. Seventy credits earned at junior or community colleges, or one-half of the total credits required for a student's intended baccalaureate degree, whichever is the higher number.

J-5-b. Forty-eight credits in any combination of credits granted for the following types of courses: credit based on test scores (for CLEP, College Board advanced-placement tests, ACT, SAT, COMPASS), credit by examination (challenge), experiential learning, independent study, technical competence, vertically-related course credit, and vocational-technical or military school courses. This 48-credit limitation may be exceeded for good cause with the approval of the Academic Petitions Committee (file petition through dean's office). Note: credits earned through any combination of external study and technical competence cannot exceed a maximum of 32 of the allowable 48 credits.

J-5-c. Twelve credits earned under the pass-fail option (see B-11).

J-5-d. Six credits in remedial-level courses; to be counted, these credits must have been earned before the fall semester 1983; no such credits earned after summer session 1983 may be counted.

FC-06-030
UCC-06-038

TO: University Curriculum Committee
FROM: Office of the Registrar
RE: Proposed Changes to Regulation B [Effective: Summer 2007]
DATE: February 15, 2006

B-1. Registration Access. Registration access is given to new students as described above. It is also given to students who were previously enrolled within two years of the term in which they wish to register. Former students who have not been enrolled at UI within those two years must be re-admitted by the Undergraduate or Graduate Admissions Office at least one month prior to the term in which they wish to register. Such students will be required to submit transcripts from any institutions attended since their last registration at UI, and they may also be required to complete a residence questionnaire. Failure to meet the deadline may cause a delay in registration.

B-2. Admission to Classes.

B-2-a. Instructors do not admit anyone to class whose name does not appear on the class roster or for whom they have not signed an "add" card. UI professors are given the authority to grant or deny access to classes by visiting scholars.

B-2-b. Before the beginning of each academic session, students with their advisors' aid complete a trial study list. The information is checked by such intracollege procedures as the student's college may require. Once the advisor's block is removed from an individual student's record, the student registers for classes using the Web registration process. Signed "add" cards are taken to the Registrar's Office for those courses that require permission of the instructor or department. On payment of fees, admission to classes is authorized.

B-3. Auditing Classes. Auditing a course consists of attendance without participation or credit. Only lecture classes may be audited. Audited courses are not recorded on a student's permanent record, except as provided in the chart with regulation C-1.

B-4. Registration for Zero Credit. Any course offered for credit may be taken for zero credit. The implications of zero credit are:

B-4-a. Registrants are expected to do the assigned work and attend class sessions. Grades are received on the same basis as if the course were taken for credit and are entered on permanent records.

B-4-b. Students enrolled in a course for zero credit may take it P/F. This is separate from the "pass-fail option" outlined in B-11.

B-4-c. Courses taken for zero credit do not fulfill requirements.

B-4-d. Zero-credit grades have no effect on a student's grade-point average. Neither do they affect academic eligibility, disqualification, or reinstatement.

B-4-e. Students enrolled for zero credit count as regular registrants for statistical purposes, such as listing course enrollments, computing instructors' loads, and determining departmental services.

B-5. Registration for Courses Without Completion of Prerequisites. Students who have not completed the prerequisites to a course for which they are otherwise eligible may register for the course with the instructor's approval.

B-6. Registration of Lower-Division Students in Upper-Division Courses. All academic programs give priority in the first two years to meeting the general requirements for the appropriate degree and acquiring the foundation for advanced study; therefore, freshman students may not take upper-division courses. Exceptions may be made for students who have fulfilled the prerequisites and who are well prepared in their field of study. In such cases, the instructor may, with the concurrence of the student's advisor, authorize the exception.

B-7. Registration of Undergraduate and Non-degree Students in Graduate Courses. Undergraduate and non-degree students may register in graduate courses under the conditions outlined in the College of Graduate Studies section of Part 4 with the prior written approval of the instructor of the course, the student's advisor, and the vice president for research and graduate studies.

B-8. Registration for Accelerated and Other Short Courses. Students may register for accelerated and other short courses at any time up to and including the starting date of the course without petition.

B-9. Pass-Fail Option.

B-9-a. Undergraduate Students.

(1) After consultation with their advisors, undergraduates who have a cumulative grade-point average of 2.00 or higher are permitted to enroll in one course a semester under this P/F option. (The grade-point requirement is not applicable to students who are taking university-level courses for the first time.) This procedure is separate from taking courses that are regularly graded P/F. Within the limitations specified above, an undergraduate may enroll under the pass-fail option in any course EXCEPT: (a) courses listed by number and title in the student's major curriculum as printed in Part 5; (b) courses taken to meet the distributional requirements of the college or curriculum, unless allowed for P/F enrollment by the college in which the student is majoring; (c) courses used to satisfy the core curriculum; (d) courses in the major subject field; and (e) courses in closely related fields that are excluded from this option by the student's department. (See B-11-d for "Reporting of Grades.")

(2) Students in officer education programs (OEP) may enroll under this regulation in courses required because of their affiliation with the OEP ONLY with the permission of the administrator of the OEP department concerned.

(3) A maximum of 12 credits earned in courses under this regulation may be counted toward a baccalaureate degree.

B-9-b. Graduate Students.

(1) With the approval of the major professor concerned (or advisor in the case of an unclassified student) and the vice president for research and graduate studies, graduate students may enroll in a limited number of courses under this P/F option. This procedure is separate from taking courses that are regularly graded P/F.

(2) Courses that may be taken by graduate students under this regulation are: (a) any course not in the student's designated major and (b) any course required to remove a deficiency or to provide background for the student's program, unless the major department stipulates that such deficiency courses must be taken on a regular-grade basis and completed with an A or B.

(3) Of the minimum number of credits required for a degree, no more than three credits in a master's or specialist program or nine in a doctoral program may be taken under this P/F option.

(4) To have P recorded for courses taken under this regulation, a graduate student must earn a C or above. A grade of D will be converted to an F on the student's records.

(5) An unclassified student may enroll for courses under this option with the approval of his or her advisor (if assigned) and the vice president for research and graduate studies. If, however, at a later date an unclassified student is admitted to a degree program, the above regulations apply and no changes to regular letter grades will be permitted.

B-9-c. Adds, Drops, and Changes. Students may add or drop a P/F option course in the same manner as a regular course, and they may change from P/F to regular-grade classification, or vice versa, if they do so no later than the deadlines stated in regulation C and the academic calendar. Students may make these changes by securing the signatures of the advisor or major professor and dean concerned.

B-9-d. Reporting of Grades. Instructors are not notified as to which students are enrolled in courses under this P/F option. Grades are reported in the same manner as grades in courses taken on a regular-grade basis. The registrar is responsible for converting Cs or above to Ps on students' records and, for graduates, Ds to Fs. Grades of D reported for undergraduates are recorded on students' records and are not converted.

B-10. Registration for Fewer Credits than Authorized. Students may register for a particular course for fewer credits than indicated in the Class Schedule (they may also register for zero credit under the conditions outlined in B-4); likewise, departments may list courses in the Class Schedule for fewer credits than the number authorized by this catalog.

FC-06-031
UCC-06-039

TO: University Curriculum Committee

FROM: Office of the Registrar

RE: Proposed Change to Regulation J-2. [Effective: Summer 2007]

DATE: February 15, 2006

J-2. Residency Requirements. A student must earn a minimum of 32 upper-division credits in UI courses. No credits awarded for independent study, bypassed courses, credit by examination, College Level Examination Program (CLEP), or experiential learning can be counted among these 32 UI credits. Study abroad and student exchange credits may be counted toward this requirement with prior approval by the student's academic department and dean.

FC-06-017

October 28, 2005

To: R. Zemetra, Chair, Faculty Council
D. Adams, Faculty Secretary

From: G. Möller, Chair, Faculty Affairs Committee

Subject: Seconded Motion from Faculty Affairs Committee for amendment of
FSH 3520 G-9 Compassionate extension of the tenure probationary period

The Faculty Affairs Committee (FAC) is forwarding the attached amendment as a seconded motion for consideration by Faculty Council.

FAC has reviewed needs in this area and analyzed a variety of policies adopted by other institutions. This issue of accommodating the life challenges of junior faculty has come into increasing analysis nationally. The challenges are diverse as are the policies that seek to address them. Current UI and State Board policy for the tenure probationary period states, "A faculty member will usually be evaluated for the acquisition of tenure after at least four (4) full years of service and in no case later than during the faculty member's sixth (6th) full academic year of employment at the institution" (RGP IIG6). UI Office of General Counsel (UIOGC) and the Provost suggest that Board approval will be needed to adopt this amendment into UI policy. Currently only one other Idaho institution, Boise State University, has a compassionate extension policy and UIOCG has suggested that this policy may be in violation of RGP IIG6. FAC has chosen to craft a policy based on the existing BSU policy since Board approval may come easier with similar policies.

This process of compassionate extension is not business as usual, and the inclusiveness we typically seek by committee review may only raise the bar, such that the individuals who really need to avail themselves of "institutional compassion" may shy away. We do not get a sense of policy abuse when reading the reports of other institutions' implementation of this type of policy. Rather, what we do see is a general reluctance by junior faculty to take advantage of available extensions for cause. Many of the situations that may open up a candidate for a compassionate extension consideration may be intensely private, sensitive and/or embarrassing. Many of us have daily contact with a department chair whereas contact with the provost is rare and the "confessional" aspect of a request for compassionate extension that only goes to the provost has an inherent privacy. The individual is already in a compromised situation; more eyes may mean more reluctance.

Departmental offices and college offices are not as good at managing sensitive information. Academic environments are notoriously bad at keeping secrets. Many requests for compassionate extension could fall under the HHS HIPAA privacy rules and the liability management for each level of the institution involved could become onerous. The current policy proposal enables the provost to seek additional input at his/her discretion and this may be where faculty, department chairs and deans need to trust this person to perform due diligence in the decision making process. According to Provost Baker, he would call up the chair and dean to get general

background input on the candidate at a minimum, in addition to many cases where in-depth discussion would take place. "Need-to-know" of this sort of sensitive information is best managed unilaterally by trustworthy people, appropriately tasked and trained, and not by policy dictate that is insensitive to case-by-case peculiarities. In the policy amendment we forward, childbirth and adoption carry the "presumption" of approval. The sensitivity of many of the situations that could be considered may require great discretion and it is better to err on the side of exclusionary rather than forcing inclusion of other eyes via policy directive. The current version of the proposed policy balances the need for robust oversight with empathy towards those in need.

Please contact me if you require supporting information in your discussions of this proposal.

(Attachment – follows immediately)

CHAPTER THREE: 3520
EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF
July 2005

3520

FACULTY TENURE

G. TIME REQUIREMENTS FOR TENURE ELIGIBILITY.

G-1. Probationary or term appointments may be for one year, or for other stated periods not exceeding one year, and are subject to renewal. [See [3900](#).] Prior to the award of tenure, employment beyond the annual term of appointment may not be legally presumed. ([RGP IIG6](#)). Ordinarily a faculty member is not considered for tenure until the fourth full year of probationary service, and consideration is mandatory no later than the sixth full year of service. ([RGP IIG6](#)). Credit for prior service may be given in accordance with the provisions in G-4. Faculty members initially employed as full professors can be appointed with tenure when this action is supported by a majority of the tenured faculty in the department or equivalent unit and by the university administration; otherwise, professors are considered for tenure during the fourth full year of service. In this context, unless otherwise specified, the term "year" means the appointment year, whether that is an academic, calendar, or fiscal year. A faculty member who is not awarded tenure may be given written notice of non-reappointment, or be offered a one-year terminal appointment, or be granted an additional short-term probationary appointment for not more than a twelve-month period by mutual agreement between UI and the faculty member. The decision to offer employment following a denial of tenure is in the sole discretion of the president ([RGP IIG6j](#)). [See [3900](#).] [rev. 7-98, 7-02, 7-05]

G-2. Tenure evaluation procedures must be started in sufficient time to permit completion by the end of the time periods indicated in G-1. When authorized by the president or his or her designee, the year in which the tenure decision is made may be the terminal year of employment if the decision is to deny tenure. ([RGP IIG6k](#)). [rev. 7-02]

G-3. Satisfactory service in any professorial rank may be used to fulfill the probationary periods required for awarding tenure. A maximum of two years of satisfactory service in the rank of instructor at UI may be recognized in partial fulfillment of the time requirement in the professorial ranks. For the purposes of tenure eligibility only, the rank of senior instructor is considered as a professorial rank.

G-4. In cases involving prior equivalent service, tenure may be granted following less than the usual period of service. In particular, new faculty members from other institutions--educational, governmental, and others--with comparable service in instructional, research, or service positions may be granted credit for such service up to a maximum of four years and may be considered for tenure after a minimum of one full year of service at UI. [ed. 7-98]

G-5. In the event that a nontenured faculty member's period of service at UI has been discontinuous, prior years in the same or a similar position may be counted toward tenure eligibility, subject to the conditions that:

- a. Not more than three years have passed since the person left UI.
- b. Applicability of the prior service toward tenure must be stated in writing before reappointment.
- c. At least one additional year is to be served before tenure is recommended.

G-6. When a nontenured faculty member holding academic rank moves from one department to another within UI, the faculty member must be informed in writing by the provost, after consultation with the new department, as to the extent to which prior service will count toward tenure eligibility. ([RGP IIG6I](#)) [rev. 7-02].

G-7. If a tenured faculty member leaves UI and later returns to the same or a similar position after not more than three years, the appointment may be with tenure, or he or she may be required to serve an additional year before a tenure decision is made. Notification of probationary or tenure status is to be given in writing before reappointment.

G-8. When a tenured faculty member moves from one position to another within UI, or accepts a change from full-time to part-time appointment, his or her tenure status does not change. While a tenured faculty member is serving as a departmental administrator, college dean, or in some other administrative or service capacity, he or she retains membership, academic rank, and tenure in his or her academic department. Should the administrative or service responsibilities end, the faculty member would take up duties in his or her academic discipline.

G-9. A compassionate extension of the tenure probationary period may be granted under certain circumstances which may impede a faculty member's progress toward achieving tenure, including responsibilities with respect to childbirth/adoption, significant responsibilities with respect to elder/dependent care obligations, disability/chronic illness, or circumstances beyond the control of the faculty member.

a. The procedures for requesting a compassionate extension are:

1. The faculty member provides a written request to the Provost.
2. Requests should be made in a timely manner, proximate to the events or circumstances which occasion the request. All requests should include appropriate documentation.
3. A request for extension of the probationary period with respect to childbirth and adoption responsibilities carries with it the presumption of approval for a one-year extension. Except to obtain necessary consultative assistance on medical or legal issues, only the Provost will have access to documentation pertaining to a request related to disability or chronic illness. For request other than childbirth and adoption, elder/dependent care obligations, and disability or chronic illness, the provost will, at his or her discretion, determine if consultation with the dean and/or department is appropriate. The provost shall notify the faculty member, department chair, and dean of the action taken.
4. Multiple extension requests may be granted. All requests for probationary period extensions shall be made prior to commencing with a tenure or contract renewal review.
5. If a probationary period extension is approved, a reduction in scholarly productivity during the period of time addressed in the request should not prejudice a subsequent contract renewal decision. Any faculty member in probationary status more than the ordinary probation period specified in 3520 G-1 because of extensions shall be evaluated as if the faculty member had been on probationary status for the ordinary probation period.

FC-06-026 – FINAL FOR APPROVAL

March 23, 2006

To: R. Zemetra, Chair, Faculty Council
D. Adams, Faculty Secretary

From: G. Möller, Chair, Faculty Affairs Committee

Subject: Seconded Motion from Faculty Affairs Committee to Faculty Council on amendments FSH 1565 to incorporate teaching load references and revisions regarding scholarship

The Faculty Affairs Committee (FAC) is forwarding the attached amendments to FSH 1565 to incorporate teaching load references and revisions regarding scholarship as a seconded motion for FC consideration. We have incorporated the changes suggested by FC discussion and input from faculty members who have provided early comments. Please note that we have included two options for consideration regarding teaching load in Section A-2 per FC instruction. We are attaching two supporting documents. They include:

- 1) FSH 1565A FAC Revision_032106 (contains 1565A markup and justification comments for each proposed change)
- 2) FSH 1565A FAC Revision_032106_edited (incorporates 1565A proposed revisions highlighted for easier reading)

Faculty Affairs Committee members have indicated they will be available to support Faculty Council discussion and questions regarding these proposed changes.

Please contact me if you require additional information at this time.
(2 Attachments)

FSH 1565

(Draft revisions, mark-up version with comments, 3-21-06)

A. INTRODUCTION. *[rev. 7-98]*

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

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



Diversification is achieved through developing a wide range of faculty position descriptions that allow the faculty to meet the varying responsibilities placed upon the institution, both internally and externally. While the capabilities and interests of the individual faculty members are to be taken into account, it is essential that individual faculty position descriptions are consonant with carrying out the roles and mission of the university, the college, and the department. Annual position descriptions are developed by the department head in consultation with the department faculty and with the incumbent or new faculty member. In each college, all position descriptions are subject to the approval of the dean and must be signed by both department head and faculty member. If the faculty member, department head, and dean are unable to reach agreement on the position description, the faculty member may appeal the department head's decision to the Faculty Appeals Hearing Board [3840].

As indicated in Sections [3320-C](#), [3520-H.2](#), [3560-G.1](#) below, faculty performance evaluations that are used for yearly reviews as well as for promotion, tenure, and post-tenure decisions are to be based on faculty members' annual position descriptions.

Option 1. Text added to better link teaching load with level of effort.

A-2. Effective teaching is the foundation for both the advancement and transmission of knowledge. The educational function of the university requires the appointment of faculty members devoted to effective teaching. Teaching may take many different forms and any instruction must be judged according to its central purposes and the conditions which they impose. Active participation in the assessment of learning outcomes is expected of all faculty at course, program, and university-wide levels. Individual colleges and units have the responsibility to determine appropriate teaching loads for faculty position descriptions. Teaching appointments must be reflected by hours and level of effort spent in teaching activity, and justified in position descriptions. Any adjustments to a teaching appointment (e.g. teaching unusually large classes, team-teaching, teaching studios or laboratories, intensive graduate or undergraduate student mentoring, technology-enhanced teaching, and others) must be documented in the position description.


Option 2. Text added to define a standard teaching load across the University.

A-2. Effective teaching is the foundation for both the advancement and transmission of knowledge. The educational function of the university requires the appointment of faculty members devoted to effective teaching. Teaching may take many different forms and any instruction must be judged according to its central purposes and the conditions which they impose. Active participation in the assessment of learning outcomes is expected of all faculty at the course, program, and university-wide levels. Individual colleges and units have the responsibility to determine appropriate teaching loads for faculty position descriptions. However, to promote equity in the description and comparison of teaching loads across the University for purposes of evaluation and for tenure and promotion considerations, it is useful to




begin with some standard metric that reflects the most common University practice. While colleges and units may diverge from that common metric, they need to describe precisely in the position descriptions, evaluations, and promotion and tenure documentation what percentage of work effort an individual is expected to devote to teaching and what specific teaching assignments and tasks comprise that work effort. Such descriptions are especially important whenever an individual's teaching assignment diverges significantly from the most commonly used University practices. Across the university, a faculty position that is 100% teaching would be composed of twelve credit hours of instruction per semester. A normal position description will involve fewer than twelve credit hours of teaching with the balance of the position being composed of scholarship/research, advising, administration, and other fractional components. Teaching load should be described in job descriptions.

Among the methods for evaluating effective teaching are: self-evaluation, the informed judgment of colleagues, formal internal and external peer review, teaching awards, student evaluation, and student learning or performance assessments, all of which may be compiled into a teaching portfolio. More than one kind of evidence of teaching effectiveness should accompany any performance evaluation. For the purposes of performance evaluation, a distinction is made between teaching and the scholarship of teaching and learning (see below in A-3-a). However, the two are closely allied and many kinds of evidence would be applicable to the evaluation of both (see B below).

 Scholarship is creative intellectual work that is communicated and validated. The creative function of a university requires the appointment of faculty members devoted to scholarship. Scholarship or scholarly activity takes diverse forms and is characterized by originality and critical thought. Scholarship must be validated through internal and external peer review or critique and disseminated in ways having a significant impact on the university community and/or publics beyond the university. Active scholarship is an ongoing obligation of all members of the faculty.

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

-  a. Scholarship in teaching and learning can involve classroom action research (site-specific pedagogy), qualitative or quantitative research, case studies, experimental design and other forms of teaching and learning research. It consists of the development, careful study, and validated communication of new teaching or curricular discoveries, observations, applications and integrated knowledge and continued scholarly growth. Evidence that demonstrates this form of scholarship might include: publications and/or professional presentations of a pedagogical nature; publication of text books, laboratory manuals, or educational software; advancing educational



technology; presentation in workshops related to teaching and learning; development and dissemination of new curricula and other teaching materials to peers; ; and individual and/or collective efforts in securing and carrying out education grants. [ed. 7-00]

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

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

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

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

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

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

e. Scholarship of application and engagement is the reduction to practice of scholarly knowledge to address societal problems, challenges, and understanding. This area of scholarship is a primary activity of outreach and extension, although it is a shared responsibility of all faculty. The acts of application and engagement often occur simultaneously, but may occur independently. Application and engagement often follow discovery, however they can and should initiate new discover. It may be demonstrated by: transfer of new knowledge, new technologies and new integrated understandings into broader societal application; acceptance and adoption of new or modified practice with positive outcomes; licensing and commercialization of new technologies, processes or other intellectual property; and application and engagement of one's scholarly expertise to serve society through cooperative relationships with individuals, groups, and agencies.

Broadly, the scholarship of application and engagement seeks: to identify, analyze, and solve problems of citizens, communities, businesses, and governmental units; to contribute to the economic development and general well-being of people; to enhance environmental quality and sustainability; to stimulate entrepreneurial activity; to integrate the arts and social sciences into people's lives, and to creatively apply standard or novel techniques to address emerging or ongoing problems. Like other forms of scholarship activity, the scholarship of application and engagement involves active communication and validation. The scholarship of application and engagement is rigorously demonstrated by peer reviewed or refereed professional publications and presentations; patents, copyrights and commercial licensing; and adoption or citation of newly developed or derived practices as formal, documented standards of practice in general or specific applications (e.g. best management practices, regulatory rules, codes of practice, standard methods, best available technologies, and customs).

Evidence of scholarship in the area of application may include: publication of papers in refereed and peer-reviewed journals; published books; published law reviews; citation of a faculty member's work; invited seminar, symposium, professional meeting papers and presentations. The validation of scholarship in the area of application is based on evaluation by other professionals in the faculty member's discipline or sub-discipline.

The validation of scholarship in the area of application and engagement is based on professional peer evaluation and the concomitant measurement of the effectiveness of contributions to problem identification, analysis, and solution; contributions to the economic and social well being of citizens and communities; enhancement of environmental quality and sustainability; and the potential to stimulate new discovery and understanding.

A-4. The assessment of scholarship, in self-evaluation and peer-evaluation, is an ongoing expectation for faculty members of the University. Assessment of scholarship within and across disciplinary boundaries requires standards for evaluation that adequately describe the phases of scholarship. In assessment of scholarship, faculty members are encouraged to use the following six standards (from Glassick, et al. Scholarship Assessed: An Evaluation of the Professoriate 1997):

1. "Clear goals—Does the scholar state the basic purposes of his or her work clearly? Does the scholar define objectives that are realistic and achievable? Does the scholar identify important questions in the field?"
2. "Adequate preparation—Does the scholar show an understanding of existing scholarship in the field? Does the scholar bring the necessary skills to his or her work? Does the scholar bring together the resources necessary to move the project forward?"
3. "Appropriate methods—Do the scholar use methods appropriate to the goals? Does the scholar apply effectively the methods selected? Does the scholar modify procedures in response to changing circumstances?"
4. "Significant results—Does the scholar achieve the goals? Does the scholar's work add consequentially to the field? Does the scholar's work open additional areas for further exploration?"
5. "Effective presentation—Does the scholar use a suitable style and effective organization to present his or her work? Does the scholar use appropriate forums for communicating work to its intended audiences? Does the scholar present his or her message with clarity and integrity?"
6. "Reflective critique—Does the scholar critically evaluate his or her own work? Does the scholar bring an appropriate breadth of evidence to his or her critique? Does the scholar use evaluation to improve the quality of future work?"

A-5. Advising students, faculty, and/or staff is also an important faculty responsibility and a key function of academic citizenship. Student advising may include: (1) overseeing course selection and scheduling; (2) seeking solutions to conflicts and academic problems; (3) working with students to develop career goals and identify employment opportunities; (4) making students

aware of programs and sources for identifying employment opportunities, (5) facilitating undergraduate and graduate student participation in professional activities (e.g. conferences, workshops, demonstrations, applied research); and (6) serving as a faculty advisor to student organizations or clubs. Advising also includes attendance at sessions (e.g. workshops, training courses) sponsored by the University, college, department, or professional organizations to enhance a faculty member's capacity to advise.

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

A-6. Service is an essential component of the University of Idaho mission. Both extramural and University service are the responsibility of faculty members in all units. Service by members of the faculty to the university, state, nation, and world in their special capacities as scholars should be recognized.

Within the University, service includes participation in department, college, and university committees, and any involvement in aspects of university governance and academic citizenship. University, college, and department, committee leadership roles are seen as more demanding than those of a committee member or just regularly attending faculty meetings. Because faculty members play an important role in the administration of the university and in the formulation of its policies, recognition should therefore be given to faculty members who participate effectively in faculty and university governance.

Extramural and intramural service can include clinical service, routine support, and application of specialized skills or interpretations, and expert consultancies. The beneficiaries of these forms of service can be colleagues, co-workers, citizens, clients, collaborators, private and public organizations and their representatives, and government.

Extramural service also includes participation in professional and scientific organizations both as an elected office holder and/or a member; serving as a reviewer or editor for scientific or trade journals; serving as a paid consultant to individuals, businesses, agencies, and non-governmental organizations; representing the University/college or your discipline on governmental, non-governmental or private sector bodies; and/or building collaborative programs locally, regionally, statewide, nationally or internationally.

Effective performance in University service may be documented by a variety of means. Examples include: (1) letters of support from university clientele to whom your service was provided; (2) serving as a member or chairperson of university, college, or departmental committees; (3) receiving University service awards, especially those involving peer evaluation; and (4) the interdisciplinary nature of service. Effective performance in extramural or intramural service may be documented a variety of means. Examples include: (1) numbers of individuals and types of audiences impacted as well as measures of significance to the discipline/profession, state, nation, region and/or world; (2) letters of commendation from individuals from within

organizations to whom your service was provided; (3) service in a leadership role of a professional or scientific organization as an officer or other significant position; (4) professional service oriented projects/outputs; and (5) receiving service awards from external organizations, especially those involving peer evaluation.

A-7. Outreach/Extension is an essential component of the University's land grant mission. Outreach/Extension includes teaching, training, certification, volunteer development, unpaid consultation, information dissemination to general public, practitioner, and specialty audiences; establishment/maintenance of relationships with private and public industries, as well as governmental agencies. Outreach/Extension activity may include (1) teaching non-credit classes, workshops and short courses; (2) recruiting, training and supervising paraprofessionals and volunteers; (3) providing unpaid consultation to individuals, businesses, and other professionals; (4) providing information or technology transfer support through mass media; (5) providing leadership, facilitation, or subject-matter expertise in community coalitions and faculty teams; (6) developing or adapting extension-education materials; and (7) publishing in trade magazines. Effective extension programs result when needs assessment leads to well-planned, carefully implemented, and well-documented efforts. Documentation may include (1) evaluation by participants in extension outreach activities; (2) quantity and quality of extension publications and other mass-media outlets; (3) numbers and types of audiences impacted; (4) evaluation of the program's effects on participants and stakeholders; (5) measures of significance to discipline/profession; and (6) extension awards, particularly those involving peer evaluation.

A-8. Effective conduct of research programs requires scholarship and activities that support scholarship, but are not of themselves scholarly activity. Research program support activities are noted in position descriptions and performance reviews. The role of the principal or co-investigator of a research program or project may include: (1) budgetary and contract management; (2) compliance with University purchasing and accounting standards; (3) supervision and annual review of support personnel; (4) purchasing and inventory management of goods; (5) graduate student and program personnel recruitment, training in University procedures/policies, and annual review; (6) collaborator coordination and communication; (7) management of proper hazardous waste disposal; (8) laboratory safety management; (9) authorization and management of proper research animal care and use; (10) authorization and management of human subjects in research; (11) funding agency reporting; (12) intellectual property reporting; and (13) compliance with local, state, and federal regulation as well as University research policy.

Demonstration of effective research program conduct, beyond scholarship attributes, may be documented by a variety of means. Examples include: (1) compliance with applicable rules, standards, policies, and regulations; (2) successful initiation, conduct and closeout of research contracts and grants as evidenced by timely reporting and budgetary management; (3) achievement of the research contract or proposal scope-of-work; organized program operations including personnel and property management; and (4) timely communication and validation of research outcomes into the scholarship domain. Documentation of effective research program operation, beyond scholarship, may also include review by graduate and undergraduate students participating in the research program; and input by collaborators, cooperators, funding agency and beneficiaries of the research. Absence of citation for non-compliance with laboratory safety

guidance, hazardous material guidance or other research related policy, rule or regulation is regarded as a demonstration of effective research program operation.

A-9. Effective administration is essential to the smooth functioning of the University. Administration includes conducting and/or managing any unit, or significant operation within the University. For faculty in academic and extension units, administration is not normally considered in tenure and promotions deliberations. Administration is accounted for insofar as expectations are proportionally adjusted in teaching, scholarship, advising, service, and extension (outreach). For faculty in nonacademic units (e.g. faculty at large), administration may be considered in tenure and promotion deliberations. Documentation of effective administration may include evaluations by unit faculty and staff, as well as objective measures of unit performance under the incumbent's leadership.



A-10. All faculty are encouraged to engage in interdisciplinary, multidisciplinary or transdisciplinary activities and cooperation as they perform their teaching, scholarship, advising, service, and outreach/extension responsibilities.

...



FSH 1565A

(Draft revisions in accepted text format for easier reading; major change areas highlighted, 3-21-06)

A. INTRODUCTION. *[rev. 7-98]*

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

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

Diversification is achieved through developing a wide range of faculty position descriptions that allow the faculty to meet the varying responsibilities placed upon the institution, both internally and externally. While the capabilities and interests of the individual faculty members are to be taken into account, it is essential that individual faculty position descriptions are consonant with carrying out the roles and mission of the university, the college, and the department. Annual position descriptions are developed by the department head in consultation with the department faculty and with the incumbent or new faculty member. In each college, all position descriptions are subject to the approval of the dean and must be signed by both department head and faculty member. If the faculty member, department head, and dean are unable to reach agreement on the position description, the faculty member may appeal the department head's decision to the Faculty Appeals Hearing Board [[3840](#)].

As indicated in Sections [3320-C](#), [3520-H.2](#), [3560-G.1](#) below, faculty performance evaluations that are used for yearly reviews as well as for promotion, tenure, and post-tenure decisions are to be based on faculty members' annual position descriptions.

A-2. Effective teaching is the foundation for both the advancement and transmission of knowledge. The educational function of the university requires the appointment of faculty members devoted to effective teaching. Teaching may take many different forms and any instruction must be judged according to its central purposes and the conditions which they impose. Active participation in the assessment of learning outcomes is expected of all faculty at the course, program, and university-wide levels.

Two options are presented for the next section:

Option 1. Text added to better link teaching load with level of effort.

A-2. Effective teaching is the foundation for both the advancement and transmission of knowledge. The educational function of the university requires the appointment of faculty members devoted to effective teaching. Teaching may take many different forms and any instruction must be judged according to its central purposes and the conditions which they impose. Active participation in the assessment of learning outcomes is expected of all faculty at

the course, program, and university-wide levels. *Individual colleges and units have the responsibility to determine appropriate teaching loads for faculty position descriptions. Teaching appointments must be reflected by hours and level of effort spent in teaching activity, and justified in position descriptions.*

Option 2. Text added to define a standard teaching load across the University.

A-2. Effective teaching is the foundation for both the advancement and transmission of knowledge. The educational function of the university requires the appointment of faculty members devoted to effective teaching. Teaching may take many different forms and any instruction must be judged according to its central purposes and the conditions which they impose. Active participation in the assessment of learning outcomes is expected of all faculty at the course, program, and university-wide levels. *Individual colleges and units have the responsibility to determine appropriate teaching loads for faculty position descriptions. However, to promote equity in the description and comparison of teaching loads across the University for purposes of evaluation and for tenure and promotion considerations, it is useful to begin with some standard metric that reflects the most common University practice. While colleges and units may diverge from that common metric, they need to describe precisely in the position descriptions, evaluations, and promotion and tenure documentation what percentage of work effort an individual is expected to devote to teaching and what specific teaching assignments and tasks comprise that work effort. Such descriptions are especially important whenever an individual's teaching assignment diverges significantly from the most commonly used University practices. Across the university, a faculty position that is 100% teaching would be composed of twelve credit hours of instruction per semester. A normal position description will involve fewer than twelve credit hours of teaching with the balance of the position being composed of scholarship/research, advising, administration, and other fractional components. Teaching load should be described in job descriptions. Any adjustments to teaching load (e.g. teaching unusually large classes, team-teaching, teaching studios or laboratories, intensive graduate or undergraduate student mentoring, technology-enhanced teaching, and others) must be documented in the position description.*

Among the methods for evaluating effective teaching are: self-evaluation, the informed judgment of colleagues, formal internal and external peer review, teaching awards, student evaluation, and student learning or performance assessments, all of which may be compiled into a teaching portfolio. More than one kind of evidence of teaching effectiveness should accompany any performance evaluation. For the purposes of performance evaluation, a distinction is made between teaching and the scholarship of teaching and learning (see below in A-3-a). However, the two are closely allied and many kinds of evidence would be applicable to the evaluation of both (see B below).

A-3. Scholarship is creative intellectual work that is communicated and validated. The creative function of a university requires the appointment of faculty members devoted to scholarship. Scholarship or scholarly activity takes diverse forms and is characterized by originality and critical thought. Scholarship must be validated through internal and external peer review or

critique and disseminated in ways having a significant impact on the university community and/or publics beyond the university. **Active scholarship is an ongoing obligation of all members of the faculty.**

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

- d. **Scholarship in teaching and learning can involve classroom action research (site-specific pedagogy), descriptive or qualitative research, case studies, and other forms of teaching and learning research. It consists of the development, careful study, and validated communication of new teaching or curricular discoveries, observations, applications and integrated knowledge and continued scholarly growth. Evidence that demonstrates this form of scholarship might include: publications and/or professional presentations of a pedagogical nature; publication of text books, laboratory manuals, or educational software; advancing educational technology; presentation in workshops related to teaching and learning; development and dissemination of new curricula and other teaching materials to peers; and individual and/or collective efforts in securing and carrying out education grants. [ed. 7-00]**

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

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

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

- f. **Scholarship in discovery involves the generation and interpretation of new knowledge through individual or collaborative research. It may include: novel and innovative discovery; analyzing and synthesizing new and existing**

knowledge and/or research to develop new interpretations and new understanding; research of a basic or applied nature; individual and collaborative effort in securing and carrying out grants and research projects; membership on boards and commissions devoted to inquiry; and scholarly activities that support the mission of university research centers.

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

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

e. Scholarship of application and engagement is the reduction to practice of scholarly knowledge to address societal problems, challenges, and understanding. This area of scholarship is a primary activity of outreach and extension, although it is a shared responsibility of all faculty. The acts of application and engagement often follow discovery, however they can and should initiate new discovery. It may be demonstrated by: transfer of new knowledge, new technologies and new integrated understandings into broader societal application; acceptance and adoption of new or modified practice with positive outcomes; licensing and commercialization of new technologies, processes or other intellectual property; and application and engagement of

one's scholarly expertise to serve society through cooperative relationships with individuals, groups, and agencies.

Broadly, the scholarship of application and engagement seeks: to identify, analyze, and solve problems of citizens, communities, businesses, and governmental units; to contribute to the economic development and general well-being of people; to enhance environmental quality and sustainability; to stimulate entrepreneurial activity; to integrate the arts and social sciences into people's lives, and to creatively apply standard or novel techniques to address emerging or ongoing problems. Like other forms of scholarship activity, the scholarship of application and engagement involves active communication and validation. The scholarship of application and engagement is rigorously demonstrated by peer reviewed or refereed professional publications and presentations; patents, copyrights and commercial licensing; and adoption or citation of newly developed or derived practices as formal, documented standards of practice in general or specific applications (e.g. best management practices, regulatory rules, codes of practice, standard methods, best available technologies, and others).

The validation of scholarship in the area of application and engagement is based on professional peer evaluation and the concomitant measurement of the effectiveness of contributions to problem identification, analysis, and solution; contributions to the economic and social well being of citizens and communities; enhancement of environmental quality and sustainability; and the potential to stimulate new discovery and understanding.

A-4. The assessment of scholarship, in self-evaluation and peer-evaluation, is an ongoing expectation for faculty members of the University. Assessment of scholarship within and across disciplinary boundaries requires standards for evaluation that adequately describe the phases of scholarship. In assessment of scholarship, faculty members are encouraged to use the following six standards (from Glassick, et al. Scholarship Assessed: An Evaluation of the Professoriate 1997):

7. "Clear goals—Does the scholar state the basic purposes of his or her work clearly? Does the scholar define objectives that are realistic and achievable? Does the scholar identify important questions in the field?"
8. "Adequate preparation—Does the scholar show an understanding of existing scholarship in the field? Does the scholar bring the necessary skills to his or her work? Does the scholar bring together the resources necessary to move the project forward?"
9. "Appropriate methods—Does the scholar use methods appropriate to the goals? Does the scholar apply effectively the methods selected? Does the scholar modify procedures in response to changing circumstances?"
10. "Significant results—Does the scholar achieve the goals? Does the scholar's work add consequentially to the field? Does the scholar's work open additional areas for further exploration?"

11. “Effective presentation—Does the scholar use a suitable style and effective organization to present his or her work? Does the scholar use appropriate forums for communicating work to its intended audiences? Does the scholar present his or her message with clarity and integrity?”
12. “Reflective critique—Does the scholar critically evaluate his or her own work? Does the scholar bring an appropriate breadth of evidence to his or her critique? Does the scholar use evaluation to improve the quality of future work?”

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

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

A-6. Service is an essential component of the University of Idaho mission. Both extramural and University service are the responsibility of faculty members in all units. Service by members of the faculty to the university, state, nation, and world in their special capacities as scholars should be recognized.

Within the University, service includes participation in department, college, and university committees, and any involvement in aspects of university governance and academic citizenship. University, college, and department, committee leadership roles are seen as more demanding than those of a committee member or just regularly attending faculty meetings. Because faculty members play an important role in the administration of the university and in the formulation of its policies, recognition should therefore be given to faculty members who participate effectively in faculty and university governance.

Extramural and intramural service can include clinical service, routine support, and application of specialized skills or interpretations, and expert consultancies. The beneficiaries of these forms of service can be colleagues, co-workers, citizens, clients, communities, collaborators, private and public organizations and their representatives, and government.

Extramural service also includes participation in professional and scientific organizations both as an elected office holder and/or a member; serving as a reviewer or editor for scientific or trade

journals; serving as a paid consultant to individuals, businesses, agencies, and non-governmental organizations; representing the University/college or your discipline on governmental, non-governmental or private sector bodies; and/or building collaborative programs locally, regionally, statewide, nationally or internationally.

Effective performance in University service may be documented by a variety of means. Examples include: (1) letters of support from university clientele to whom your service was provided; (2) serving as a member or chairperson of university, college, or departmental committees; (3) receiving University service awards, especially those involving peer evaluation; and (4) the interdisciplinary nature of service. Effective performance in extramural or intramural service may be documented a variety of means. Examples include: (1) numbers of individuals and types of audiences impacted as well as measures of significance to the discipline/profession, state, nation, region and/or world; (2) letters of commendation from individuals from within organizations to whom your service was provided; (3) service in a leadership role of a professional or scientific organization as an officer or other significant position; (4) professional service oriented projects/outputs; and (5) receiving service awards from external organizations, especially those involving peer evaluation.

A-7. Outreach/Extension is an essential component of the University's land grant mission. Outreach/Extension includes teaching, training, certification, volunteer development, unpaid consultation, information dissemination to general public, practitioner, and specialty audiences; establishment/maintenance of relationships with private and public industries, as well as governmental agencies. Outreach/Extension activity may include (1) teaching non-credit classes, workshops and short courses; (2) recruiting, training and supervising paraprofessionals and volunteers; (3) providing unpaid consultation to individuals, businesses, and other professionals; (4) providing information or technology transfer support through mass media; (5) providing leadership, facilitation, or subject-matter expertise in community coalitions and faculty teams; (6) developing or adapting extension-education materials; and (7) publishing in trade magazines.

Documentation of effective outreach/extension activities may include a variety of means. Examples include: (1) evaluations by participants in extension outreach activities, (2) numbers and types of audiences impacted as well as measures of significance to the discipline/profession, state, nation, region and/or world; (3) letters from stakeholders in extension projects documenting the project's usefulness and effectiveness; (4) quality of extension publications and other mass media outlets; and (5) outreach/extension awards, especially those involving peer evaluation.

A-8. Effective conduct of research programs requires scholarship and activities that support scholarship, but are not of themselves scholarly activity. Research program support activities are to be noted in position descriptions and performance reviews. The role of the principal or co-investigator of a research program or project may include: (1) budgetary and contract management; (2) compliance with University purchasing and accounting standards; (3) supervision and annual review of support personnel; (4) purchasing and inventory management of goods; (5) graduate student and program personnel recruitment, training in University

procedures/policies, and annual review; (6) collaborator coordination and communication; (7) management of proper hazardous waste disposal; (8) laboratory safety management; (9) authorization and management of proper research animal care and use; (10) authorization and management of human subjects in research; (11) funding agency reporting; (12) intellectual property reporting; and (13) compliance with local, state, and federal regulation as well as University research policy.

Demonstration of effective research program conduct, beyond scholarship attributes, may be documented by a variety of means. Examples include: (1) compliance with applicable rules, standards, policies, and regulations; (2) successful initiation, conduct and closeout of research contracts and grants as evidenced by timely reporting and budgetary management; (3) achievement of the research contract or proposal scope-of-work; organized program operations including personnel and property management; and (4) timely communication and validation of research outcomes into the scholarship domain. Documentation of effective research program operation, beyond scholarship, may also include review by graduate and undergraduate students participating in the research program; and input by collaborators, cooperators, funding agency and beneficiaries of the research. Absence of citation for non-compliance with laboratory safety guidance, hazardous material guidance or other research related policy, rule or regulation is regarded as a demonstration of effective research program operation.

A-9. Effective administration is essential to the smooth functioning of the University. Administration includes conducting and/or managing any unit, or significant operation within the University. For faculty in academic and extension units, administration is not normally considered in tenure and promotions deliberations. Administration is accounted for insofar as expectations are proportionally adjusted in teaching, scholarship, advising, service, and extension (outreach). For faculty in nonacademic units (e.g. faculty at large), administration may be considered in tenure and promotion deliberations. Documentation of effective administration may include evaluations by unit faculty and staff, as well as objective measures of unit performance under the incumbent's leadership.

A-10. All faculty are encouraged to engage in interdisciplinary, multidisciplinary or transdisciplinary activities and cooperation as they perform their teaching, scholarship, advising, service, and outreach/extension responsibilities.

FC-06-027
Amended

February 9, 2006

To: R. Zemetra, Chair, Faculty Council
D. Adams, Faculty Secretary
From: G. Möller, Chair, Faculty Affairs Committee
Subject: Seconded Motion from Faculty Affairs Committee for amendment of
FSH 1565 and 3520 for REFERENCES TO INTERDISCIPLINARY ACTIVITY

The Faculty Affairs Committee (FAC) is forwarding the attached amendment as a seconded motion for consideration by Faculty Council.

FAC has reviewed needs in this area and the current University initiatives that serve to create a supportive academic culture for interdisciplinary activity. We feel that formally incorporating the proposed criteria into the promotion and tenure provisions of the Faculty Staff Handbook will advance the reward and regard for interdisciplinary academic activity. Furthermore, these references will assist the University in achieving the Vision articulated in the 2005-2009 Strategic Plan:

*The University of Idaho will be a university of choice in the West for high-quality and innovative undergraduate and graduate degree programs, **interdisciplinary learning**, state-of-the-art technology and a residential campus experience.*

Please contact me if you require supporting information in your discussions of this proposal.

(Attachment – follows immediately)

TENURE/PROMOTION PROVISIONS OF FACULTY-STAFF HANDBOOK
WITH SUGGESTED REFERENCES TO INTERDISCIPLINARY ACTIVITY

SECTION 1565

A-1. The principal functions of a university are

A-2. Effective teaching is

A-3. Scholarship is

A-4. In addition to the aforementioned teaching and scholarly activities, faculty members' general service efforts

A-5. Faculty are encouraged when feasible to cross unit boundaries to engage in interdisciplinary, multidisciplinary, transdisciplinary, and cooperative activities.

SECTION 3520

H-1. Departmental Criteria. The faculty of each department or equivalent unit establishes specific criteria in teaching, research, and service pertaining to tenure (and promotion in rank) of their members. The criteria shall include a statement regarding the value and weight ascribed to interdisciplinary activity. Departmental criteria are subject to review by the college committee on tenure and promotion for consistency with the college criteria. Such criteria may be changed at any time by a majority vote of the departmental faculty, but they must be reviewed for possible changes at intervals not to exceed five years. Any such revision may not be retroactive but, for evaluation purposes, are considered proportionately in conjunction with criteria that were previously in force.

I-2. College Criteria. Each college committee on tenure and promotion recommends, for adoption by the college faculty, criteria in teaching, research, and service for granting tenure (and promotion to specific ranks) in that college. The criteria shall include a statement regarding the value and weight ascribed to interdisciplinary activity. ~~College~~ Such criteria must be compatible with the university-wide criteria as specified in [1565](#) and [3560](#), and are subject to approval by the provost. The dean or the faculty (by petition of 20 percent or more of the faculty members of the college) may initiate consideration for revision of the criteria at any time.

FC-06-028

FACULTY-STAFF HANDBOOK SECTION 5300 - COPYRIGHTS, MASKWORKS, PATENTS, AND OTHER INTELLECTUAL PROPERTY RIGHTS

PREAMBLE: This section outlines University of Idaho (UI) policies concerning copyrights, maskworks, patents and other intellectual property rights as they arise from university research. In particular, this section discusses the assignment of ownership to such copyrights, maskworks, patents, and other intellectual property rights . This section was part of the 1979 Handbook *but was revised in significant ways 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 (IDAPA 08.01.09.03c), and 3) in 2006 to* [update] *For more information, contact the Research Office (208-885-6651).*

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.

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 involved in the creation or development of intellectual property and the UI regarding ownership and use of copyrightable materials in the absence of an Individual Valid Written Contract between the natural person or persons involved in the creation or development of intellectual property 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 involved in the creation or development of intellectual property and that may generate royalty income for the natural person or persons involved in the creation or development of intellectual property. (In this policy, "the natural person or persons involved in the creation or development of intellectual property" 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.
 - (5) "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 an Individual Valid Written Contract between the natural person or persons involved in the creation or development of intellectual property and the UI as discussed in Subsection B-5 below. Faculty members, staff members, and students shall cooperate 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 involved in the creation or development of intellectual property 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 involved in the

creation or development of intellectual property, 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 involved in the creation or development of intellectual property (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 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 pursuant to a written agreement providing that the release time is consideration for the preparation of 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 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 agreement to the contrary, the net proceeds are distributed as follows: 40 percent to the natural person or persons involved in the creation or development of intellectual property; 40 percent to UI or its designated agent; and 20 percent to the college or service unit of the natural person or persons involved in the creation or development of intellectual property . At least half of the share allocated to the college or other unit is given to the department of the natural person or persons involved in the creation or development of intellectual property 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 involved in the creation or development of intellectual property pursuant to this policy. The natural person or persons involved in the creation or development 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 involved in the creation or development of intellectual property in drafting these agreements. (For purposes of this policy, "dean" includes persons with equivalent administrative capacities.)

b. Individual 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 the natural person or persons involved in the creation or development of intellectual property 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 rules of the UI Board of Regents, (3) comply with UI agreements with the Idaho Research Foundation (IRF), and 4) comply with Idaho state and federal law.

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

a. **Internal Use.** Internal use is use by anyone employed by the 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 involved in the creation or development of the intellectual property. 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, UI promises not to take retaliatory action for the sole reason that such natural person or persons, in a professionally appropriate manner, proposed 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 involved in the creation or development of intellectual property 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 involved in the creation or development of intellectual property, 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 material desires to institute a suit and UI decides not to act, UI will co-operate either by assigning to the natural person or persons involved in the creation or development of intellectual property such rights as are necessary for the natural person or persons involved in the creation or development of intellectual property 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 involved in the creation or development of intellectual property 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 involved in the creation or development of intellectual property 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, distinct units, or IRF creates legal liability by UI, its agents, employees, 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 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 protection certificates resulting from such Protectable Discoveries. Absent an Individual Valid Written Contract to the contrary, any Protectable Discoveries made by UI employees or such other 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 person 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 person, 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 person 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 all Protectable Discoveries made by persons in the course of working on a UI research program or project must be submitted to IRF for acceptance. If a Protectable Discovery is accepted by IRF for development, management, marketing, licensing, or assignment in any manner for the purposes of this policy, UI must cause such property to be conveyed, assigned, or transferred to IRF. IRF has full power to manage such rights and to enter into contracts and licensing concerning such rights, including the right to join in agreements with other nonprofit intellectual property-management entities. [rev. 7-97]

- a. Upon submission of intellectual property to IRF, IRF must make a formal written decision to pursue commercialization for that property within three months or return the

rights to UI. If IRF does not file for protection of the intellectual property within eighteen months of the date the disclosure was submitted, the rights are returned to UI. If IRF 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]*

b. The IRF shall submit semi-annual reports, as long as it owns the property, to both the inventor/the natural person or persons involved in the creation or development of intellectual property of and UI 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 has been unsuccessful in transferring a property or filing a patent application within three years after its first acceptance, IRF must notify UI in writing and the property shall be transferred to UI. *[add. 7-97]*

c. If IRF 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. The University may elect to pursue commercialization of the Protectable Discovery or, subject to controlling federal law, including but not limited 37 CFR 401 "Bayh-Dole"), reconvey, assign and transfer the Protectable Discovery to the person involved in the creation of the intellectual property.

C-3. Proceeds. IRF 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 constitute a lien on the net proceeds until paid.

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

C-4. Ownership Questions. Questions as to the ownership of any 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).

C-5. Provost Reports. As required by rule promulgated by the Regents (IDAPA 08.01.09.03c), the provost shall report two weeks in advance of the state board meeting on patent, copyright, and technology transfer activities that have occurred at the institution since the prior meeting of the Regents. With respect to patents, that report will also indicate whether employees of the institution or of its research foundation have a financial interest in the company to which the intellectual property was transferred. Terms of any license or technology transfer contract will be made available in confidence upon request for inspection by the Regents.

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 Committee. The Intellectual Property Committee (IP 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 IP 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 IP Committee may nonetheless be formed by the Provost and conduct business without the GPSA student representatives.

D-2. Recommendation by the Intellectual Property Committee. The IP Committee considers, investigates, and makes recommendations toward resolution of disputes concerning (1) ownership of copyrightable materials and Protectable Discoveries, and (2) allegations of 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 IP Committee's recommendation is to be made no later than 60 days after receiving the matter for consideration. The IP 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 IP Committee, the provost makes a decision concerning ownership or infringement. The provost's decision is made no later than 30 days after receiving the IP Committee's recommendation. That decision is transmitted in writing to the natural person or persons involved in the creation or development of the copyrightable material, or Protectable Discovery 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 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.

FACULTY-STAFF HANDBOOK SECTION 5400 - EMPLOYMENT AGREEMENT
CONCERNING INTELLECTUAL PROPERTY

PREAMBLE: UI uses the following form of employment agreement concerning intellectual property. This section was added to the Handbook in June of 1988 and revised in July of 1992 and given a substantial but temporary revision in April 2003 and given a second temporary revision in April 2005. **And [need to update]** For further information, contact the Technology Transfer Office (208-885-4630) or the Office of the Faculty Secretary (208-885-6151).

ADDITIONAL NOTICE: The UI uses the Memorandum of Understanding form of agreement concerning intellectual property with non-employee students and visitors participating in UI research activities. This allows the non-employee student to participate in the UI's intellectual property income distribution program ([FSH 5300](#)) while protecting the interests of the faculty, staff, student, and UI. This section was added to the Handbook in May 2003. For further information, contact the Research Office (208-885-6651).

Employment Agreement Regarding Intellectual Property
Between
The University of Idaho and _____

As an employee of the UI of Idaho (UI), I acknowledge that I am subject to the policies and rules of the Regents of the University of Idaho (Regents) published at the Idaho State Board of Education's website <http://www.idahoboardofed.org/policies/index.asp> and to the policies and procedures of the UI as published in the UI Faculty-Staff Handbook, and the UI Administrative Procedures Manual.

Pursuant to those policies, I hereby agree to the following:

A. With regard to Protectable Discoveries (which include discoveries potentially protectable as a utility patent, plant patent, design patent, plant variety protection certificate, maskwork, and trade secret):

A-1. I understand that under UI policy [FSH 5300](#), the UI owns all Protectable Discoveries made by UI employees at any of its facilities in the course of projects or research 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. I will exercise my best efforts in notifying the UI Research Office of potentially Protectable Discoveries conceived or first reduced to practice in whole or in part in the course of my UI responsibilities. If in doubt about the protectability of a discovery, I will confer with the UI's Research Office.

A-2. I will exercise my best effort in notifying the UI Research Office of potentially Protectable Discoveries conceived or first reduced to practice in whole or in part through the use of UI resources when that use is more than incidental ([FSH 5300](#)). Again, if in doubt as to what is incidental use I will confer with the UI's Research Office.

A-3. I agree to collaborate with the UI in the assignment of rights, title and interests in such Protectable Discoveries, as required by the policies of the Regents and the UI, .

A-4. I will exercise my best efforts in providing relevant documentation and participate in actions to complete the assignment of rights, title and interests in such Protectable Discoveries.

A-5. I will refrain from actions which jeopardize UI’s potential rights, including any action which might create a statutory bar preventing grant of patent on an otherwise patentable invention. I recognize that publication, public use, sale or offering for sale of such Protectable Discovery may create a statutory bar. When in doubt, I will consult with the UI’s research office.

B. I acknowledge that some of the copyrightable materials that I create may be the property of the UI as explained in FSH 5300 B. I acknowledge that I have read these provisions and agree to them. I will cooperate with reasonable requirements of the UI to promptly assign or confirm in writing any possible right I might otherwise have in any copyrightable work when such right belongs to UI according to FSH 5300 B.

C. I agree to inform all students and visiting scholars wishing to participate in my UI research programs, about the UI “Memorandum of Understanding Regarding Research Participation and UI Intellectual Property Rights” available from the Technology Transfer Office and about [FSH 2300](#) - Article II.2 Student Code of Conduct. I will not allow any student or visiting scholar to participate in my UI research program who has not signed a copy of the “Memorandum of Understanding Regarding Research Participation and UI Intellectual Property Rights” or an alternative document negotiated between the Research Office and the individual.

D. Attached to this agreement are 1. a Disclosure of Invention Work in Progress, and 2. a Disclosure of Prior Contracts (together the “Disclosures”). The Disclosures set forth inventions and/or work with prior employers or firms with which I currently consult that may be Protectable Discoveries. The work referenced in the Disclosures is excluded specifically from UI ownership claims so long as no 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) are used in further development of the works referenced in the Disclosures.

E. I acknowledge that I am under no consulting or other obligation to any third person, organization or corporation that is in conflict with this Intellectual Property Agreement with respect to rights to Protectable Discoveries or copyrightable materials. **[NOTE - Any individual who believes that s/he cannot comply with this provision must contact the University Research Office and Idaho Research Foundation]**

Signature Title

Printed Name Date

**Memorandum of Understanding
Regarding Research Participation
And
UI Intellectual Property Rights**

This memorandum of understanding is entered into by _____, a student at the University of Idaho (“participant”), _____, a professor/researcher at the University of Idaho (“faculty”), and the Regents of the University of Idaho (“Regents”).

The participant is involved in research activities or enrolled in _____, which may involve working on research or design projects. These activities or projects may or may not result in the development of intellectual property in which the University of Idaho (“UI”) and/or a sponsor may have a proprietary interest.

Therefore, it is important that the participant, faculty, and the UI have a full understanding of the participants rights and obligations regarding these proprietary interests, and intellectual property. This memorandum sets forth the understanding of the parties.

a. The participant acknowledges receipt of copies of the relevant intellectual property policies of the Regents and the UI.

b. The participant agrees to promptly disclose any discoveries s/he makes that may be protectable under any intellectual property theory, including patent and copyright.

c. The participant has the right to submit any thesis, dissertation, or other academic product based upon or resulting from his/her work as part of the fulfillment of the requirements for obtaining an undergraduate, masters, or doctoral degree from the UI resulting from collaboration with the UI provided that such submission is done in a manner that does not create a statutory bar to the later grant of patent rights in an otherwise Protectable Discovery.

d. In exchange for the opportunity to participate in these projects and the right to receive royalties, the participant agrees to assign his/her right, title, and interest in any research or other project outcome, including intellectual property rights, derived from the participant’s work in this class or research activities to the UI. This assignment vests rights in the UI as provided for in the UI’s intellectual property policies and is subject to the participant’s right to share in royalties in the same manner as employees of the UI.

Participant _____ Date _____

Supervising Faculty _____ Date _____

DISCLOSURE OF INVENTION WORK IN PROGRESS

This disclosure is made this ___ day of _____, 20__, as part of that Employment Agreement Regarding Intellectual Property between The University of Idaho (UI) and _____, a student or employee of UI (the “Inventor”), dated this ___ day of _____, 20 __. This Disclosure lists all inventions and developments of the Inventor made prior to employment by, or matriculation as a student at, UI. The UI acknowledges that the inventions and developments listed below constitute the property of the Inventor or the party with whom the Inventor has contracted. A brief description of each invention is provided.

INVENTION

DATES OF WORK RIGHTS OWNED BY

DISCLOSURE OF PRIOR CONTRACTS

This disclosure is made this ___ day of _____, 20__, as part of that Employment Agreement Regarding Intellectual Property between The University of Idaho (UI) and _____, a student or employee of UI (the “Inventor”), dated this ___ day of _____, 20 __. This Disclosure lists all contractual obligations of the Inventor entered into prior to employment by, or matriculation at, UI. The UI acknowledges that prior contracts that remain in effect may be honored by the Inventor. A brief description of each contract is provided below. The types of contracts listed below include, but are not limited to, employment, non-disclosure, non-compete, and fiduciary obligations.

COMPANY OR PERSON

TYPE OF CONTRACT

RELEVANT TERMS

FC-06-032

1420

UNIVERSITY ADMINISTRATION

PREAMBLE: This section describes the major administrative officers of the university down to the level of the provost and vice presidents and, further, the academic administration down to the level of the head of a school, division, or department. A fuller display of the university's administration is to be found, in graphic form, in 1440. This section is original to the 1979 edition of the Handbook. It has been updated frequently since that time as titles and administrative organization have evolved. Notable substantive additions include that of the ombudsman (C-4) in July 1992, material concerning the presidential veto (A-1-c) in July 1995, and substantial revisions to the subsections dealing with the selection and tenure of departmental administrators (E) in July 1998. Section E was substantially revised again in July 1999. Major revisions in subsections A, B, and C also appeared in July 1999 and again in July 2006 to reflect reorganizations of the senior administration. Further information on the university's administrative structure is available from the President's Office (208-885-6365), the Office of the Faculty Secretary (208-885-6151), or from the offices of the provost and executive vice president, vice presidents, or deans. [rev. 7-98, 7-99, ed. 7-00, rev. 7-06]

CONTENTS:

- The President and Provost and Executive Vice President
- Vice Presidents and Vice Provosts
- Other Officers Reporting Directly to the President
- D. College Deans
- E. Administrators of Schools, Divisions, and Departments

A. THE PRESIDENT AND PROVOST AND EXECUTIVE VICE PRESIDENT. The president is the chief executive officer of the university. The provost and executive vice president supports and assists the president in providing leadership to and coordination of the activities of the central administration and the executive functions of the university. [*sec. A rev. 7-99, 7-06*]

A-1. The President.

a. The president is appointed by the regents and serves at their pleasure. The president is the chief executive officer of the university and functions as the representative of and an adviser to the regents and as the general agent through whom representations to them by UI personnel and students are regularly made. [See also 1900.] The Idaho Constitution, statutes and university policies declare the president a member and the president of the university faculty and also as the president of the other faculties referred to in 1520 I-4 and II [See 1520 I-2.] and a professor of a branch of learning in which UI regularly offers instruction.

b. The president exercises the power and authority delegated by the regents by issuing and enforcing such executive orders and invoking such measures as are reasonable and necessary for the performance of the functions and the discharge of the responsibilities and duties appurtenant to the presidency. The president exercises such rights, prerogatives, and responsibilities as normally accrue to the president and chief executive officer of an institution of higher education and discharging such other responsibilities and performing such other duties as may be assigned by the regents or required by law. The president may delegate his authority to other officers of the university as necessary. The president serves as a member ex officio of all councils, committees, boards, or similar bodies necessary to the operation of UI, regardless of how these bodies may have been established or appointed. [See 1620 B-3 and B-8.]

c. The president receives recommendations from the faculty on policy issues.

1. When the faculty, whether in a meeting or via a general policy report, approves an item which requires the president's action, the president will approve or disapprove it within sixty days of the faculty's action. The president will provide written notification of his or her action to Faculty Council via the faculty secretary. Any item not approved by the president within this time will be deemed to be disapproved. [*rev. 7-06*]