



FACULTY PROFESSIONAL POLICIES COUNCIL
IDAHO STATE UNIVERSITY
OFFICIAL MINUTES



March 30, 2022

3:00 pm

Zoom Meeting (<https://isu.zoom.us/j/99413822096>)

In Attendance: Lyle Castle, Tesa Stegner, Char Byington, Andy Holland, Mona Doan, Beth Downing, Corey Bartle, Libby Howe, Katie Thomas

Absent but Excused: Mike Roche, Teresa Conner, Kellee Kirkpatrick

Recording Secretary: Ann Medinger

****Quorum at this meeting was not achieved and no motions were made. Attending members decided to move forward to a working discussion with the scheduled guests.****

- I. Welcome**
 - a. Byington welcomed council members as stand-in chair
- II. Announcements and Updates**
- III. Report from Faculty Senate Meeting (Monday, March 14, 2022)**
- IV. Report from University Policy Manager, Libby Howe**
 - a. Two policies are coming out of 30-day review on Friday
 - i. Non-Travel Meals and Refreshments Policy
 - ii. ISUPP 2010 Awards, Prizes, Incentives, and Gifts Policy
 - b. Contract Approval and Execution Policy is currently in 30-day review
 - c. Student Code of Conduct Policy will go into 30-day review tomorrow if ASISU approves it this evening
- V. Katie Thomas- Interim AVP of HR attended as a guest to talk with the committee on ISUPP 4039**
 - a. Holland asked what places HR needs to be involved in, to stay out of the murky waters
 - i. Thomas said the best place for HR is in a consultative role if questions arise during the appeals process.
 - ii. Thomas also would support HR doing training for panel members
 - iii. Making sure that confidentiality is respected through all parts of the process

- b. Forest asked about legal exposure; what the legal consequences are of the panel expressing their opinion/recommendation. Forest also took issue with HR being involved in the process once it gets going, at all. He feels they should be involved for training and then not involved at all.
 - i. Thomas is not saying that HR must be consulted but only that they may be consulted if the panel members have questions about the legality of their recommendation.
- c. Byington asked if Thomas saw anything in the draft that raised a red flag
 - i. Thomas said her concern is the question of what is the difference in procedures to implement-they way they are now- in comparison to how they used to be
 - 1. Holland explained the differences to Thomas
- d. Howe said we need to put something in the policy to differentiate the process when someone is put in jail vs. if it is a performance matter.
- e. Howe said Kirkpatrick asked what happens when someone is dismissed in April or May. She wonders how to deal with this process during the summer months when faculty is off contract.
 - i. Thomas is not sure a situation like that has ever come up. She recommended asking Blake Christensen about this.
- f. Howe says that if someone is involved in a serious legal matter, you do not need to wait until the case is settled to dismiss someone for that cause.

VI. Blake Christensen attended as a guest to answer any questions from the council on ISUPP 4039

- a. Byington asked if anything raised a red flag for Christensen
 - i. Christensen said that he likes the way the panel will be formed but cringed at the limit imposed that a panel member can only serve two-three-year terms consecutively.
 - 1. He feels that if someone is great and wants to keep serving, it is a shame to let go of them.
 - ii. Christensen expressed additional concerns for the council to take into consideration
- b. Christensen said that legally, it is ok to send notification by email and that registered mail is pretty old-school these days
- c. Christensen said you don't really need two different ways to provide adequate notice for a legal infraction vs. performance-related infraction.
- d. Forest asked if a faculty member is "accused" of a legal infraction does that constitute adequate cause for dismissal, even if it hasn't been proven in court yet.
 - i. Christensen said ISU legal would do an investigation into the circumstances of the situation and would make a decision on whether to terminate the employee at that time or not
- e. Howe said Kirkpatrick asked about the logistics behind when someone is on paid leave.
 - i. Castle said it is determined on a case-by-case basis and could possibly include having a faculty member stand in for the faculty member on leave

or could potentially involve hiring a new faculty member to take on their responsibilities.

- f. Forest asked about the role of HR in the process
 - i. Christensen said no communication at all between HR and the panel during the process could be problematic in a situation where the panel has questions about the legality or ramifications of certain situations/decisions. There is no reason why they shouldn't have the opportunity to consult HR when questions or concerns of this nature arise.
 - 1. Christensen added that HR should in no way influence the process of the panel.
- g. Forest asked how much the laws of the land should influence the panel where they are an "advisory panel" as opposed to a "firm decision panel."
 - i. Christensen said even as an advisory panel, they should certainly take into account the laws of the land so that there is not great conflict between the President's final decision and the panel's decision.

VII. Suspension, Dismissal, Termination for Cause (ISUPP 4039)

- a. Council went through the document and made notation of the suggestion/conversation items brought up by Christensen

VIII. Meeting Adjourned

- a. Meeting adjourned at 4:39pm

Important Dates:

Monday, April 11, 2022

Faculty Senate Meeting

Wednesday, April 13, 2022

Next FPPC Meeting