

Part 4. Personnel Policies

Section II. Appointment

D. Conditions of Appointment (Updated 5/0211/07)

1. Terms of Appointment

Terms of appointment are as provided for in the Idaho State Board of Education Governing Policies and Procedures and the policies and procedures of the University.

All salaried employees who are not tenured faculty members or who are not subject to the Idaho Classified Personnel System have fixed terms of employment. No contract of employment with such an individual may exceed one (1) year without prior approval of the Board. Employment beyond the contract period may not be legally presumed. Renewal of an employment contract is subject to the discretion of the President.

2. Board Approval is Required for the Following:

a. Position Authorizations

(1) Any permanent new position, regardless of funding source.

(2) Any permanent position being deleted. The affected position should be identified by type, salary, area or department of assignment, and funding source.

b. The initial appointment of all employees to any type of position at a salary that is equal to or higher than seventy-five percent (75%) of the President's annual salary.

c. The employment agreement of any head coach or athletic director and all amendments thereto.

3. Appointments and Contracts of Employment

a. All appointments or contracts of employment are subject to the Governing Policies and Procedures of the State Board of Education, and the policies and procedures of Idaho State University as each may be changed, altered or amended.

b. Nonclassified

All salaried employees who are not subject to the Idaho Classified Personnel System (Nonclassified) serve pursuant to contracts of up to one (1) year in length. The contract, which may also be referred to as the letter of appointment, defines salary, pay periods, position title, employment status, and reappointment rights, if any, and such other materials as the University or the Board may elect to include in order to define the primary elements of the contract of employment. Each employee must acknowledge receipt and acceptance of the terms of the contract of appointment by signing and returning a copy.

Failure or refusal of the employee to sign and return a copy of the contract of appointment within the time specified in the letter is deemed the rejection of the offer of employment unless the parties have mutually agreed to extend the time. Nothing in this paragraph prohibits the University from extending another offer to the employee in the event the initial offer was not signed and returned in a timely manner.

Any alteration by the employee of the offer is deemed a counter offer requiring an affirmative act of acceptance by an officer authorized to enter into contracts of employment binding the University.

4. Coaching Personnel and Athletic Directors

The President is authorized to enter into a contract for the services of a head coach or athletic director with the University for a term of more than one (1) year, but not more than five (5) years, subject to approval by the Board as to the terms, conditions, and compensation thereunder, and subject further to the condition that the contract of employment carries terms and conditions of future obligations of the coach or athletic director to the University for the performance of such contracts. However, a multi-year contract may not be offered until the coach or athletic director has first rendered satisfactory service under a contract with the University for at least one (1) year. Each contract for the services shall follow the general form approved by the Board as a model contract. Such contract shall define the entire employment relationship between the Board and the coach or athletic director and may incorporate by reference applicable Board and University policies and rules, and applicable law.

Each contract for a head coach shall include incentives, separate from any other incentives, based upon the academic performance of the student athletes whom the coach supervises. The President of the University shall determine such incentives. The University shall report to the Board its recommendation for the renewal of a contract for the services of a head coach and shall include a report to the Board of the coach's performance relative to the academic incentives of the coach's prior contract.

In addition to any reasons for discipline, suspension, or termination for cause as set forth by the University or the Board, a coach may be suspended without pay, terminated, or otherwise disciplined if the coach is found to be involved in deliberate or serious violations of NCAA or Conference regulations.

5. Academic Administrative Positions

Academic deans, department chairpersons and other institutional faculty appointed to administrative or executive positions serve in these positions at the pleasure of the President. Upon termination of an appointment in an administrative position, the person may return to his/her department.

6. College of Technology

a. General. The principal mission and focus of Idaho's state system of post-secondary professional-technical education and training is to provide business and industry employers with a competent and adequately skilled workforce and to empower program completers (students) with the academic and technical knowledge, skills and abilities necessary to secure, maintain, and/or advance through employment in today's workplace. Recognizing that technologies are ever changing and that institutional faculty tenure policies impose unnecessary and undesirable problems with respect to timely implementation of new programs to meet the needs and demands of a changing workplace and to allow prudent and timely decisions to reduce or discontinue programs where gainful employment for completers is limited by the absence of adequate business and industry demand, the University employs certain designated faculty in the College of Technology under the following provisions.

b. Annual Contract. College of Technology faculty are hired under annual contracts of employment.

c. Annual Evaluation. Each faculty member shall be evaluated annually. This evaluation will be used as one basis for recommendations relative to renewal/nonrenewal or other personnel action, whichever is appropriate. It shall be used to communicate an assessment of strengths and weaknesses and should be made in terms of an individual's potential continued effectiveness as a member of the College of Technology faculty.

7. Probationary Periods (Classified)

a. The probationary period is part of the examination process. It is a time during which work performance and suitability for the position are reviewed by the supervisor in an effort to determine whether or not the employee can become an effective member of the staff.

b. For most jobs, the probation period is 1,040 hours of employment.

c. An employee can be released before the completion of the probationary period without the necessity of justifying this action to the Division of Human Resources.

d. Notice of failure to complete probation should be given as soon as it is evident that the employee will not become a satisfactory worker.

(1) The employee must first be given a notice in writing that he/she has an opportunity to resign without prejudice.

(2) If the employee does not resign, notice of termination is made by the employing department at least fifteen (15) calendar days prior to the effective date of termination.

e. Contact the ISU Office of Human Resources for assistance in the case of failure to pass probation.

f. Failure to evaluate an employee thirty (30) days beyond the end of the probation period (1,040 hours) will result in permanent status for the employee by default.

g. An individual's probationary period can be extended up to an additional 1,040 hours if good cause exists. To obtain an extension an appointing authority must petition the Division of Human Resources Administrator for approval. Contact the ISU Office of Human Resources for assistance in the case of a probationary period extension.

8. Promotions/Internal Searches

a. Acting/Interim Appointments

Persons appointed as acting/interim department heads, chairpersons, deans, vice presidents, administrators, etc.; or who have been appointed to other administrative positions may apply for and be considered with all other candidates for the position on a permanent basis.

b. Internal Searches

A search limited to current University employees (internal search) may be conducted provided that it is conducted in accordance with affirmative action guidelines and is approved in advance by the EEO/Affirmative Action Officer.

c. Classified Employees

Changing employment from a position in a class to a position in another class having a higher entrance salary is referred to as promotion.

The promotional probation period for a promotion is 1,040 hours.

Qualified employees are encouraged to seek promotion. Call the Office of Human Resources for information regarding testing for promotional registers.

d. Nonclassified Employees

(1) In-Line Promotions

Persons occupying in-line positions to a vacated position may be appointed to the position without the necessity of advertising the position or conducting an internal or external search. To be considered in-line, the employee must be the primary assistant executive or administrator or hold a position which has been determined in advance and in writing, by the University, to be in-line. All decisions shall be made fairly, protecting the rights of all candidates and conducted in the interests of the University.

(2) Criteria of Promotions/Internal Searches

The University is committed to promotional opportunities within the institution which advance the goals of affirmative action and the recognition of qualified persons. When considering whether an internal search or promotion is appropriate the following general guidelines should be used provided any deviation from an external search will be judged on the particulars of the individual situation and must be approved by the EEO/Affirmative Action Officer in advance.

(a) Internal search or promotion should only be considered for upper level promotional positions (e.g. directors, assistant directors, deans, associate deans, etc.).

(b) Promotion within an office may be appropriate where there is a commonly understood direct line of progression through the ranks and where the lower level positions from which the candidates might advance have in the past been filled in accordance with affirmative action procedures in effect at the time of the candidates' original appointments (e.g. from assistant director to director).

(c) Where there is no direct line of progression it is not acceptable to just appoint an individual without making the vacancy known to, and soliciting applications from, all potentially qualified persons on campus. If there is a pattern whereby all of the persons on campus likely to qualify for the position come from positions historically held by majority group members, internal selection will be disallowed.

9. Employment of Relatives/Nepotism [\(11/07\)](#)

It is the general policy of the University that no individual may function as judge or advocate in specific situations involving members of his or her immediate family (such as the employee's spouse, child, parent, grandparent, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, niece or nephew). Recognizing that faculty/staff members should neither initiate nor participate in institutional decisions involving a direct benefit (such as an initial appointment, retention, promotion, salary, and leave of absence) to members of their families, there may, however, be special circumstances or unique cases where the supervision of one family member by another within the same department may be warranted. Such appointments may be made only with specific approval from ~~the President~~ [the Provost for faculty appointments, the Vice President for Finance and Administration for staff appointments, and the Vice President for Research for research related appointments](#). In such situations, specific guidelines and procedures shall be established to ensure that family members shall not be placed in situations which

would violate the intent of this policy. The following information should be submitted in writing to the appropriate vice president prior to appointment of the employee:

a. Business need (justification) for hiring a relative

b. Qualifications of the individual

c. Justification of compensation (reasonable related to similar positions)

d. Steps taken to identify unrelated applicants for the position

e. Procedures to avoid nepotism (signing timecards, evaluation, promotion, etc.)

Vice presidents may reject or grant requests subject to such conditions he or she deem appropriate and in the best interests of the University and consistent with the intent of this policy.

10. Transfers (Classified)

Under the rules of the Idaho Division of Human Resources, it is permissible for a classified employee to accept a lateral transfer (transfers that do not constitute a promotion). The University does not encourage lateral transfers; however, it is acknowledged that they are sometimes in the best interest of the employee and the University. Transfers can create hardship or misunderstanding in and between departments. Therefore, it is the responsibility of the supervisor wishing to acquire the services of the prospective transferee to make prior contact with the supervisor who would lose the employee. The supervisor is expected to check performance evaluations and references and to consult with and secure the approval of the current supervisor. The proposed transaction must be cleared through the appropriate senior administrator(s) (President, Vice President(s), Dean of Student Services).

The transferred employee carries all accrued vacation and sick leave time as well as his/her anniversary date to the new position.

The new department is obligated to honor pay raises, sick leave, and vacation leave as though the employee had worked without interruption from the original date of hire for the new department. There is no additional probation period. A Personnel Recommendation Form describing the transfer should be completed by the department acquiring the employee.

11. Re-hire/Transfer/Promotion/Demotion of Current or Former State of Idaho Employee

Contact the Office of Human Resources for assistance when considering a current or former State of Idaho employee. This includes ISU, other Idaho institutions of higher education, and other State of Idaho agencies. The Office of Human Resources will provide assistance in obtaining the performance history and other employment history and other employment related records and making them available to the hiring department for their review and consideration prior to making an offer of employment.

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