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## Faculty Senate Executive Committee Agenda, February 16, 2010

Utah State University

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## FACULTY SENATE EXECUTIVE COMMITTEE

February 16, 2010

3:00 – 4:00 p.m.

Champ Hall Conference Room

### Agenda

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- 3:00 Call to Order**.....Ed Heath  
Approval of Minutes January 19, 2010
- 3:05 University Business**.....Stan Albrecht, President  
Raymond Coward, Provost
- 3:20 Announcements**.....Ed Heath  
Next Brown Bag Lunch w/President Friday February 26<sup>th</sup> at noon Champ Hall  
Need to elect one more Committee on Committees member
- 3:25 Information Items**  
Human Resources – Policy Changes.....BrandE Faupell  
Research Council Report.....Brent Miller  
Budget and Faculty Welfare Committee Report.....Vance Grange  
Academic Freedom and Tenure Committee Report.....Tony Peacock
- 3:55 New Business**  
EPC Items.....Larry Smith
- 4:05 Old Business**  
PRPC Code changes Section 401- Composition and Authority of the Faculty  
(second reading).....John Engler
- 4:25 Adjournment**



**FACULTY SENATE EXECUTIVE COMMITTEE  
MINUTES  
JANUARY 19, 2010 3:00 P.M.  
Champ Hall Conference Room**

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**Present:** Ed Heath (Chair), Byron Burnham, Maria Cordero, Renee Galliher, Jerry Goodspeed, Kelly Kopp, Glen McEvoy, Terry Messmer (sub), Mike Parent, Darwin Sorensen, Nathan Straight, Dave Wallace, Vincent Wickwar, President Stan Albrecht (Ex-Officio), Provost Ray Coward (Ex-Officio), Joan Kleinke (Exec. Sec.), Marilyn Bloxham (Assistant) **Guests:** John Engler, Dave Hansen, Dave Parkinson, Larry Smith

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Ed Heath called the meeting to order at 3:00 p.m.

**Approval of Minutes**

Byron Burnham moved to approve the minutes of December 7, 2009. Motion was seconded by Jerry Goodspeed and the motion passed unanimously.

**University Business - President Albrecht**

The State Board of Regents has taken action on two important items impacting USU. First is the approval of the gifting of the Swaner Preserve & EcoCenter in Park City. This will be a tremendous asset for the University with a value of \$36 million. The preserve is 1,200 acres of which 12 acres are developable. There is a 10,000 square foot facility located on the preserve, which provides some office and conference space. It is also distance education ready. Provost Coward highlighted three areas of focus for the facility; youth education, adult education for credit and noncredit, and land management. The deans of Science, Agriculture, and Natural Resources have been involved in the process thus far and others on campus have expressed interest for greater involvement.

The Regents also approved the creation of the Caine College of the Arts.

President Albrecht said that the discussion of furloughs will be taken off the table for the immediate future. He feels there will be other ways to deal with the mandatory 3% budget reduction for this year. However, furloughs may need to be considered at some point in the future.

Dean Yolanda Flores-Niemann has asked President Albrecht to not renew her appointment as Dean of the College of HASS after this semester. A replacement has not been selected nor has it been decided what capacity Dr. Niemann will continue in. An interim dean will be chosen and will serve for a minimum of one year.

**Announcements**

The next Brown Bag Lunch with the President will be Friday January 22, at noon in Champ Hall.

The Faculty Senate calendar for 2010-2011 was distributed to the Executive Committee.

A motion was made to place elections for Committee on Committee as an action item on the Senate agenda. Motion was seconded and passed.

**Information Items**

**Bookstore Report – David Parkinson.** The USU Bookstore has installed a new computer system. The old system had been in place since June 1999 and had reached 98% disk capacity. A physical inventory was conducted as well as the installation of 25 new registers, some of them at RCDE locations. The Bookstore competes with the biggest businesses in the world for textbook and supply sales. They have developed a more competitive pricing structure to increase sales; however, this necessitates paying less for books at buy back. There have been some problems receiving international books on time for classes and they are working on changing the adoption dates to correct this.

A motion to place the report on the consent agenda was made by Mike Parent, second by Glenn McEvoy. Motion carried.

### **New Business**

**PRPC Code Changes Section 401 Composition and Authority of the Faculty – John Engler.** PRPC met on the recommendations for section 401. A question was raised previously on whether faculty appointed research ranks were still classified as term faculty. No one on the PRPC committee was aware that it had changed so the recommendation was left unchanged. The PRPC asks the senate why the federal cooperator ranks are the only term faculty exempt from the limitations listed in 401.5.3(4). No one on the FSEC committee was aware of the reason. It was also questioned whether the 50% limitation on adjunct appointments should be eliminated. PRPC felt strongly that it should be kept in place. Darwin Sorensen commented on the statement regarding research ranks, specifically “faculty members whose primary function is research and whose source of funding is extra-mural are appointed to one of the following ranks”. There are some researchers whose funding is not extra-mural, so does the code reflect current practices of the University? John will take this to the committee. The definition of lecturer rank was also discussed and questioned regarding what type of courses lecturers can be teaching, and their role statements regarding research. Discussion continued about what level of code changes are being made and the best way to present these to the Senate.

Mike Parent moved to place the proposed changes in section 401.4 as an action item on the agenda, seconded by Nathan Straight. Motion carried.

**EPC Items – Larry Smith.** The Curriculum Subcommittee reviewed 28 requests for course changes. The Academic Standards Subcommittee approved a language revision that will add clarity to the issue of second bachelor degrees.

Mike Parent moved to place the EPC report on the consent agenda, Jerry Goodspeed seconded and the motion carried.

**BFW Resolution on Faculty Furloughs – Vance Grange, BFW Chair.** Vance was not in attendance. Mike Parent made a procedural clarification that resolutions require a first and second reading. This item can be placed under new business on the agenda and if accepted will be sent back to FSEC for a second reading.

Mike Parent moved that the BFW presentation be placed as an information item on the FS agenda, Renee Galliher seconded. Motion carried.

### **Adjournment**

Ed Heath asked for a motion to adjourn the meeting. The meeting adjourned at 4:10 p.m.

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Minutes Submitted by: Joan Kleinke, Faculty Senate Executive Secretary, 797-1776

## **Issues/Recommendation**

### **Purpose:**

To make changes to Policy 311 “Disciplinary Procedures” of the University Policy Manual.

### **Issues:**

- Change title of policy from “Disciplinary Procedures” to “Corrective Action”
- Introduce a “letter of expectation” as an informal opportunity for an employee to improve performance, or to alert an employee about substandard performance
- Reduce “formal” progressive corrective action steps from three to two (Oral Reprimand and Written Warning) by eliminating the Written Warning with Probation, since this step is duplicative of the Written Warning step
- Require that the employee be notified in writing when the oral reprimand or the written warning has been rescinded to allow the employee closure on the situation

### **Recommendation:**

Because these are basically housekeeping changes, the Office of Human Resources recommends that the revisions be approved.



## POLICY MANUAL

### GENERAL

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Number 311

Subject: Disciplinary ProceduresCorrective Action

Covered Employees: Benefited Exempt and Non-exempt Staff

Date of Origin: January 24, 1997

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#### 311.1 POLICY

Utah State University strives to provide continuous employment through effective planning and proper selection of employees.

The University's objective for disciplinary corrective action is to ~~correct~~eliminate violations, improve performance, avoid recurrence, and protect the interests of the University. Normally, employees ~~are~~should be given an opportunity to improve their performance through informal discussion which could include a letter of expectation before sanctions are imposed. *However, some circumstances may warrant immediate sanctions, including dismissal.*

~~Professional and classified~~Benefit-eligible, non-faculty (exempt and non-exempt) employees being formally ~~corrected~~disciplined by imposition of sanctions need to be aware of their rights to use available avenues of review and redress, including discussing the issues with a representative of the Office of Human Resources and following the University grievance policy (Policy 325 Grievance Procedures) and/or equal opportunity complaint procedures (Policy 305 Affirmative Action/Equal Opportunity).

The imposition of sanctions, including dismissal of an employee for cause, may result for any of the following job-related reasons under circumstances that demonstrate the inability or unwillingness of the employee to meet his/her~~his or her~~ responsibilities to the University. *It is impossible to provide an exhaustive list that identifies every type of conduct or performance problem that may result in some form of ~~discipline~~corrective action.* However, to offer University employees some guidance, the following list provides examples of conduct that may result in the application of disciplinary-sanctions: negligence; incompetence; violation of University policies; excessive or unauthorized absence; misuse of institutional property or funds; disorderly conduct; fraud; falsification

on an employment application; unsuitability to job requirements; being under the influence of alcohol or drugs while working; insubordination; unjustified interference with the work of others; violation of applicable statutory requirements or University regulations relating to employment practices, including, but not limited to, regulations prohibiting discrimination or harassment because of race, color, religion, sex, national origin, age, disability, veteran's status, sexual orientation, or other legally impermissible behavior; conviction of a crime by a court of competent jurisdiction; and violation of other generally accepted standards of conduct, where such violation creates substantial inefficiency and/or an unacceptable work atmosphere at the institution.

When significant allegations are identified, a ~~professional or classified benefit-eligible, non-faculty~~ employee may be ~~put on leavesuspended~~ with pay pending notice of and an opportunity to respond to the charges at a meeting. After an investigation has taken place and the employee has been given an opportunity to discuss the results, appropriate action will be taken by the University.

The University's philosophy of ~~corrective actiondiscipline~~ is one of constructive action, administered fairly and consistently. *Normally, corrective disciplinary action will be progressive; however, sanctions may be initiated at any step in the process at the University's discretion, depending on the performance problem, the type of conduct, or the nature of the offense involved.*

Throughout the entire ~~corrective actiondisciplinary~~ process, all parties involved should maintain confidentiality to ensure the rights of the employee and the institution.

## **311.2 PROCEDURES DEFINITIONS**

### **2.1 Corrective Action**

Employment-related action (including imposition of sanctions) undertaken to correct or modify unacceptable job performance or behavior to acceptable standards. Corrective action measures authorized to be imposed upon employees include an oral reprimand, written warning, administrative leave with or without pay, and dismissal from employment.

### **2.2 Termination Notice**

Actual personal delivery of a written statement to an individual. If the individual cannot be personally located at the usual place of employment during assigned working hours, notice may be given by mailing the statement to the employee at his/her last known address. If notice is mailed, it is deemed effective for all purposes when deposited in an appropriate mailbox or mail slot.

### **311.3 PROCEDURES**

#### **23.1 Guidelines for ~~Payroll Employees or Staff~~ Employees in their Introductory Period (see Policy 395 Introductory Period of Employment)**

(1) Dismissal from employment may be effected prior to the end of ~~an a staff~~ employee's introductory period ~~or at any time for part-time or temporary staff~~ with or without cause and without giving the employee a written statement of cause for dismissal, for any lawful reason deemed adequate by the University, *including but not limited to, unsatisfactory performance, unacceptable behavior, or violations of University policy.*

(2) Supervisors should maintain written documentation regarding the dismissal of ~~part-time and temporary employees and staff~~ employees in their introductory period. This documentation should include a statement of the problems encountered, attempts to correct them and the reason for dismissal. A copy of this documentation should be forwarded to the Office of Human Resources for ~~review and~~ inclusion in the appropriate ~~primary~~ personnel file. A reason for termination must be included in the comments section of the termination EPAF.

(3) ~~Part-time and temporary employees and staff~~ Benefit-eligible, non-faculty employees in their introductory period do not have access to the University's formal grievance process (~~policy~~ Policy 325 Grievance Procedures). However, these employees have the right to respond, explain, correct, or deny in writing any facts in question and send their reply to the Office of Human Resources, for inclusion in their file.

(4) *The progressive ~~corrective action~~ disciplinary procedures outlined in the following section need not be followed for part-time and temporary employees, and benefit-eligible, non-faculty employees ~~staff~~ in their introductory periods of employment.*

#### **23.2 Corrective Action ~~Disciplinary~~ Procedures for ~~Professional and Classified~~ Employees**

The University believes the ~~corrective action~~ disciplinary procedures set forth below are generally appropriate concerning employee conduct and performance. Provisions of these procedures are not, however, absolute rules. These guidelines outline general policies that supervisors should consider when counseling ~~with and disciplining staff~~ employees. *Normally, progressive ~~corrective action~~ discipline will involve the following steps, but exceptions or deviations may occur whenever the University deems that circumstances warrant that one or more steps in the process should be skipped. Accordingly, some circumstances may warrant immediate dismissal. Before imposing sanctions, administrators should consult with the Office of Human Resources.*

(1) Progressive steps.

If an employee fails to perform ~~his/her~~ work in accordance with the requirements of the position and the expectations of the University, the supervisor should talk to the



employee to find out the facts of the situation prior to any formal corrective disciplinary or discharge action. This meeting could include the delivery of a letter of expectation which would include a copy of the employee's job description and a discussion about unsatisfactory performance with a timeline for follow-up. Depending on the situation, there are exceptions which may occur in the progressive corrective action disciplinary procedures outlined here.

(a) Oral reprimand warning. Initial corrective disciplinary action should be in the form of an oral discussion and subsequent documentation warning. This meeting should be held in private and should provide an opportunity for problem solving that results in clear problem identification, correction strategies, and employee commitment to improve. This meeting should be documented with the employee's signature and date. If the employee declines to sign, it should be so noted. a note to the employee's file and a copy to the employee. This note The document should inform the employee that this is the first step in the formal corrective action disciplinary process and include consequences of failure to improve. The employee has the right to respond either verbally or in writing.

If the employee successfully corrects the identified problems and maintains satisfactory performance, a written notice will be given to the employee with a copy to his/her file.

(b) Written warning. A written warning reprimand may be issued to an employee who does not correct a performance deficiency in response to an oral reprimand warning when a serious violation of University policy has been committed.

The purpose of a written warning reprimand is to make certain that the employee is fully aware of the performance deficiency or misconduct he/she has committed, what is expected, and a reasonable time frame in which to accomplish the improvement, and the consequences of the failure to meet satisfactory expectations. The employee should sign the written warning reprimand signifying that it has been received. Should the employee decline to sign, it should be so noted. The employee will receive a copy of the original warning letter and the original a copy should be sent the to Office of Human Resources to be filed. Supervisors must are encouraged to consult with a representative of the Office of Human Resources before issuing a written warning reprimand.

If the employee successfully corrects the identified problems on a consistent basis, a written notice rescinding the warning will be given to the employee with a copy to his/her file and a copy to the Office of Human Resources.

(c) Final written warning with probation. A final written reprimand incorporating a probationary period of 3 weeks to 6 months may be issued to an employee who fails to respond positively to previous sanctions including oral and written warnings. The purpose of the final written warning is to make certain the employee understands the seriousness of the misconduct and that further misconduct will most likely result in dismissal.

~~The letter should clearly define the problem and work expectations, set up a schedule of progress meetings between the employee and supervisor, state what is satisfactory completion of probation, and state that satisfactory performance will result in retention. The letter should also state that failure to perform satisfactorily during this probationary period may result in dismissal. The employee should sign the reprimand and keep a copy. The signed original should be sent to the Office of Human Resources.~~

~~Supervisors must consult with a representative of the Office of Human Resources before placing staff employees on probation.~~

~~(d) Suspension. A staff employee may be suspended with pay when continued employment may be harmful to the University or impede the outcome of a thorough and fair investigation of the facts regarding an alleged offense.~~

~~A staff employee may be suspended without pay in cases involving gross misconduct or chronic behavioral problems for which there seems to be no other appropriate response.~~

## (2) Other sanctions.

A benefit-eligible, non-faculty employee may be suspended with pay when continued employment may be harmful to the University or impede the outcome of a thorough and fair investigation of the facts regarding an alleged offense.

A benefit-eligible, non-faculty employee may be suspended without pay in cases involving gross misconduct or chronic behavioral problems for which there seems to be no other appropriate response.

~~Other sanctions may be imposed when deemed appropriate to induce the change required.~~ Before imposing sanctions, administrators ~~must~~should consult with the Office of Human Resources.

## (3) Final sanction.

The final sanction in the ~~corrective action~~disciplinary process will be taken when the University is satisfied that the staff employee has been given an opportunity to meet the appropriate behavior or performance standard and has failed to do so, or when the particular circumstances warrant immediate dismissal in the best interests of the University.

Before imposing sanctions, administrators ~~must~~should consult with the Office of Human Resources (see ~~policy~~Policy 399 Termination of Exempt and Non-exempt Staff).

An employee may resign rather than face corrective action. By doing so, however, the employee loses the right to file a grievance. Employees cannot be compelled to resign;

resignation must be voluntary. Resignations should be made in writing and cannot be rescinded without mutual agreement of the employee and the University.

(4) Written documentation.

Dismissed ~~employees~~staff members shall receive from their supervisors a written statement summarizing the problems encountered, attempts to correct them, and the basic reason(s) for dismissal. The original statement~~A copy~~ will be given to the affected employee and a copy~~the original~~ should be sent to the Office~~Director~~ of Human Resources ~~(or his/her designated representative)~~ to be placed in the employee's primary file.

~~A staff employee may resign rather than face disciplinary action. By doing so, however, the employee loses the right to file a grievance. Employees cannot be compelled to resign; resignation must be entirely voluntary. Resignations should be made in writing and cannot be rescinded without mutual agreement of the employee and the University.~~

### **23.3 Alternatives for Employees Involved in Corrective ActionDisciplinary Procedures**

If a University employee questions actions encountered during the corrective action~~disciplinary~~ process, or if he/she ~~they~~ feels that the proceedings are unwarranted or unjust, the following resources are available to discuss appropriate corrective action~~disciplinary~~ processes with the employee:

(1) Department heads, supervisors, deans and vice presidents,

(2) the Office of Human Resources.

Benefit-eligible, non-faculty~~Staff~~ employees may also request a hearing under the guidelines of the grievance policy (Policy 325 Grievance Procedures).

### **3.11.3 DEFINITIONS**

#### **3.1 Discipline**

~~Employment-related action (including imposition of sanctions) undertaken to correct or modify unacceptable job performance or behavior to acceptable standards.~~

#### **3.2 Notice**

~~Actual personal delivery of a written statement to an individual. If the individual cannot be personally located at the usual place of employment during assigned working hours, notice may be given by mailing the statement to the employee at his or her last known address. If notice is mailed, it is deemed effective for all purposes when deposited in an appropriate mailbox or mail slot.~~

### **3.3 Probationary Period**

~~A period of 3 weeks to 6 months wherein an employee is expected to address and improve performance or any other aspect of employment as addressed by his/her supervisor. Specific employment actions including suspension and/or dismissal can occur at any time during the probationary period if the probationary conditions are not being met by the employee.~~

### **3.4 Sanctions**

~~Disciplinary measures authorized to be imposed upon staff employees including an oral or written reprimand, temporary reduction in pay (not to exceed 10% of the gross amount payable for any payroll period), probation, suspension with or without pay, or dismissal from employment.~~

### **311.4 RESPONSIBILITY**

#### **4.1 Department Heads, Supervisors, Deans, and Vice Presidents**

Responsible for maintaining discipline and enforcing consistent and fair performance standards following the guidelines outlined in this policy. Supervisors must consult with the Office of Human Resources prior to any ~~disciplinary~~ actions beyond the oral reprimand.

#### **4.2 Office of Human Resources**

Responsible for communicating the University's philosophy of corrective action~~discipline~~ for constructive improvement and assisting supervisors in the application of these guidelines.

#### **4.3 Employees**

Responsible for working closely with supervisors to address and improve performance according to the procedures outlined in this policy.

## ISSUES/RECOMMENDATION

### Purpose:

To make changes to Policy 345 “Annual Leave” of the University Policy Manual.

### Issues:

- More clear language concerning eligibility to receive annual leave (academic year faculty do not receive annual leave),
- Clarification that if a faculty member switches from fiscal year to academic year, any accrued annual leave will be immediately paid out.
- Allow non-exempt employees to earn annual leave at a faster rate than previously so that a perceived “bigger benefit” for exempt employees can be offset. Many non-exempt employees come to USU just long enough to put a spouse through school, and the cost associated with leave payout when the employee leaves is quite high. However, once a non-exempt employee passes a certain time threshold (approximately five years), he/she is more likely to remain at USU. By leaving annual leave accrual for the first five years for non-exempt employees as currently in policy, but changing the next years of employment to earn annual leave faster, this issue will be more equitable.
- Requirement for all employees earning annual leave to report annual leave taken.

### Recommendation:

The Office of Human Resources has contacted the departments with the largest groups of non-exempt employees and has found that the leave accrual changes to this policy will not adversely affect their financial situations.

HR will also have a more accurate record of annual leave usage for fiscal year faculty for leave payout situations.

The Office of Human Resources recommends approval of these changes.



## POLICY MANUAL

### BENEFITS

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**Number 345**

**Subject: Annual Leave**

**Covered Employees: Fiscal Year Budgeted Employees**

**Date of Origin: January 24, 1997**

**Effective Date of Last Revision: July 1, 1999**

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#### 345.1 POLICY

##### 1.1 Eligibility

###### (1) Fiscal Year Base

Budgeted employees with a fiscal year base appointment at 50% time or greater ~~are eligible for annual leave benefits with pay~~ earn annual leave on a pro-rata basis. Fiscal year faculty do not accrue annual leave during sabbatical leave (see Policy 365 Sabbatical Leave).

###### (2) Academic Year Base

~~Budgeted part-time employees working 50% time or greater will earn annual leave on a pro-rata basis. Budgeted employees with an academic year base appointment (e.g., faculty) do not earn annual leave benefits.~~

##### 1.2 Accrual

Annual leave is earned and accounted for on a calendar-year basis. Annual leave accruals begin on the effective date of the employee's University appointment and will be pro-rated for the first month of employment. ~~Annual leave is earned and accounted for on a calendar-year basis. Employees hired between the 1st and the 15th of the month earn annual leave for that month. Employees hired between the 16th and the end of the month will start earning leave the following month.~~ Employees do not earn annual leave during leaves of absence without pay that last longer than half of the working days in a month, nor during professional development leave (see Policy 360 Special Development Leave).

Recognized University holidays that occur during a period of annual leave will not be charged against leave.

Eligible-Fiscal year faculty and exemptprofessional- (professional) employees earn annual leave at the rate of 1.83 days per month for each month of service. For each 12 months of employment, 22 days of annual leave are earned.

Fiscal year non-exempt (classified) ~~(non-exempt)~~ employees earn annual leave according to the following schedule based on years of eligible service:

<u>Service Years</u>	<u>Leave Allowance</u>
<del>0</del> <u>Beginning of employment- to 5</u> years	12 days/year
<del>6 to 9-10</del> years <u>of employment</u>	<del>18</del> <u>75</u> days/year
<del>11-15</del> years	<del>18</del> days/year
<del>16-10</del> years <u>of employment</u> and <u>overabove</u>	22 days/year

Non-exempt E- employees who have previously worked in a benefit-eligible position at Utah State University or another State of Utah institution of higher education will receive credit for the number of years of prior service when calculating annual leave allowances.

## 345.2 PROCEDURES

### 2.1 Deferral of Annual Leave

Fiscal year faculty and ~~professional- exempt~~ employees may defer to the following calendar year up to half of the annual leave earned in a year. Fiscal year faculty and exempt employees hired after June 30 of any calendar year are not required to use half of their accrued leave until the next full calendar year. ~~Classified-Non-exempt~~ employees may defer to the following year all annual leave earned in that year.

For most eligible employees, A- a maximum of 30 days of earned annual leave may accumulate and be deferred from one calendar year to the next. Any annual leave over 30 days which has not been used by the end of a calendar year may not be deferred and will be lost. ~~Faculty and professional employees hired after June 30 of any calendar year are not required to use half of their accrued leave until the next full calendar year.~~ Department heads may allow carryover of leave into the next calendar year under special circumstances. Notification to the Office of Human Resources is required.

However, coaches employed by the University Athletics Department are not eligible for the deferral of annual leave from one calendar year to the next. All annual leave must be taken in the year in which it is earned.

When an employee transfers to another University department, ~~the general policy will be to transfer any accrued leave balance with the employee to the new department.~~

~~However,~~ the two administrators may negotiate the disposition of ~~this transfer the leave obligation~~ when significant funding issues occur, such as accepting the leave obligation on a ~~contract or grant~~ contract/grant. In cases ~~when~~ where the leave balance cannot be transferred to the new department, the employee may be required to take unused annual leave before the transfer, or the ~~old~~ current department may transfer funds to the new department to cover the obligation of the unused annual leave.

~~If an employee's status changes from an eligible fiscal year base to an ineligible academic year base, the department may, at its discretion, pay out accrued annual leave up to a maximum of 30 working days. If payout does not occur, leave balances will be kept on the official records until the employee ends employment or returns to a fiscal year base.~~

## **2.2 Payment When Employment Ends**

~~(1) If an employee's status changes from a fiscal year base (eligible to earn annual leave) to an academic year base (not eligible to earn annual leave), the department will pay out accrued annual leave up to a maximum of 30 days at the time of status change.~~

~~(2)~~ When employment ends, employees are entitled to receive a lump-sum payment for unused annual leave up to a maximum of 30 days. Supervisors may require employees to use accrued annual leave before their employment ends, if sufficient time is available.

~~(3)~~ Compensation for unused annual leave will be based on the employee's current annual base salary.

~~(4)~~ Leave earned during a contract/grant funding period must be used during the contract/grant period. Employees hired in positions funded by contracts/grants are to be informed in writing of this requirement at the time of employment. Before a contract/grant ends, employees paid from that contract/grant will be notified by their department of their current leave balance and the time period available for using the leave. When employees are given sufficient notice and opportunity to use their earned leave, ~~they are required to do so; and~~ the leave obligation on those funds will be zeroed and cannot be carried over to other funds. When employees do not receive sufficient notice, the department will be obligated to pay the employees for their unused leave balances, up to the maximum amount specified in this policy.

~~(5)~~ Coaches employed by the Athletics Department may not be paid for unused leave at termination of employment.

## **2.3 Application for Leave**

All eligible employees (fiscal year faculty and staff) must report all annual leave used.

University administrators are responsible for approving, coordinating, and recording the annual leave of ~~employees~~ staff and fiscal year faculty in their respective units. All annual leave, except for emergencies, must be authorized in advance and will be used at times when it will have the least interference with the employee's professional services at



the University. The individual applying for annual leave and the department head, director, or supervisor approving the leave will make every effort to arrange for the use of annual leave during the calendar year in which it is earned.

Annual leave taken by faculty, administrators, and exempt ~~(professional)~~ employees should be reported in half-day increments. If the amount of annual leave taken is less than half a day, it should not be reported. Annual leave taken by non-exempt ~~(classified)~~ employees should be reported in 1-hour increments. In some areas it may be appropriate to account for ~~classified-~~ non-exempt employees' leave in increments of less than one hour for job costing and other such purposes. In such cases, leave may be recorded within the department in 15-minute increments, then tallied and reported in 1-hour increments on the monthly leave reports.

## **2.4 Annual Report and Approval**

At the end of each calendar year, a summary leave report will be sent to each department indicating year-end accumulated leave balances. This report must be ~~returned-~~ reviewed with each applicable employee and returned to the Office of Human Resources with authorized signatures. ~~This form must be signed by the administrator and should be reviewed with each employee.~~ The Office of Human Resources will provide the administration with appropriate annual reports as outlined by the Board of Regents.

## **345.3 RESPONSIBILITY**

### **3.1 Department Heads and Supervisors**

Responsible for approving, coordinating, and recording the annual leave of employees staff and eligible faculty within their departments. ~~They will complete monthly summary leave reports on each employee and provide this information to the Office of Human Resources.~~

### **3.2 Office of Human Resources**

~~Responsible for providing monthly and annual summary leave reports for department heads and supervisors. The Office of Human Resources will maintain a centralized annual leave data base on all eligible employees.~~ Responsible for providing an annual summary leave report to department heads and supervisors. Responsible for keeping a centralized data base on annual leave that is also qualified as FMLA leave (see Policy 351 Family and Medical Leave).

### **3.3 Employees**

Responsible for requesting leave in advance so schedules can be set to accommodate the needs of the University and the employee, and for reporting leave to the supervisor.

## ISSUES/RECOMMENDATION

### Purpose:

To revise Policy 351 "Family and Medical Leave" of the University Policy Manual to bring the policy into compliance with federal law.

### Issues:

- HR will track FMLA leave for all FMLA-eligible USU employees
- In 2008, President Bush signed into law the National Defense Authorization Act which amended the federal FMLA to allow more (up to 26 weeks) paid or unpaid leave for employees who are military service members, or to care for "next of kin" who are military service members
- Clarifies the 1) definition of FMLA eligibility, 2) responsibility for USU employees to notify HR about FMLA related situations, and 3) responsibility for USU to notify employees when they are FMLA eligible
- Eliminates "parent-in-law" from list of Family Members
- In order for USU to appropriately track FMLA leave, employees must complete a form if they are taking leave for more than three consecutive working days for 1) maternity, paternity, adoption, or foster care placement; 2) serious health condition of employee, spouse, parent, or child; or 3) qualifying exigency (pertaining to Military service)
- Requires coordination of the employee's FMLA leave with annual leave, sick leave, organ donor leave, military leave, workers compensation leave, short-term disability leave, and leave without pay policies. This protects USU resources by ensuring that the employee receives the protection of the FMLA, but does not authorize them more leave than is allowed by USU policy
- Requires employees to use sick and annual leave before leave without pay begins so that if the employee does not return to work after the FMLA leave ends, there is no annual leave payout required. Employees may retain one week of annual leave and one week of sick leave if he/she so chooses
- Clarifies that retirement contributions continue during paid FMLA leave, but not during unpaid FMLA leave

Recommendation:

The Office of Human Resources recommends approval of these changes to satisfy federal regulations.



## POLICY MANUAL

### BENEFITS

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**Number 351**

**Subject: Family and Medical Leave**

**Covered Employees: University Employees**

**Date of Origin: January 24, 1997**

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#### 351.1 POLICY

In compliance with federal regulations, Utah State University has established a policy regarding time off work which qualifies under the Family and Medical Leave Act (FMLA) ~~of 1993~~ as revised effective January 16, 2009. The function of this policy is to provide employees with a general description of their FMLA rights and responsibilities. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

When an FMLA eligible employee is off work for an FMLA qualifying event for more than three (3) consecutive days, this policy will be in effect. Employees may not work another job while on FMLA leave.

This policy operates in conjunction with the University's annual leave, sick leave, organ donor leave, military leave, workers compensation leave, short-term disability leave and personal leave without pay policies. ~~All employees with appointments of 50% time or more in their regular assignments or who have worked 1,250 hours or more over the last 12-month period are eligible.~~ Questions regarding how these policies work to the mutual benefit of the employee and the University should be directed to the Office of Human Resources.

#### 351.2 DEFINITIONS (Specifically For Use With This Policy)

##### 2.1 Eligible Employee

All University employees with appointments of (1) 50% time or more in their regular assignments, (2) who have worked for USU for 12 months or 52 weeks over the past

seven (7) years, and (3) who have worked 1,250 hours or more over the previous 12-month period.

## **2.2 Family Members**

Family members include the employee's spouse, dependent child (~~birth, natural~~, adopted, step, or foster), and parent, ~~and parent-in-law~~. For the purposes of this policy a dependent child is under the age of 18 years, or over the age of 18 years and incapable of self-care because of a mental or physical disability.

## **2.3 Serious Health Condition**

A serious health condition is (1) a condition which requires ~~an overnight in-patient~~ stay in a hospital, hospice, or residential medical facility; (2) a condition requiring absence from work, school or other regular daily activities for more than three consecutive working calendar days, and which requires continuing treatment by, or under the supervision of, a health care provider; or (3) a condition requiring continuing treatment for a chronic or long-term health condition which, if not treated, would result in an absence of more than three consecutive working days. The University ~~may~~ will require the employee to provide medical certification of the serious health condition of either the employee or the family member.

## **2.4 Continuing Treatment**

Continuing treatment is defined as (1) treatment on two or more occasions by a health care provider or by a paraprofessional under the supervision of a health care provider; (2) treatment on at least one occasion by a health care provider who thereafter supervises a regimen of continuing treatment (e.g., a course of medication or therapy); or (3) treatment in the course of a long-term or chronic condition or disability requiring ~~the~~ continuing supervision, but not ~~the~~ active treatment, by a health care provider.

## **351.3 PROCEDURES PROVISIONS**

### **3.1 Provisions**

An eligible employee may use paid leave (if available) and/or unpaid leave up to a maximum of 12 weeks during ~~any~~ rolling 12-month period, for the following ~~reasons~~ qualifying events:

- (1) The serious health condition of the employee, including continuing treatment.
- (2) The birth of a child or the placement of a child for adoption or foster care. The 12-week FMLA leave period must be completed within 12 months of the birth, adoption, or foster care placement of the child.

(3) The care of the employee's family member due to a serious health condition.

(4) Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

(5) Military caregiver leave that permits eligible employees to take up to 26 weeks of leave to care for a spouse, son, daughter, parent or next of kin covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness either incurred in the line of duty on active duty or because service on active duty aggravated existing or pre-existing injuries that may render the service member medically unfit to perform his/her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. The veteran must have been a member of the Armed Forces, National Guard or Reserves within five years of requiring care. The University will require the employee to provide medical certification of the serious health condition of the service member.

The rolling 12-month period begins on the first day of an FMLA qualifying leave. Even if an employee experiences more than one of these events in a rolling 12-month period, only a total of 12 weeks of FMLA leave will be granted unless one of the qualifying events is the military caregiver leave

then only a total of 26 weeks will be granted. The 26 workweeks of military caregiver leave run on a separate FMLA year that commences with the first day leave is taken and can run forward until the end of that 12-month period. Any combination of FMLA leave may not exceed the maximum limit of 26 work weeks in that single 12-month period. Unused military caregiver leave is forfeited at the end of that 12-month period. If both the husband and wife work for the University, a husband's and wife's leave is limited to a combined total of 26 workweeks in that single 12-month period.

Additional leave (paid or unpaid) may be granted according to the provisions of the University's annual, sick, short-term disability, workers compensation, and leave without pay policies.

### **-3.21 Intermittent Leave**

The 12 weeks of FMLA leave are not required to be used consecutively. FMLA leave may be taken on an intermittent or reduced hour basis if medically necessary for an employee's or family member's serious health condition. Leave due to military qualifying exigencies may also be taken on an intermittent basis, or for the care of a child who has

~~been born, adopted, or placed for foster care.~~ Employees should make all reasonable efforts to schedule such leave in advance.

### **3.32 Paid Leave During FMLA Leave**

(1) Paid sick/annual leave.

The employee ~~must~~may use ~~any~~ accumulated sick and/or annual leave during an FMLA leave according to the provisions of the University's sick and annual leave policies. ~~In all other situations, before~~ leave without pay will apply. ~~Sick and annual leave will accumulate on a pro-rata basis when the employee is on intermittent leave. The employee may retain one week of annual leave and one week of sick leave if he/she so chooses.~~ Sick and annual leave will accumulate on a pro-rata basis when the employee is on intermittent leave.

(2) Short-term disability usage during FMLA leave.

~~If an~~ An employee who is enrolled in the short-term disability program, ~~he or she~~ may receive short-term disability benefits during the FMLA leave according to the provisions of the short-term disability policy.

(3) Worker's compensation leave.

An absence from work due to an on-the-job injury or illness which qualifies as a worker's compensation absence may also qualify as an FMLA absence.

In cases in which short-term disability or worker's compensation also qualifies as FMLA leave, the FMLA leave will run concurrently with the short-term disability leave or worker's compensation leave.

### **3.43 Benefit Continuation During FMLA Leave**

The University will continue health benefits (medical and dental insurance coverage) for benefit-eligible employees during any paid or unpaid FMLA leave on the same basis as for active employees.

The employee's regularly deducted premiums due for medical and dental coverage during periods of unpaid FMLA leave will be collected according to existing procedures for premium payment during an approved leave without pay. Employees will be contacted by the Office of Human Resources regarding provisions for payments.

The University's obligation to maintain healthcare coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15

days late, the University will send a letter notifying the employee that coverage will be dropped on a specified date unless the premium is received before that date.

The University will retroactively charge the employee for the University's portion of the ~~benefit medical and/or dental~~ premiums during an unpaid FMLA leave if the employee does not return to work after the FMLA leave for reasons other than the continuation of a serious health condition or for other reasons beyond the control of the employee.

~~Employees are considered as having returned to work after being back at work for at least 30 days.~~

The flexible spending account (FSA) program is governed by specifications of the FSA plan. ~~The Office of Human Resources will inform employees regarding payment provisions for continuation of the FSA plan during FMLA leave.~~

~~Nonhealth care benefits may be continued during an unpaid FMLA leave according to the current practice for any employee on an approved leave without pay.~~

~~Employer R~~etirement contributions will be discontinued while the employee is on unpaid FMLA leave.

### **3.54 Reinstatement of Position and Benefits**

The University ~~guarantees to return~~will restore the employee to the previous position, or a position of ~~similar~~equivalent status, seniority, ~~benefits~~ and pay, after the FMLA leave. Upon return to work, no proof of insurability or pre-existing condition clause will apply to the employee to return to the same level of benefit coverage ~~that he or she in which~~ he/she was enrolled ~~in~~ before the FMLA leave. This provision will apply even if the employee waived the coverage during the period of an unpaid FMLA leave.

Employees who may need an accommodation in order to return to work may consult with The University's Americans with Disabilities (ADA) Coordinator.

~~3is available for consultation regarding work accommodation(s) for employees who may have acquired a disability.~~

### **3.65 Medical Certification**

The ~~employee's department may~~ University will require an employee to have a health care provider certify ~~his or her~~his/her need for medical leave, or the need for the medical care of a spouse, ~~dependent~~ child, or parent ~~within 15 days of the approved request for FMLA leave~~. The ~~department must notify the~~ employee will be notified of the need for this certification when the employee requests FMLA leave.

With the employee's permission, the designated HR representative may contact the employee's health care provider to authenticate or clarify the certification form.



The University may require employees to obtain a second opinion at the University's expense. If the opinions of the initial and second healthcare providers differ, the University may at its expense, require employees to obtain a third, final and binding certification from a healthcare provider.

An employee may be requested to recertify a serious health condition every 30 days (if the employee is absent during that period) for chronic/long-term illness.

### **3.76 Fitness for Duty Requirement**

The ~~employee's department may~~ University will require the employee to provide a Fitness for Duty certification before the employee returns to work, if the leave was for his/her own serious medical condition. The employee will be notified of this requirement ~~by the department~~ when the FMLA leave is requested (or immediately after the FMLA leave begins). Fitness for duty examinations, ~~if required,~~ must be job-related and paid for by the requesting employee's department.

### **3.78 Pre-tenure Probationary Period**

When a tenure-eligible faculty member is on FMLA leave in an academic year, the faculty member's department head or supervisor and dean, director, or vice president may recommend a hiatus from the faculty member's pre-tenure probationary period, equal to the duration of the FMLA leave. The Provost must approve the hiatus. All requests must be submitted to the Provost's Office. [See Policy 405.1.4(3) & (4)]

## **351.4 RESPONSIBILITY**

### **4.1 Department Heads and Supervisors**

Responsible for ~~granting appropriate leave~~ managing job vacancies, and ~~immediately notifying the Personnel Services~~ coordinating information with the Office of Human Resources when an employee is on requests for FMLA leave.

### **4.2 Office of Human Resources**

Responsible for determining and notifying employee of FMLA eligibility, determining qualifying events, assisting with the implementation and administration of this policy, and for maintaining required employee documentation necessary for requesting and processing leaves. ~~It is also~~ Also responsible for decisions about ~~second and third medical~~ opinions, ensuring all employees are aware of the Family and Medical Leave Policy and its amendments, and posting the federal notice of the Family and Medical Leave Act of 1993 and its amendments.

### 4.3 Employees

Responsible for providing as much notice as possible when requesting leave ([30 days, if practicable](#)), complying with requests for documentation, maintaining contact with ~~their~~ supervisors, and returning to work as scheduled.

When planning medical treatment, employees must consult with the University's FMLA Coordinator and make a reasonable effort to schedule treatment so as not to unduly disrupt University operations. Employees must consult with the University prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the University and the employee, subject to the approval of an employee's healthcare provider.

The employee must comply with the usual and customary notice provisions for absence.

**Request forms for FMLA:** ~~Certification of Health Care Provider, Employer Response to Employee Request, FMLA Request Form~~

## ISSUES/RECOMMENDATION

### Purpose:

To make changes to Policy 357 “Long-Term Disability” of the University Policy Manual.

### Issues:

- USU’s policy as presently written allows full medical and dental coverage, at no cost to employees, who are on long-term disability (LTD) for as long as that disability period lasts. This is unusual, in that most employers do not continue with any medical or dental coverage for employees who are on long-term disability. The proposed policy provides for one year of full medical and dental coverage at no cost to employees, with two additional years at employee cost plus 50%. The change does not apply to employees who are currently on long-term disability.
- Provides for a memorandum of agreement between the employee and USU regarding insurance coverage.
- The amount the employee can earn while on long-term disability will be set contractually between USU and the insurance carrier(s). A typical amount is between 60 and 66 2/3% of pre-LTD income.
- The employee may coordinate any sick or annual leave remaining with LTD (the employee does not earn sick or annual leave while on LTD).
- Clarifies that involuntary termination during LTD is at the discretion of USU.

### Recommendation:

The Office of Human Resources recommends that these cost-saving and clarifying changes be made to this policy.



# POLICY MANUAL

## BENEFITS

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**Number 357**

**Subject: Long-Term Disability**

**Covered Employees: Benefit Eligible Employees**

**Date of Origin: January 24, 1997**

**Effective Date of Last Revision: July 1, 1999**

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### 357.1 POLICY

The long-term disability (LTD) program is designed to replace a substantial portion of a benefit-eligible employee's income if ~~he or she~~ the employee is unable to perform ~~his or her~~ regular-~~occupation~~ job responsibilities because of bodily injury, illness, or mental impairment.

Utah State University reserves the right, if circumstances warrant, to require the employee to apply for acceptance in the long-term disability program.

### 357.2 PROCEDURES

#### 2.1 Premiums

The University pays the entire premium of the LTD program.

#### 2.2 Waiting Period and Duration

To qualify for benefits from the LTD program, the employee must be continuously disabled for 150 calendar days (approximately 5 months) due to a non-work-related injury or illness while covered under the University's plan. The LTD program will make monthly payments to the employee ~~in an amount that, when combined with income from other sources (e.g., Social Security or worker's compensation benefits), will equal 66-2/3% of his or her budgeted salary in accordance with the LTD insurance carrier's contract. Long-term disability benefits cannot be coordinated with the University's sick-leave benefits.~~

## 2.3 Plan Benefits

Retirement plan contributions (for the defined contribution plans), or credit toward retirement (for the State Retirement Plan), will continue to be made on behalf of employees on long-term disability.

If an employee is partially disabled but able to perform some of the duties of ~~his or her~~ his/her own job or is being rehabilitated for another job, benefits will be paid according to the formula specified in the USU LTD insurance carrier's policy.

In situations of partial disability, LTD payments and income earned from other sources are coordinated as specified in the USU LTD insurance carrier's policy. ~~In no case will an employee receive more than the equivalent of 91 2/3% of his or her annual base salary.~~

~~The University will continue to make retirement plan contributions on behalf of employees on long-term disability. Employee premiums for medical, dental, and life insurance coverage will be waived during the disability period.~~

The University will continue to make full medical and dental plan contributions on behalf of the employee on full-time long-term disability for 12 months. For the next 24 months, medical and dental coverage will be available at the employee's cost plus 50%. Thereafter, the employee will no longer be covered by the USU medical and dental plans. COBRA insurance coverage will run concurrently with these plan benefits.

## 2.4 Employment Status

Employees receiving benefits under the LTD program may be terminated from the University, at the University's discretion, depending on the circumstances surrounding the length and nature of the disability. Return to work at the conclusion of a disability period requires the release of the employee's attending physician showing the employee is fit to return to work. This release ~~should also must~~ identify any work restrictions that may apply. The University's Americans with Disabilities (ADA) Coordinator is available for consultation regarding work accommodation(s) for employees who may have acquired a disability.

If an employee receiving LTD benefits is terminated from the University, but is able to return to work within one year from the date the disability began, all reasonable effort ~~s~~

will be made by the ~~individual~~ department and the University to place that individual in the same or a similar position of responsibility and compensation. Such placement is not guaranteed.

### **357.3 RESPONSIBILITY**

#### **3.1 Office of Human Resources**

Responsible for creating the Memorandum of Agreement outlining the employee's participation in cost-sharing of the insurance premium, and assisting in the implementation of this policy in accordance with the University's LTD program.

#### **3.2 Employees**

Responsible for working with the Office of Human Resources and the University's LTD insurance carrier.

## **ISSUES/RECOMMENDATION**

### **Purpose:**

To revise Policy 359 “Military Leave” of the University Policy Manual to bring the policy into compliance with federal law.

### **Issues:**

- Incorporates the requirements of the National Defense Authorization Act (NDAA); namely that under special circumstances USU employees or family members of individuals in military service can take additional time off (up to 26 weeks during a rolling 12-month period) without jeopardizing their employment at USU.

### **Recommendation:**

The Office of Human Resources recommends approval of this policy to satisfy federal regulations.



## **POLICY MANUAL**

### **BENEFITS**

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**Number 359**

**Subject: Military Leave**

**Covered Employees: University Employees**

**Date of Origin: January 24, 1997**

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#### **359.1 POLICY**

This policy provides guidelines for the call to active duty of University faculty and staff who are members of any reserve branch of the United States Armed Forces or a National Guard unit. It also applies to any faculty and staff who are not reserve or guard members who may be called to active duty by the United States Armed Forces through any other means. [Utah State University is compliant with the National Defense Authorization Act \(NDAA\) of 2008.](#)

#### **359.2 PROCEDURES PROVISIONS**

##### **2.1 Annual Encampment**

University employees on leave for active duty at annual encampments or other required active duty training are entitled to a leave of absence with full pay for up to 11 working days per year. This leave will be paid in addition to any annual leave the individual may have accrued. The leave with pay provisions do not apply when an individual voluntarily seeks active duty in addition to the required annual encampment.

A copy of the orders requiring the attendance of an eligible employee for military leave must be attached to the request for leave with pay.

The provisions of this section are governed by 1953 Utah Code Annotated, Section 39-3-2.



## 2.2 Active Duty Beyond Annual Encampments

### (1) Re-employment.

Faculty and staff who leave the University to enter active duty in the armed forces of the United States, voluntarily or involuntarily, are protected by the federal veterans' re-employment rights laws (Chapter 43, U.S. Code Title 38) and 1953 Utah Code Annotated, Section 39-1-36. To be eligible for the provisions of these laws, an employee must:

- (a) Leave a non-temporary position at the University.
- (b) Leave the University to go on active duty.
- (c) Remain on active duty no longer than five years.
- (d) Be discharged or released from active duty under honorable conditions.
- (e) ~~Apply for re-employment with the University~~ Notify the Office of Human Resources within 90 days after official separation from active duty that he/she is ready to be re-employed. This deadline will be extended for up to one year following the release from duty if the employee is hospitalized for injuries resulting from service.

A person meeting the above criteria is entitled to return to the previous position, or a position of similar status, seniority, and pay. The person is to be restored as if he/she had been continuously employed by the University during the course of active duty, with no loss of promotion, pay increases, seniority, or other position attributes that would have occurred had the person remained employed. Tenure-track faculty called to active duty will be granted a hiatus from their probationary period. A re-adaptation period of up to two years, as negotiated with the department head and dean, and approved by the Provost, will be granted to returning tenure-track faculty before the reinstatement of the tenure clock.

The University's Americans with Disabilities (ADA) Coordinator is available for consultation regarding work accommodation(s) for employees who may have acquired a disability.

### (2) Retirement benefits.

Under Utah law, individuals whose employment is interrupted by military service must be given benefit accruals for the period of military leave. ~~This situation is controlled by (1953 Utah Code Annotated, Sections 49-1-401 and 49-1-402). These sections state service in the armed forces of the United States is eligible for credit.~~ Contributions must can either be made (a) on a monthly basis during the period of the official call to duty, or

(b) a contribution adjustment (including interest) ~~made~~ after the official call but at least five years before the employee's retirement date. The individual must return to covered service (employment at the University) after receiving an honorable discharge from military service to qualify for the above-stated retirement credits.

Utah State University will make retirement contributions for employees called to active duty for up to five years at the contribution rate specified by state statute and based on the employee's compensation when he/she was called to military duty.

### ~~(3) Leave benefits.~~

~~Special military leave days with pay that are allowed in 2.1 of this policy may be used when active duty begins if those days have not already been used in the current year. If active duty continues into additional calendar years, the leave provided for in 2.1 will not be granted for those additional years. Annual leave may be taken according to existing University policy. Accrual of annual and sick leave ceases during leave without pay.~~ (4) (3) Other benefits.

In the case of a call to active duty, the University will continue an employee's medical, dental, and life insurance benefits at the same level that was provided immediately before the call to active service, for 30 days after the employee begins active duty. Beyond this 30-day benefit continuation period, other basic employee benefits will be handled as they are for any other employee taking a leave of absence or using annual leave.

## 2.3 Leave Benefits

Special military leave days with pay that are allowed in 2.1 of this policy may be used when active duty begins if those days have not already been used in the current calendar year. If active duty continues into additional calendar years, the leave provided in 2.1 will not be granted for those additional years. Annual leave may be taken according to existing University policy. Accrual of annual and sick leave ceases during leave without pay.

Leave with pay using annual leave allows for the continuation of all benefits as if the employee were still working. Leave without pay does not allow for the continuation of benefits paid by the University, but does allow the employee to continue insurance benefits by paying the premiums for such benefits under the COBRA continuation provisions of federal law.

Eligible employees are entitled to up to 12 weeks of leave because of “any qualifying exigency” arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. See Policy 351 Family and Medical Leave.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury, either sustained in the

line of duty on active duty or incurred because service on active duty aggravated existing or pre-existing injuries, is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave (see Policy 351 Family and Medical Leave).

### **359.3 RESPONSIBILITY**

#### **3.1 Office of Human Resources**

Responsible for communicating and administering this policy in accordance with federal and Utah law.

#### **3.2 Employees**

Responsible for filling out Request for Leave and FMLA Forms and providing the necessary documentation to ~~their~~ supervisors when requesting a Military leave of absence, and when returning to employment at USU.

## **ISSUES/RECOMMENDATION**

### **Purpose:**

To make changes to Policy 385 “Appointments of Opportunity” in the University Policy Manual.

### **Issues:**

- The “Exceptional Merit” section (1.3) was renamed “Institutional Need” to allow for more flexibility in appointing highly qualified individuals.
- A form was developed to formalize the request for approval of non-competitive hires.
- Language was added to allow both the President’s Office and the Provost’s Office to approve non-competitive hires in the non-academic areas,
- Language was added to discourage this policy from being used more than once.

### **Recommendation:**

The Office of Human Resources recommends approval of the changes to this policy.

# POLICY MANUAL

## OPERATING POLICIES AND PROCEDURES

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**Number 385**

**Subject: Appointments of Opportunity**

**Covered Employees: University Employees**

**Date of Origin: January 24, 1997**

**Effective Date of Last Revision: May 20, 2005**

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### 385.1 POLICY

At times it may be appropriate to waive ~~normal~~[competitive](#) search requirements (~~i.e., a competitive process~~) as outlined in the Faculty and Exempt Staff Employment Policy ([USU Policy 394](#)), and the Non-exempt Staff Employment Policy ([USU Policy 387](#)), in connection with an appointment. Use of this policy requires review by the Affirmative Action/Equal Opportunity (AA/EO) Office and the Office of Human Resources (HR), and approval by the Office of the Provost ([for positions in academic areas](#)) or the Office of the President ([for positions in non-academic areas](#)). Exceptions to open recruitment and regular hiring procedures may be granted under the following ~~six (6)~~ conditions. Procedures are found by clicking on the link after each category.

[The intent of this policy is to assist in the initial appointment of individuals under specific circumstances as presented in the policy. Use of this policy for further placement at Utah State University is discouraged.](#)

This policy should be considered before a search is opened. However, an ongoing search may be suspended/closed due to the availability of a qualified individual as defined in this policy.

This policy should not be construed to be a promise, real or implied, of employment at Utah State University. Utah State University has a commitment to assist in the employment process, but has no legal obligation to provide employment.

#### 1.1 Dual Career Assistance (DCA)

Utah State University recognizes that dual career assistance (DCA) is critical to sustaining its commitment to recruiting and retaining highly qualified and competitive staff and faculty members. [University leadership](#)~~The Office of the Provost~~ is committed to supporting DCA in cases that strengthen our capacity to meet institutional missions and objectives. This policy applies to situations in which there are existing positions to accommodate the common interests of the institution and the couple seeking DCA. It also covers instances in which a new position may be created to utilize the qualifications and occupational interests of a dual career couple. In the latter case, funding from the recruiting and receiving units (academic or administrative) and the Office of the Provost ~~or the Office of the President~~ is ~~sometimes~~~~often~~ necessary for leveraging the establishment of such a position.

While [University leadership](#)~~the Office of the Provost~~ is committed to participating as a partner in DCA proposals, the central advocacy role for DCA originates within the primary academic or administrative unit. Department heads, supervisors, directors, deans, and vice presidents in the unit seeking a DCA play a key advocacy role on behalf of the couple requesting DCA. Of course, those individuals seeking DCA also retain some responsibility for nurturing proposals through the DCA process.

The goal of the DCA procedures is to clarify for all participants – the couple seeking DCA, academic and administrative leadership, the HR Office, the AA/EO Office ~~and the Office of the Provost~~ – the steps required for developing a successful dual career employment package with support at all administrative levels. [All DCA appointments for faculty and senior level staff must be approved by the Office of the Provost or the Office of the President. Procedures for DCA.](#)

## **1.2 Affirmative Action**

When there is under-representation in a particular job group by women or ethnic/racial minorities, such qualified individuals may be appointed ~~to open positions~~ in an effort to enhance the University's efforts to meet affirmative action goals. [Procedures for an affirmative action hire.](#)

## **1.3 ~~Exceptional Merit~~ Institutional Need**

Faculty and staff may be appointed who are nationally recognized for outstanding achievement in their areas of expertise. These are individuals whose qualifications are unique and exceptional and whose potential value to the University is great. [Procedures for an ~~exceptional merit~~ institutional need hire.](#)

## **1.4 Temporary ~~Hires~~ Positions**

An individual not covered by ~~USU~~ Policy 390 (Employment at Will) or ~~USU~~ Policy 397 (Hourly Employment) may be appointed to an exempt position (as defined by the Fair Labor Standards Act) for a temporary period not to exceed two years. The temporary nature of this position will be specified in the appointment document, and the temporary

position will be eliminated from the unit's budget after the temporary period has expired. Non-exempt positions are not available for this temporary appointment opportunity.

[Procedures for a ~~n-exceptional-merit~~temporary position hire.](#)

### **1.5 Employment-at-Will Hires**

Certain positions at the University are defined as "at-will" (see [USU Policy 390 – Employment at Will](#)) for details. At-will employees are not eligible to participate in the employee grievance process ([USU Policy 325 Grievance Procedures](#)) but still have access to [USU Policy 305 \(Discrimination Complaints\)](#) if they feel they have been discriminated against based on a protected category. [Procedures for an employment-at-will hire.](#)

### **1.6 Written into Sponsored Program Budgets**

Qualified individuals may be written into sponsored program budgets to fill appropriate exempt positions. These positions will end when the program ends. [Procedures for employees ~~that~~who are written into sponsored program budgets.](#)

## **385.2 RESPONSIBILITIES**

### **2.1 Candidate/Employee**

Responsible for informing the Department Head/~~or~~ Supervisor of the need for dual career assistance. Responsible for working with HR in the job search process.

### **2.2 Department Heads and Supervisors**

Responsible for informing candidates and new hires about the dual career assistance policy. Responsible for working with HR in identifying opportunities that may qualify under this policy, and working with the Dean/VP, as well as HR and AA/EO, to obtain necessary approvals, initiating hiring documentation, and following the process to completion.

### **2.3 Deans and Vice Presidents**

Responsible for ~~assisting~~[communicating support for this policy to](#) the Department Head/Supervisor to effectuate [an interview \(for the DCA option\) or implementation of](#) the appointment of opportunity. ~~Responsible for contacting the Dean/VP in the receiving college or unit to seek cooperation in an appointment of opportunity.~~ Responsible for alerting the [Provost/appropriate University leadership office](#) regarding the need to seek an appointment of opportunity.

### **2.4 Office of Human Resources**

Primary responsibility for the implementation of this policy. Responsible to assist USU leadership and other individuals in the ~~overall implementation application~~ of this policy and to provide assistance in locating available positions in cases of dual career assistance. Responsible to review position descriptions for appropriate title and salary range. Responsible to review requested appointments of opportunity and make recommendations to the Office of the Provost or the Office of the President.

## **2.5 Affirmative Action/Equal Opportunity Office**

Responsible to assist USU leadership and other individuals on AA- and EO-related issues and in the implementation of this policy. Responsible to review requested appointments of opportunity and make recommendations to the Office of the Provost or the Office of the President.

## **2.6 Office of the Provost**

~~The Office of the Provost~~ Responsible to make ~~makes~~ the final decision relating to faculty and staff in academic areas seeking Dual Career Assistance positions (385.1.1), Institutional Need positions (385.1.3), and others as applicable based on recommendations from the AA/EO Office and the Office of Human Resources.

## **2.7 Office of the President**

Responsible to make the final decision relating to staff in non-academic areas seeking Dual Career Assistance positions (Policy 385.1.1), Institutional Need positions (385.1.3), and others as applicable based on recommendations from the AA/EO Office and the Office of Human Resources.



## **ISSUES/RECOMMENDATION**

### **Purpose:**

Creation of University Policy #388 Retention, Disposition, Access, and Confidentiality of Applicant Information

### **Issue:**

Utah House Bill 206 Employment Selection Procedures Act, 2009 requires Utah State University to add this policy to its Policy Manual.

### **Recommendation:**

The Office of Human Resources recommends approval of this policy.



## **POLICY MANUAL**

### **GENERAL**

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**Number 388**

**Subject: Retention, Disposition, Access, and Confidentiality of Applicant Information**

**Covered Employees: All Applicants for Positions at Utah State University**

**Date of Origin:**

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#### **388.1 PURPOSE**

Utah State University will only use information obtained through an initial application or selection process to determine whether an applicant should be hired. Utah State University will not request information that does not pertain to the bona fide occupational qualifications of the advertised position prior to offering a position to a candidate.

#### **388.2 REFERENCE**

Utah H.B. 206                      Employment Selection Procedures Act, 2009

#### **388.3 INFORMATION COLLECTED**

Utah State University will not request Social Security number, date of birth, or driver license number unless the applicant is offered a position for which the applicant is applying, and if the information is required for benefits reasons (see Policy 386 Background Checks).

Application data will be retained electronically and will not be made available to anyone except:

- (1) a government official, at the request of the government official;
- (2) for performance review;
- (3) for a promotion application

Utah State University will not retain applicant information for more than two years if the applicant is not hired for the position advertised.

#### **388.4 INVESTIGATION INTO ALLEGED VIOLATION**

The Utah Labor Commission's Division of Antidiscrimination and Labor may investigate an alleged violation.

## **ISSUES/RECOMMENDATION**

### **Purpose:**

To make changes to Policy 399 “Termination of Professional and Classified Staff” of the University Policy Manual.

### **Issues:**

- Clarifies the location of the exit interview questionnaire.
- Changes the timeframe for dismissed eligible employees to file a grievance. They have 30 days from the date of the incident that led to the involuntary dismissal to file a grievance.
- Replaces the word “Professional” with the word “Exempt,” and “Classified” with the word “Non-exempt” in the title and throughout the body of the policy.

### **Recommendation:**

The Office of Human Resources recommends approval of the changes made to this policy.



## POLICY MANUAL

### EMPLOYMENT

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#### Number 399

Subject: Termination of ExemptProfessional and ClassifiedNon-exempt Staff

Covered Employees: ExemptClassified and Non-exemptProfessional Employees

Date of Origin: January 24, 1997

Effective Date of Last Revision: July 1, 1999

#### 399.1 POLICY

The University strives to provide continuous employment through effective planning and proper selection of employees. Terminations are handled in a manner to achieve the least adverse effect on the employee and the University.

This policy does not apply to individuals identified as "at-will" employees (see pPolicy 390 Employment-at-Will).

#### 399.2 PROCEDURES VOLUNTARY TERMINATION

**2.1 Voluntary Termination** Voluntary termination occurs when an employee resigns, retires, or fails to return to work after an approved leave of absence.

~~(1)~~ Employees are expected to give the University advance written notice when ending their employment. ~~Written notice must be received to end employment in good standing.~~

~~(1a)~~ Non-exempt (Cclassified) employees who intend to end their employment are expected to give the University at least two weeks advance written notice of their resignation.

~~(2b)~~ Exempt (pProfessional) employees who intend to end their employment are expected to give the University at least four weeks advance written notice of their resignation.

~~(3e)~~ Retiring employees, whether professional exempt or classifiednon-exempt, are expected to give two months as much advance written notice of their expected retirement date as possible.

(4) Absence from work for more than three consecutive working days without notifying one's supervisor will constitute voluntary termination.

~~(2)~~ The primary department (as defined in [pPolicy 301 Definitions](#)) should complete the termination ~~section of the Employment Action Form~~ [EPAF](#) for budgeted employees and submit it to the Office of Human Resources at least two weeks before the employee's termination date (if possible).

The primary department can require the employee to take earned, unused annual leave before termination. For questions concerning ~~sick~~ [annual](#) and ~~annual~~ [sick](#) leave at termination, refer to [Policy](#) ~~345~~ [Annual Leave](#) and [Policy](#) 363 [Sick Leave](#).

~~(3) Absence from work for more than three consecutive working days without notifying one's supervisor will also constitute voluntary termination.~~ **2.2 Dismissal** [399.3](#)

### **INVOLUNTARY TERMINATION (DISMISSAL)**

Dismissal is determined at the discretion of the University and not by the employee. It may result from an employee's negligence, poor job performance, insubordination, excessive absence, misuse or theft of University property/funds, disorderly conduct, incorrect or misleading statements, unsuccessful completion of introductory period of employment, end of temporary employment, *or other reasons deemed valid by University administration*. Dismissal can also result from reduction-in-force due to budget cuts, operational reorganization, expiration of outside funding, or dissolution of programs.

Whenever possible, employees should be counseled and given an opportunity to improve their performance before dismissal is warranted (refer to Policy 311 Corrective Action). All dismissals require prior consultation with the department head/director and the Office of Human Resources. The Office of Human Resources is available to counsel dismissed employees concerning the dismissal and available resources.

~~(1) All dismissals require prior consultation with the department head/director and the Office of Human Resources concerning compliance with equal employment laws and regulations, and University policies and procedures. (2) Whenever possible, employees should be counseled and given an opportunity to improve their performance before dismissal is warranted. Refer to pPolicy 311 Corrective Action. (3)~~ **399.3.1 Notification of Dismissal**

A written document stating the reason for the employee's dismissal will be delivered personally to the employee at his/her usual work station. This document will contain a statement summarizing the problems encountered, attempts to correct them, and the cause assigned for dismissal. A copy will be forwarded to the [employee's personnel file](#) [Office of Human Resources](#). If the employee is not available, the notice of dismissal will be sent by certified mail to the employee at his/her last known address. If notice is mailed, it is deemed effective for all purposes when placed in an official [U. S.](#) Post Office depository.

~~(4)~~ The primary department should complete the termination ~~section of the Employment Action Form~~ PAF for benefit-eligible employees and submit it to the Office of Human Resources at least two weeks before the employee's termination date (if possible).

~~(5) Notification of dismissal will be as follows:~~ (1a) Employees dismissed for severe cause and employees dismissed before the end of the introductory period are not entitled to advance notice of dismissal.

~~(2b)~~ Employees dismissed after the introductory period are entitled to receive two weeks notice or two weeks severance pay in lieu of notice.

~~(3e)~~ Employees dismissed as the result of a reduction-in-force will be governed by the provisions of ~~the Policy 398~~ Reduction-in-Force policy (398).

### **399.4 FINAL PAYCHECK**

Utah State University will make final payment at the next regularly scheduled payroll time (see Utah Code 34-28-1). A check for payment of any unused annual leave will also be paid at a regularly scheduled payroll time.

### **399.5 GRIEVANCE**

Dismissed employees have 30 days from the date of the incident or issue which led to the dismissal to file a formal grievance (Policy 325 Employment Grievance Procedures).

### **2.3 Exit Interview****399.6 EXIT INTERVIEW**

~~(1)~~ Utah State University intends that exit interviews be conducted for all benefited employees who terminate their employment. It is the responsibility of the Office of Human Resources to ~~meet with or have a telephone interview with~~ contact each employee whose employment is ending to answer exit interview questions. ~~If the employee is not available for an interview, forms are sent to his/her home address along with a letter asking the employee to call for an exit interview, or to complete the exit interview forms and return them to the Office of Human Resources by mail.~~

~~(2) All employees who voluntarily terminate should meet with the Office of Human Resources for an exit interview and must return all equipment or supplies (i.e., keys, books, staff card, etc.) to the appropriate department.~~**399.7 RE-HIRE**

A former employee of Utah State University may be re-hired into his/her former position without a competitive hiring process if the re-hire occurs within a 12-month period of time, and if the former employee's position was not filled.

### **399.386 RESPONSIBILITY**

### **86.1 Office of Human Resources**

Responsible for ensuring that termination of any [benefited](#) Utah State University employee complies with this policy ~~and with applicable affirmative action/equal employment policies.~~

### **86.2 Primary Department**

Responsible to work closely with the Office of Human Resources to ensure adherence to this policy. The primary department will provide documentation regarding an employee's termination and the return of University property (i.e., keys, books, staff card, etc.). [\(See Termination Checklist.\)](#) The primary department will ~~submit an EPA~~[recommend to the Office of Human Resources how to process](#)~~which pays at~~ the terminating employee ~~for's~~ earned, unused annual leave, if applicable.

### **86.3 Employees**

Responsible for providing the required written notice when they resign or retire, and for ~~attending an~~[answering](#) exit interview ~~questions with~~[from](#) the Office of Human Resources. The employee will ensure that any University property is returned to the appropriate department, including, but not limited to, equipment, keys, books, and staff card.



# **OFFICE OF THE VICE PRESIDENT FOR RESEARCH**

## **ANNUAL REPORT**

**JULY 1, 2008 TO JUNE 30, 2009**

**BRENT C. MILLER, PH.D. VICE PRESIDENT FOR RESEARCH**

### **INTRODUCTION**

Utah State is a research-intensive land-grant university that supports faculty and student researchers, solves problems, and contributes to the economy. University research is fostered through improving campus research services and support, and through building multidisciplinary research programs and partnerships, thereby enhancing the university's capacity for research excellence.

#### **Research Office Mission Statement**

It is the mission of the Research Office at USU to facilitate and stimulate research, scholarship, and creative activities by:

- Providing resources to recruit, retain, and recognize outstanding faculty and student researchers.
- Providing research support services that are highly responsive and efficient.
- Providing leadership to identify and pursue promising research opportunities and to grow external research funding.
- Fostering a culture of academic research integrity and promoting the responsible conduct of research.
- Fostering the creation of intellectual property and supporting appropriate technology commercialization.
- Fostering the expansion of international research projects and programs.
- Communicating the value of USU research throughout the state, nation, and the world.

Core campus constituencies of the Research Office are faculty, research professionals, students, and unit administrators. The VPR chairs the University Research Council, which consists of deans, major center directors, and student and faculty representatives. Because deans, center directors, and department heads are appropriately most concerned with their respective units, the VPR must take a broader, campus-wide perspective.

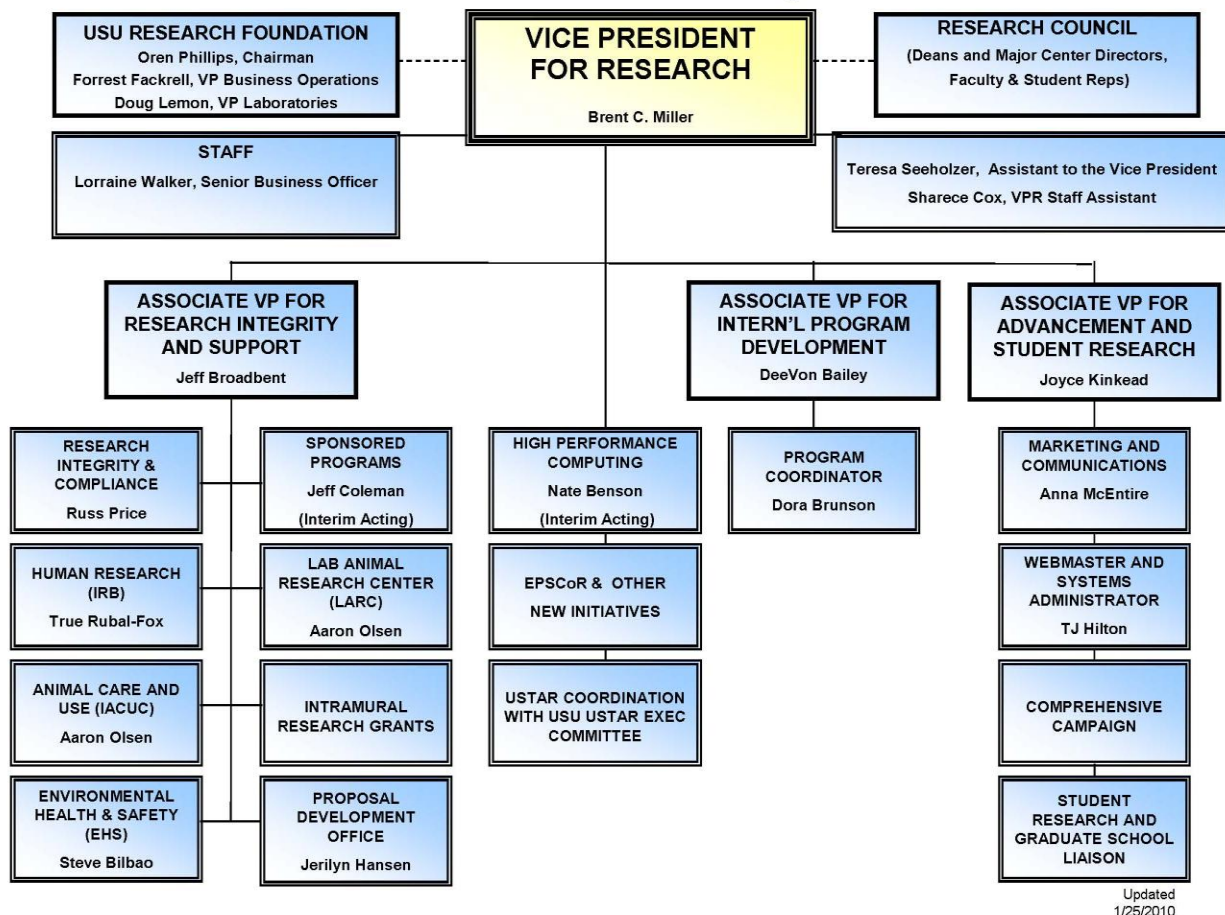
The VPR needs to be actively engaged in professional networks and with societies that have the advancement of research as their mission. The VPR also must be engaged with external constituencies, including local and state elected officials, as well as federal and industry funding sponsors to advance university research.

## **ANNUAL REPORT**

This annual report to the Faculty Senate covers the major activities of the Research Office and the Research Council from July 1, 2008 through June 30, 2009. It is a summary of all units for which the VPR has responsibility. This report is organized in five parts:

1. Overview of the VPR Office and Related Service Units	Appendices
A. Sponsored Programs Office .....	A-D
B. Institutional Review Board .....	E
C. Laboratory Animal Research Center	
D. Environmental Health and Safety Office	
E. Office of Global Engagement (OGE) – International Research	
F. Center for High Performance Computing (HPC)	
G. Advancement & Activities of Student Research	
2. Research Council Membership and Major Activities .....	F
3. Use of Facilities and Administration (F&A) Funds at USU, FY2008-2009 .....	G, H
4. Selected Research Initiatives .....	I
5. Research Dashboard .....	J

## Utah State University Vice President for Research Organization



### 1. OVERVIEW OF VPR AND RELATED SERVICE UNITS

The VPR was responsible for the units shown in the previous diagram during fiscal year 2008-2009. The USU Research Foundation (USURF) is a wholly-owned subsidiary of the university. It is a major organization with large-scale research programs, most notably the Space Dynamics Laboratory (SDL). A cooperative working relationship with the Research Foundation is essential for accomplishing the research mission of the university. The USU Research Council advises the VPR, providing a forum for considering major research issues.

#### A) **Sponsored Programs Office (SPO)**

The USU Sponsored Programs Office (SPO) is responsible for supporting and protecting the university and individual researchers as they propose, submit, and administer externally funded sponsored research projects. This role puts SPO in a unique situation to interact with virtually every college, department, research center, and administrative unit at USU. Further, the interdependent nature of contracting requires strong accountability if research endeavors are to be successful. Therefore, SPO makes every effort to provide excellent service, effective resources, timely responsiveness, and accountability necessary to not only promote

a successful research environment, but also to build strong relationships necessary to promote continued research growth.

Some of the specific responsibilities of SPO include providing training and workshops, budgeting and proposal development assistance, assisting in the completion of mandatory internal and external forms, communicating and negotiating with sponsors to develop mutually advantageous agreements that protect the researchers as well as the university, and administering awards. Consequently, SPO has offered and will continue to offer workshops for locating funding opportunities, industry contracting, and electronic research administration. SPO also offers formal and informal training to communicate university, federal and state regulations, policies and procedures to promote compliance and consistency throughout the university.

SPO fosters research at the university by helping researchers to develop and submit proposals that have the highest likelihood for success. To accomplish this, SPO provides the following services: budget development, interpreting contractual terms and conditions, completing required forms, tracking pending proposals, notifying researchers upon award, and negotiating award terms and conditions with sponsors to protect the researcher and university. SPO also works closely with the Controller's Office to ensure that accounts are set up properly and that USU is compliant with federal and state regulations, sponsor-specific terms and conditions, as well as University policies.

A single point of contact approach allows researchers to easily identify their assigned SPO administrator. Further, this approach allows each SPO administrator to become more familiar with sponsor-specific regulations as well as to familiarize themselves with individual researchers and their unique needs. SPO has also developed a strong working relationship with the Controller's Office creating a team approach for pre- and post-award functions that further supports research efforts.

SPO continues to update its website (<http://spo.usu.edu>) to enhance proposal development, provide more user-friendly interfaces, and make information more accessible and easier to locate. SPO policies and procedures are posted on the web and additional policies and procedures continue to be developed and published. Some new features and information available on the website include: guidelines for industry contracting; distinguishing between gifts, grants and contracts; export control; and resources for graduate/undergraduate students. SPO provides monthly reports to the VPR regarding the status of research proposals and awards by college at Utah State University. Appendix A provides a summary of Sponsored Program Awards, FY2005 through FY2009. Appendix B compares awards by month and type of award for FY2008 and FY2009. Appendix C provides a summary of Sponsored Program Awards by Awarding Agency, FY2005 through FY2009; and Appendix D provides a summary of Sponsored Program Awards by Research Center, FY2005 through FY2009.

## **B) Institutional Review Board (IRB)**

The IRB is charged with protecting the rights and welfare of human research participants. All research involving human participants, including unfunded research, must be reviewed in

accordance with the Code of Federal Regulations. USU has a Federal Wide Assurance with the Office of Human Research Protections that commits USU to comply with federal regulations governing human participants in research and which is required for Department of Health and Human Services-funded research. This Assurance is renewed every five years.

In March 2009, the IRB was awarded full accreditation by the Association for the Accreditation of Human Research Protection Programs (AAHRPP). This organization evaluates the institution's Human Research Protect Program (HRPP), and the IRB is one key component. There are 77 required elements to obtain accreditation; 31 center on IRB responsibilities, including evaluation of the IRB membership. Preparation for this application took approximately two years. The accreditation process strengthened the HRPP through effective practices by means of sound policies and procedures, continually raising the ethical standards in research, and documenting practices to assure a commitment to quality improvement and protection for research participants. An extensive evaluation process was performed internally by the IRB Office and the Office of Compliance Assistance. Through these reviews the HRPP and associated IRB processes were assessed, and extensive changes were implemented.

Some of the most significant changes made as a result of the AAHRPP accreditation include:

- Implementation of increased monitoring and measurement of HRPP activities and outcomes to provide for continuous improvement of IRB and other university processes
- Implementation of a more rigorous scientific validity review process in the departments and colleges
- Increased attention to non-compliance and unanticipated problems associated with human research
- Increased emphasis on documentation of the IRB review process, discussions and decisions
- Bifurcation of the Standard Operating Procedures into two publications – one focused on IRB procedures (the SOPs) and the other on information pertinent to investigators (the Investigator Handbook).

The IRB consists of volunteer members with diverse experience to provide an adequate and comprehensive review of USU research activities. Regulations require that an IRB have at least one scientist, one nonscientist, and one member not affiliated with the institution; terms of service are three years and can be renewed.

USU IRB board members are:

Kim Corbin-Lewis (Chair) – COMDDE  
Thorana Nelson (Vice-Chair) - Department of Family, Consumer, and Human Development  
True Fox – IRB Administrator  
Gretchen Gimpel Peacock - Department of Psychology  
Richard Albiston - Prisoner Advocate

John Allen - Department of Sociology, Social Work and Anthropology  
Melanie Domenech-Rodriguez - Department of Psychology  
Nick Eastmond – Department of Instructional Technology and Learning Sciences  
Joanna Endter-Wada – Department of Environment and Society  
Chris Fawson (alternate) - Department of Economics  
Richard Gordin - Department of Health, Physical Education and Recreation  
Stacey Hills - Department of Business Administration  
Stuart Howell - Community Representative  
Mike Monson (alternate) – Community Representative  
Bob Morgan - Department of Special Education and Rehabilitation  
Ron Munger - Department of Nutrition, Dietetics, and Food Sciences  
Russ Price (ex officio) – Federal Compliance Assistance  
Dr. Ed Redd - Deputy Director of the Bear River Health Services  
Noreen Schvaneveldt - Department of Nutrition, Dietetics, and Food Sciences  
Tim Slocum (alternate) - Department of Special Education and Rehabilitation  
Nancy Sassano – IRB Coordinator

The IRB meets monthly to review protocol applications requiring regulatory approval. Certain research protocols do not require full board review and can be classified as “Exempt” or “Expedite.” All reviews follow criteria provided in the federal regulations. All on-going research projects are reviewed yearly; however, if there is more than a minimal risk, the continuation research reviews may be more frequent. Any proposed change or revision to a currently approved study that affects human participants must be reviewed and approved by the IRB prior to implementation of that change. A special amendment/modification document is required from the PI.

The IRB Office documents compliance with federal regulations by maintaining a database of all research protocols submitted and of actions taken by the board. The Vice President for Research Office entered into a service agreement with USU’s software development team to provide a web-based interactive protocol management application that will enhance the IRB’s ability to track protocols and communicate with investigators involved in human research. This software is in development with projected use to begin FY2011.

Written policies and procedures established by the university and congruent with federal guidelines have been instituted to address procedures such as yearly continuing review, reporting of unanticipated problems, changes in research methods and objectives, and researchers’ conflict of interest. A complete copy of our IRB Handbook is posted on the VPR Web site at <http://irb.usu.edu/>.

The IRB Administrator is actively involved in implementing revised federal procedures and updating USU procedures; providing continuing education for faculty, students, and board; and helping to coordinate ethics-in-research training for researchers and IRB members. Appendix E illustrates the number of IRB research applications by types of review categories from 2005 through 2009.

### **C) Laboratory Animal Research Center (LARC)**

The primary mission of the LARC is to support university animal research, testing, and teaching by providing resources for animal procurement, housing, husbandry and care, health care, and disposal. Space is also provided for researchers to conduct short- and long-term research. The LARC staff is also a resource for expert information on the use of live animals in research and teaching. The LARC is accredited by the Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC) International, is Public Health Service (PHS) assured, and is a United States Department of Agriculture (USDA) registered animal research center.

The permanent LARC staff consists of the following: A director (A. Olsen), a Utah-licensed and USDA-accredited veterinarian and member of the American Society of Laboratory Animal Practitioners and the American Association for Laboratory Animal Science; a full-time supervisor (K. Udy), who is a certified Registered Laboratory Animal Technologist by the American Association of Laboratory Animal Science; a full-time secretary (J. Daniels); one full-time animal caretaker (T. Lauritzen); one part-time animal caretaker (L. Potter), and one part-time cage wash technician (J. Abbot). There are also part-time students employed who work in the washroom and provide basic animal care. In exceptional cases, researchers provide part or all of their own animal care. The Director (Olsen), full-time supervisor (Udy) and secretary (Daniels) have shared assignments with the Institutional Animal Care and Use Committee (IACUC).

Major accomplishments for FY2009:

- The USDA inspector found the LARC to be in full compliance during the annual facility inspection.
- All available animal space is occupied.
- The LARC was awarded a Facilities Improvement grant from the NIH totaling \$454,000 for the purchase of capital equipment, caging and support diagnostic equipment. Funding began in FY2009 and continues into FY2010
- Remodeling was completed to upgrade the facility for additional work in the antiviral program.

Construction of the Life Sciences Research Building (aka USTAR Building #2) is ongoing. The building includes a substantial vivarium and biosafety containment suite. This vivarium will dramatically increase animal holding capacity and research capabilities. The building is currently on schedule for a substantial completion date in November 2010. If this date is achieved we expect to begin using the USTAR vivarium in early 2011.

### **D) Environmental Health and Safety Office (EH&S)**

The EH&S Office provides expertise and guidance for compliance with federal, state, and local safety and health regulations, as well as current professional practices and guidelines. Its goal is to prevent injuries, illnesses, and environmental damage through the recognition, evaluation, and control of potential hazards arising from university activities. This is

accomplished through services that ensure a safe and healthy environment for all students, faculty, and staff at USU and the surrounding community. Services include assisting in compliance with regulations and training university personnel and students in appropriate safety measures. General areas of focus include biological, radiological, occupational, and chemical health and safety.

The EH&S Office interacts with many governmental regulators in the course of normal business, including: Environmental Protection Agency (EPA), State of Utah-Department of Environmental Quality (DEQ), Division of Radiation Control (DRC), Occupational Safety and Health Administration (OSHA), Centers for Disease Control (CDC), and the National Institutes of Health (NIH). Many of these entities perform routine and unannounced inspections and require written programs, documented training, permits, and numerous reports of differing types that the EH&S Office completes on behalf of the university.

Responsibilities of the EH&S program cross many traditional aspects of the campus community. In FY2009, EH&S accomplished the following:

- Transported, managed and disposed of approximately 65,350 lbs. of hazardous waste, 752 lbs. of biological waste, 1,535 lbs. of radiation waste, and recycled 86,415 lbs. of hazardous materials.
- Continued application of the radioactive waste volume reduction plan resulted in cost savings by reducing the amount of waste shipped off-site for disposal by 295 pounds.
- Provided safety training to approximately 775 faculty, staff, and students in 36 courses.
- Provided Logan City Fire Department with 57 new or updated pre-incident plans for campus buildings. Provided 5 new Emergency Response Map Books and 35 new building evacuation plans. Created 85 specialty maps (i.e. rad decon floor plans, asbestos abatement floor plans, etc.) for in office and campus use. Commenced updating campus emergency utilities maps.

#### **E) Office of Global Engagement (OGE) – International Research)**

OGE was actively involved in a variety of faculty-led international projects and activities during the last fiscal year. Among them are:

##### **Active International Research and Technical Assistance Projects:**

- Iraq Agricultural Extension Revitalization (IAER) - Texas A&M University is the lead institution on this project. USU's portion is related irrigation and has resulted in a two year extension (~ \$500,000 to USU) with training to take place in Amman, Jordan. Jagath Kaluarachchi (CEE), Wynn Walker (CEE), Mac McKee (UWRL).
- Global Livestock-Climate Change Collaborative Research Support Program (GL-CRSP) - Project centered in Ethiopia and Kenya and is designed to help pastoralist communities to mitigate climate-related risk through income diversification. This is the last year of funding after eleven years (\$200,000 this year (FY 2008-09)



compared to \$600,000 in previous year). Layne Coppock, (ENS). – Approximately \$4 million over 11 years.

- Strengthening Early Childhood Education in Jordan - The objectives of the partnership are to improve the undergraduate degree program to reflect best practices in early childhood education, enhance the theoretical and assessment backgrounds in undergraduate classes, and increase the links between theory and classroom practice to augment the student teaching experience available to students. Vonda Jump, (CPD). - \$450,000 over three years.
- Senegal River OMVS Modeling Project – West Africa - This project represents the culmination of a series of projects that UWRL has conducted for OMVS, dating back to the 1970's. It is designed to update the modeling process measuring costs incurred by the countries drawing water resources from the Senegal River. Mac McKee (UWRL) and John Keith (APEC). - \$600,000
- Litani River Basin Management Support – Lebanon - This proposal was solicited by IRG under the Water IQC. The purpose of this activity is to set the groundwork for improved, more efficient and sustainable basin management at the Litani river Basin (Bekaa Valley) through provision of technical support to the Litani River Authority and implementation of limited small scale infrastructure activities. Bob Hill (CEE), Gary Merkley (CEE), Grant Cardon (PSC). - \$600,000
- Village Wells and Water Supply Program – Armenia - This cooperative agreement with USDA continued a previous agreement that began in 2001. USU provided expert service in helping Armenian farmers improve on-farm water management and helped train Armenians to drill wells and monitor for compliance with environmental standards. Bob Hill, (CEE). - \$200,000
- Irrigation Assessments for Millennium Challenge Corporation – Armenia, Moldova, and Burkina Faso - This project strengthened public and private irrigation organizations to manage irrigation systems and water resources and will help farmers to operate and maintain their systems. Bob Hill (CEE) and Gary Merkley (CEE) partnered with USDA/Foreign Agricultural Services in Moldova (\$287,995) and Burkina Faso (\$299,824).
- Design, Management and Evaluation of Surface Irrigation Systems in Egypt - This project is aimed at the improvement of on-farm technologies that will take advantage of better water delivery and yield higher water use efficiencies. Some of these technologies have been developed elsewhere but none have been adapted and applied to significant areas in Egypt. This proposed project would evaluate new surface irrigation technologies, test their application in Egypt, and develop guidelines for their widespread adoption. Wynn Walker, (CEE). - \$16,800
- Middle East Water and Livelihood Initiative - Initiative led by the International Center for Agricultural Research in Dry Land Areas (ICARDA). Five U. S.

universities (Florida, TAMU, Illinois, Cal-Davis, and USU) are involved along with seven countries (Yemen, Palestine, Lebanon, Egypt, Jordan, Iraq, and Syria). Areas of focus include: water, livestock, horticulture, socio-economics, and extension. The first year of funding provided \$500,000 to develop the proposal (\$40 – \$50 million over ten years).

- Business Field Study for Carr Foundation – Mozambique - Marketing study of traveling display used to raise money for Gorongosa Restoration Project. Mark Thomas, (HSB). - \$15,000
- China Initiative - Biotechnology and Extension activities in China - Federal funding of \$450,000 with money being divided between USU departments of ADVS (Ken White), PSC (Roger Kjellgren), and Extension (Noelle Cockett).

The OGE Office – International Research is currently working with faculty in colleges of Agriculture, Jon M Huntsman School of Business, Engineering, Emma Eccles Jones College of Humanities and Education and Natural Resources to develop projects in east Africa, Philippines, Ecuador and other worldwide programs.

#### **F) The Center for High Performance Computing (HPC@USU)**

Former HPC director Thomas Hauser moved to Northwestern University in November 2009. HPC has transitioned to Interim Director Nate Benson, who also serves as HPC@USU Lead System Administrator. Nate joined HPC@USU in October 2008 from private industry. In addition to his *Juris Doctorate* training and degree, Nate brings 20 years of private industry IT, HPC, and management leadership to HPC@USU.

Major accomplishments for FY 2009:

- Nate Benson continues HPC@USU's involvement in the Utah Cyber Infrastructure Committee with partners from UoU, WSU, UVU and SUU. The purpose of the committee is to promote, organize and seek funding to develop cyber infrastructure in support of research and collaboration in Utah and beyond. In 2009, Nate coordinated with University of Utah, UEN, and North Dakota State University to submit two competitive EPSCoR proposals designed to be an investment in the cyberinfrastructure knowledge, educational and computational community in Utah, and within its partnerships.
- HPC@USU collaborated with USU's Center for Atmospheric and Space Sciences to build and manage two clusters that enable physics-based data assimilation models for the upper atmosphere and ionosphere in an effort called the Global Assimilation of Ionospheric Measurements, or GAIM.

- HPC@USU team of Nate Benson, Thomas Hauser and MAE MS student Kyle Horne were one of four finalists in the prestigious international SC09 Storage Challenge in Portland, Oregon.
- HPC@USU collaborated with UofU CHPC to staff a joint booth and present research at SC09. USU undergrad and graduate students presented research posters, attended workshops and enhanced their expertise in HPC capabilities.
- Through its visualization laboratory, HPC@USU provides the USU community with resources for high-resolution three-dimensional visualization and remote collaboration through the Access Grid. Individual workstations are available for faculty and students for data analysis and pre-/post-processing. This laboratory has been successfully used for distance education classes at USU.
- With 2008 USDA funds, HPC@USU purchased additional computational and storage capacity. Wasatch cluster increased disk storage capacity from 10TB to 90TB. With this enhancement, together with the existing Uinta cluster, HPC clusters are consistently in use at 85% capacity.

HPC collaborates with USU faculty and researchers to quickly and efficiently offer cost-effective HPC solutions in support of research. Current users include researchers in the colleges of Agriculture, Engineering, Natural Resources, and Science.

### **G) Advancement & Activities of Student Research**

Undergraduate research is one of the few “high impact” educational practices that has documented results in student success and retention. Undergraduate research is one of the primary marketing messages for Utah State University, particularly in recruiting highly talented prospective students. The culture that allows students to “get their hands on research” at an early point in their undergraduate career brings benefits to students and also national recognition to Utah State University. Key to this success are faculty members who have an ethic of working with undergraduates. USU has the second oldest program in the country, established in 1975 with the help of faculty from MIT, which established the first program in 1969. With the establishment of the centralized office in 2000, support of students and faculty has increased significantly.

Support was provided to 57 undergraduates through the Undergraduate Research and Creative Opportunities (URCO) Grant Program in FY2009. The Research Office has doubled its investment in research grants over the last few years. Increasing the maximum award from \$1000 is one of the priorities recommended by the Undergraduate Research Advisory Board (URAB) but is still in the future. URCO alumni provide the basis for enhanced communication and fund-raising to support the undergraduate research program.

The 9th annual Research on Capitol Hill event, designed to illuminate the effect of a research university on undergraduate education, featured 33 Utah State students and a similar number from the University of Utah at the State Capitol. In the third annual Utah Conference on

Undergraduate Research (UCUR), hosted on the Westminster College campus, 43 USU students presented, joining almost 400 students from practically every institution of higher education in the state; 7 USU faculty attended. Sixteen USU students were accepted to present at the National Conference on Undergraduate Research (NCUR) held at University of Wisconsin-La Crosse in April, 2009. One student, Bradley Hintze (and his mentor Dr. Sean Johnson), were invited to the Council on Undergraduate Research (CUR) Posters on the Hill in Washington, DC, in April 2009, an event that features 60 posters.

Student Showcase, which is part of USU's annual Research Week, continued to feature more than 100 posters and presentations. At noon, eight undergraduate researchers, representing each college as well as the regional campuses, were recognized with the David and Terry Peak Undergraduate Researcher of the Year Award. Likewise, outstanding faculty mentors for undergraduate research were recognized. The student award was also featured at Robins Awards Ceremony, where Trenton Olsen, an English major, was designated as the University Undergraduate Researcher of the Year. In addition, Olsen was awarded the inaugural Utah Humanities Council Fellowship for undergraduates. A separate new fellowship for graduate students was also established, also awarded to a USU student.

The Undergraduate Research Advisory Board, (URAB), chaired by Associate Dean of Science Lisa Berreau and including faculty and student membership from each college and the regional campuses continued to identify the successes and opportunities for undergraduate research. The URAB made a report to Research Council outlining the following needs: increased funds for URCO Grants; increased opportunity for students in the humanities, arts, and social sciences; improved communication and contact regarding undergraduate research for each department and college; support for interdisciplinary projects; support for international projects. The Research Office piloted a Humanities Research Assistant initiative, for which faculty apply. Students receive a \$500 stipend for working with a faculty member. Four grants were awarded in Art History, English, and History. Using assessment data from the pilot, the program was revised and institutionalized. The student members of URAB led in securing Tier Two Tuition funds (\$10,000) to be used to establish or enhance department/unit website to improve information about and access to undergraduate research. This initiative was suggested by students as they are sometimes frustrated by not knowing what their programs offer in the way of undergraduate research and scholarship. Two colleges—Business and Engineering—as well as one department—English—led out on establishing new websites for undergraduate research: Huntsman School of Business: <http://huntsman.usu.edu/urp> and <http://www.engineering.usu.edu/htm/information/undergraduateresearch>.

Two points of data for undergraduate research: the National Survey of Student Engagement (NSSE) showed that 26% of graduating seniors reported working with a faculty mentor on an independent research project, a higher figure than USU's peer institutions; the number of applications of the transcript designation of *Undergraduate Research Scholar* continued to increase.

Joyce Kinkead, Associate Vice President, who oversees Undergraduate Research, serves as a councilor on the Undergraduate Research Program Directors Division of the Council on

Undergraduate Research (CUR), a three-year term; Kenneth Bartkus, Director of Undergraduate Research for the Huntsman School of Business is a councilor in the Social Sciences Division. Alexa Sand, Assistant Professor of Art History was elected as a councilor in the Arts and Humanities Division while Christie Fox, Director of Honors, was elected to an At-Large position.

The signature program of undergraduate research, the University Undergraduate Research Fellows, chose its sixth cohort in March at Scholars Day, interviewing 138 students. Research Fellows number over 100 and have led the campus in prestigious awards such as the Goldwater Scholarship. As a result of the Fellows Program, students are presenting earlier at professional conferences and other undergraduate events and being more competitive for external awards.

## **2. RESEARCH COUNCIL MEMBERSHIP AND MAJOR ACTIVITIES**

The Research Council provides advice and recommendations to the Vice President for Research. Additionally, members of the Council provide direct and important channels of communication between researchers and those who make decisions affecting research at USU. Members of the Research Council are college deans or their representatives, and selected center/lab directors as specified by the University code of policies and procedures. Appendix F is a current membership list of the University Research Council. This group meets about once a month to discuss and make recommendations on research issues.

The following is a summary of major issues addressed by USU's Research Council in FY2009:

- Graduate Student Health Insurance - Dean Byron Burnham, School of Graduate Studies, researched options and coordinated a proposed recommendation of graduate student health insurance at USU. Research Council participated in the review process and agreed with the proposed recommendations. Graduate student benefits were finalized and offered in fall semester 2008, with 1,065 graduate students offered coverage (277 opted out due to existing partner coverage).
- Credit for Joint Research Awards & Expenditures - Accuracy in tracking USU awards and expenditures with multiple investigators challenging. To improve the process, procedural steps were written in FY2008 so that departments can set up separate accounts on USU's SPO-1 form to track joint awards. On September 22, 2008, Byard Wood and Brent Miller presented this information to the deans who responded favorably to implementing this enhancement at Utah State. It is important that PIs and Co-PIs agree at the time a proposal is submitted how credit will be allocated. Separate budgets will still be necessary to accurately capture account expenditures, but distribution amounts could be amended if the award amounts are adjusted. With these changes, F&A distribution can be shared amongst the colleges and distributed according to internal policy and agreements within colleges/departments; however, colleges will still have the flexibility to determine how funds are ultimately distributed.

- **Time & Effort Reporting - Compliance** is an important component of the reporting requirements. Because salary and benefits are approximately two-thirds to three-fourths of award expenditures, this is a critical risk area to research universities like USU. Federal guidelines in this area include: 1) A written policy must be implemented, 2) On-going training must take place, 3) Independent evaluations/audits of all Time and Effort reports, and 4) Reports must be monitored on an on-going basis relative to committed versus actual effort. USU has implemented procedures and steps to cover all requirements. The preparation stage of each proposal is very important; therefore, on-going evaluations compare what the PI committed on the SPO-1 form to the documentation the PI submits. If there is not a match, the PI must clarify if the Time and Effort is a “cost share” and provide support documentation to track the activity. Flexibility is also necessary for those cases when minor adjustments to the original proposal are necessary. The PI has oversight where a graduate student or post-doc has the greater portion of the time and effort on a given award. If the time and effort fluctuation is greater than 2%, further documentation/action is required by the PI to properly identify the adjusted time and effort. This reporting is a “shared” responsibility by the department, PI, and Sponsored Programs Office. Federal OMB Circular A-21 requires that the University document the distribution of direct activity to each individual sponsored project. When Time & Effort are not accurately reported, USU may lose revenue on sponsored projects because effort is inaccurately reported or proper documentation is missing. Non-compliance can also result in lost funding and reduced opportunities to compete for future funding. Guidelines for USU Time & Effort reporting are posted on the Controller’s Office website at <http://www.usu.edu/hr/policies/section500/582.pdf>
- **NFS EPSCoR Funding Eligibility** - Utah has been identified as an EPSCoR state by the National Science Foundation (NSF). With this designation, new opportunities are available to Utah State relative to research competitiveness for NSF funding, which include Research Infrastructure Improvement (RII) grants. Before applying for this funding, the State of Utah was required to prepare and submit a “Planning Grant.” This included cooperation between Utah State University, University of Utah, Brigham Young University, and the Governor’s Office of Economic Development and the State Science advisor. The Utah team formulated and submitted Utah’s EPSCoR Planning Grant Proposal which was approved in May 2009. 1) Co-funding opportunities (EPSCoR Program Director can share funding if the project receives a favorable review) with other NSF programs, 2) Research Infrastructure Improvement (RII), which includes two funding tracts, and 3) Workshops and “Outreach” funding support. The RII 1 and RII 2 proposals were submitted in October, 2009.
- **Graduate Student Travel Support** - The purpose of graduate student travel support is to help graduate students travel to workshops and conferences (professional development) to present their work. Students who have been awarded funding in the past received \$300.00 towards their travel expenses. Funding was completely consumed by increased student requests, so there were no “carry over” funds remaining for the fiscal year. Preliminary projections showed a budget shortfall of \$25,000, (or a reduction of 62 graduate students being able to obtain travel funding support) for FY2009. As this funding had not been increased in the past 8 years, the Research Council voted in favor of contributing \$25,000, which would be an increase of \$18,000 per year. Funding to support this increase will come from recovered

overhead money and would enable approximately the same number of students to travel this year as last year. Additional funding support for these students can be obtained through the Academic Opportunity Fund (Tier II funding).

- Overview of Association for the Accreditation of Human Research Protection Programs (AAHRPP) Site Visit, October 22-23, 2008 - For the past three years, USU has been working to achieve AAHRPP accreditation. This accreditation is recognized as the “standard” in the area of human research protection and certifies that accredited institutions ensure the protection of human participants in research. The two-day site visit included three AAHRPP site representatives who interviewed President Albrecht, IRB administrators and leadership, IRB PIs, and staff involved with human researchers projects. The site visit went well and AAHRPP advised USU representatives that USU accreditation looks favorable and should result at AAHRPP’s next council review in March of 2009. USU received two commendations during this visit: 1) USU’s Standard Operating Procedures (SOPs) were well prepared and meet the established regulatory requirements, and 2) True Fox was recognized for her experience, skills, breadth of knowledge, and professionalism in carrying out IRB responsibilities at USU. AAHRPP reviewers commented that USU’s IRB program is very strong and continues to mature. The integration of individuals and collaboration of skills across campus is excellent and USU was complimented in the manner which individuals with disciplinary differences work together in innovative and productive team environments. Additionally, the site reviewers commented that they were especially impressed with the educational research taking place in the Emma Eccles Jones College of Education and Human Services.
- Implementation of USU Grant Writer Institute - Jerilyn Hansen was selected as Manager of the Office of Proposal Development. Prior to joining the VPR Office, Jerilyn worked for USU as a Sponsored Programs Administrator. Her role will include establishing USU’s Grant Writer Institute, along with providing support with VPR seed funding grants (RC, SPARC, & GEM). Research Council was alerted that the VPR Office offers a first year salary match of 50% to those colleges and centers who employ a grant writer to team with the VPR Office in preparing proposals. The goal is to encourage involvement in the proposal development process as well as improve the quality and number of proposal submissions at USU. Annually USU will offer a Proposal Writing Institute that will assist (new or established faculty) researchers in a “hands on” environment with developing high-quality proposals. Because training will be geared to provide intensive individual assistance, only twelve (12) participants will be selected to participate in the first year. Each academic college will be assured 1 spot in the institute, with the remaining 5 slots to be awarded competitively. Jerilyn and Jeff Broadbent met with the college deans and center directors to explain the institute and process for selecting participants for the first session in May 2009.
- Undergraduate Research Advisory Board Presentation - This Board includes faculty representation from each college who has actively participated as a research mentor in the previous year. Additional USU representation consists of the regional campuses, library, honors, Sigma Xi (Scientific Research Group), Vice President for Research Office, and current students who are chosen as “Undergraduate Research Students of the Year” for their college. The objective of this board is to identify the strengths of USU’s undergraduate

research program along with focusing on areas of improvement. Lisa Berreau, College of Science, continues her responsibilities as Chair of this Board. Existing strengths such as URCO grants (began in 1975) and the Undergraduate Research Fellows program was implemented in 2003. As a result of these programs, USU students have become much more competitive nationally. Positive outcomes have resulted in both the increased numbers of USU Goldwater Scholars, as well as recognition in prestigious fellowships across various fields of study. Undergraduate Research has also enhanced the research culture on campus as an increased number of students are choosing to participate in the National Conference on Undergraduate Research (NCUR), Utah Conference on Undergraduate Research (UCUR), and Research on Capitol Hill. Other positives include: 1) Undergraduate research is now a USU marketing message for both student recruitment and retention, 2) USU offers an Undergraduate Research Scholar transcript designation for those who meet the requirements, and 3) a significant proportion of graduating seniors participate in undergraduate research while attending USU.

- \$200 Million Research Goal - USU continues to look for opportunities to grow sponsored research. New ideas have been implemented such as the RC/GEM/SPARC seed grants, the office of Proposal Development including a Grant Writer as a dedicated resource to support faculty and research units across campus. The VPR Office provided deans with a detailed breakdown of historical awards within each of the colleges and the deans were asked to provide their best estimate of where they envision their research funding to be in three years. From this information, “bottlenecks” and barriers were identified, as well as what opportunities are available to expand research to meet the goals.
- FY2009 RC, SPARC & GEM Awards - The first (7/1/08) and second (1/1/09) rounds of seed funding opportunities for FY2009 were completed. Representatives from each of the academic colleges participated in the proposal review committee. In total, seventy-two (72) proposals were submitted for consideration: 61 Research Catalysts (RC), 6 Grant-writing Experience through Mentorship (GEM), and 5 Seed Program to Advance Research Collaborations (SPARC). The overall quality of proposals improved in the second round from those submitted in the first round. One requirement is that all proposals should identify an external sponsor to be targeted. The most competitive proposals in the second round were those that addressed this requirement and detailed in the application how the seed funding was going to position the project to be successful in obtaining funding from the external sponsor.
- TCO Discussion: University I.P. Assignments - Several incidents resulted in the past year where USU IP Policy (Number 327) was not adhered to by USU employees. When this occurs, various legalities can result that impact USU business relationships and potential future funding. Examples were shared of past problems where violations resulted with 3rd party associations both on and off campus. Federal and Utah law (34-39-1) highlight key areas relative to employment inventions and non-compliance to USU’s policy occur with both inexperienced and experienced USU personnel. USU employees who consult need to be especially careful that they follow USU’s policy about consulting guidelines. TCO sent out a FAQ booklet to all faculty that will assist them in addressing IP questions along with working with Sponsored Programs Office (SPO) on all contracts. USU’s TCO is available to



examine issues and offer expertise in advance of USU personnel entering into agreements and commitments where potential problems might occur.

- USU Mandatory Furlough Discussion - For some research programs, USU's March 2009 (3/9/09 thru 3/13/09) furlough resulted in challenges/burdens. Those discussed in Research Council included the following:
  - 1) Contracts are especially problematic; researchers can't take a furlough and deliver on the terms of some agreements.
  - 2) Short term projects don't allow time for completion if an employee furlough is required.
  - 3) Future competitiveness is undermined by not performing per expectations or agreement.
  - 4) Longer term projects with near end dates don't allow for furlough time to be rolled into next year.
  - 5) Some budgets are only salary; funds cannot be moved to operating expenses.
  - 6) Funding is lost if budget (which is mostly salary) cannot be expended by end date.
  - 7) Reduced research expenditures translate to reduced recovery of overhead dollars.

It was noted that in specific cases, there is no flexibility to adjust/swap furlough days and still achieve grant requirements, and deans had the authority to make exceptions to the mandatory furlough within their college. To preserve extramural revenue funding and address concerns should future furloughs be considered, Research Council will continue to provide input, recommendations, and examples to the president, provost, and USU's Financial Office for consideration.

- Equipment Transfers for Departing Faculty - Research Council received training on five basic steps that should be addressed with disposition and ownership of research equipment prior to faculty/colleagues departing from Utah State University:
  - 1) Determine who owns the equipment. It either belongs to USU or a Sponsoring Agency. Even when startup funds are used for new faculty, USU owns the equipment.
  - 2) What to do if the Sponsoring Agency retains title or has control over the equipment
  - 3) What to do if the title resides with the University
  - 4) Determine current and future needs of the equipment. If no future need is determined, the Department Head should declare the equipment "excess" and proceed with steps to send the equipment to Surplus Sales, or negotiate with departing faculty if appropriate.
  - 5) Disposal /Transfer Steps (Completion of Equipment Transfer Form – See Operating Policies & Procedures, Section 500/503)
- USTAR & Stimulus Funding (Competitive Opportunities) - On February 20, 2009, a news release was generated that outlined research funding opportunities available to universities. Some monies were available by way of formula funding through the governor's office and state agencies, while other selected federal agencies received a substantial increase of

funding. Research Council received handouts that referenced specific funding amounts targeted for scientific research priorities within NIH & NSF. NIH's budget was increased by \$8.2 billion and specified ways to distribute the funds as follows:

- 1) All previous RO1 submissions that were highly rated during the peer review process, but were rejected after 10/1/08 due to lack of funding were eligible to receive funding because of the stimulus allocation. Proposals rejected prior to this date needed to be resubmitted for consideration.
- 2) New solicitation opportunities were introduced.
- 3) Currently awarded projects also had the potential to receive supplemental funding.
- 4) New types (e.g., NIH Challenge Grant Program) of funding opportunities were considered.

The focus with the stimulus funding was to assure monies were prioritized to projects that were capable of making significant advances within the next two years. NSF's budget was increased by \$3 billion, of which, \$2 billion were targeted to grant applications that were previously denied due to lack of funding, as well as the following:

- 1) Requests with Major Research Instrumentation (MRIs) requirements
- 2) Academic Research Infrastructure (ARI) needs
- 3) Programs that have fundamental facility construction requirements

NASA was targeted to receive \$1 billion, of which they indicated that ~ \$400 million would support research. DoE was allocated to receive ~ \$1.6 billion. A key component of the stimulus funding included extensive reporting requirements with mandates such as; quarterly reports, completion/status progress reports, evaluations of the number of jobs created and retained, and detailed information on sub-contractors associated with an award.

- Research Week Recap - Approximately 600 students participated in Research Week 2009 with over 90 award recognitions. Seven college Researchers of the Year, along with the D. Wynne Thorne Career award were highlighted. Workshops held during the week were very successful and well attended. During Student Showcase, 107 undergraduates presented posters and oral presentations. Undergraduate researchers of the year, mentor awards, and poster awards were also recognized. For the Graduate Student Symposium, participation was double from the previous year with 123 posters and oral presentations. The week's events concluded with the TCO Innovation and Invention Reception where an additional 21 recipients received awards.

#### **4. USE OF FACILITIES AND ADMINISTRATION FUNDS AT USU, FY2008-2009**

Facilities and Administrative (F&A) costs are the shared indirect or overhead costs of doing research. The federal government audits actual F&A costs and establishes a rate that the university seeks to recover from sponsors. Recovered F&A funds are used to pay actual indirect costs of research and to stimulate and expand research opportunities.

Appendix G is a report compiled by the Controller's Office that summarizes the amount of F&A generated in FY2008-09 by department; 30% returned to the cost center; and allocations of the 70% held centrally in the VPR Office. The graph in Appendix H illustrates USU's scientific and engineering expenditures by non-federal and federal funding.

#### **5. SELECTED RESEARCH INITIATIVES**

In 2007, Vice President Miller introduced a goal to Research Council to increase the volume and competitiveness of USU research by 25% over the next 3 years. A committee, called the Research Focus Group and chaired by Associate V.P. for Research Jeff Broadbent, was formed in March 2007 to recommend initiatives that the Research Office could implement to achieve this goal. The Committee, which included representatives from all colleges, SDL/USURF, and major research centers, issued a strategic plan that recommended implementation of two major initiatives: 1) Restructure VPR seed grants toward more targeted programs with specific missions/goals and expected outcomes; and 2) Establish a network of proposal development specialists to pursue strategic grant opportunities and improve the grant-writing skills and awards won by researchers. Both recommendations were implemented in FY 2008.

##### **A) Implementation of Restructured VPR Seed Grants.**

The VPR developed three targeted seed grant programs that have specific missions/goals and expected outcomes as summarized below:

- Grant-Writing Experience through Mentorship (GEM) - GEM provides funding of up to \$5,000 to enhance the professional development of junior faculty through one-on-one research and grant-writing interaction with successful senior faculty mentors. The purpose of this program is to build the University's research capability and increase extramural funding for scholarly activities by enhancing the proposal development skills of junior faculty. To facilitate this goal, it is expected that each funded GEM project will result in the development and submission of at least one proposal to an external funding agency. Eligible junior faculty members include all USU tenure-eligible assistant professors and non-tenure track research assistant professors or research professionals with no more than four (4) years in rank who have not previously received a New Faculty Research Grant.
- Research Catalyst (RC) - The RC program provides 1-year seed funding of up to \$20,000 to help applicants develop new initiatives or directions in their discipline that

will lead to new externally funded grants. The purpose of this program is to build the University's research capability and increase extramural funding for scholarly activities from government agencies and private sources. Thus, it is required that funded RC projects will directly lead to the submission of at least one proposal to an external funding agency. All tenured or tenure-eligible faculty, research faculty, or other USU research professionals are eligible to apply.

- **Seed Program to Advance Research Collaboration (SPARC)** - The SPARC program provides 1-year seed funding of up to \$35,000 to catalyze development of large interdisciplinary research teams and projects that involve scholarly research in more than one department, research center, college or institution. It is anticipated that new projects catalyzed by SPARC will extend the University's research capability and increase extramural funding for scholarly activities from government agencies and private sources. Thus, SPARC proposals require mutual effort by faculty and researchers from multiple disciplines, and directly lead to the submission of a new, large-scale (solicit at least \$1 million in new research funding), interdisciplinary proposal to an external funding agency. All tenured or tenure-eligible faculty, research faculty, or other USU research professionals are eligible to apply.

GEM, RC, and SPARC awardees are required to develop and submit at least one proposal to an external funding agency within three months of project completion. Because proposal submission deadlines vary widely among different agencies, funding for VPR seed grant programs is offered twice yearly, with start dates of January 1 or July 1. For FY 2009, which was the first year these programs were offered, the VPR received 6 GEM, 61 RC, and 5 SPARC proposals. An internal review committee comprised of representatives from each of the academic colleges plus the Associate VPR determined that one GEM, ten RC and two SPARC applications should be disqualified from consideration because they did not meet core requirements for the respective program. Twenty nine proposals, including three GEM, two SPARC, and twenty four RC projects, were selected for funding. External grant submissions from the 13 awardees in our first cohort (funding awarded July 1, 2008) were due on or before October 1, 2009. (See Appendix I for complete description of new programs)

## **B) Creation of the Office for Proposal Development (OPD).**

In October of 2008, the VPR created the USU Office for Proposal Development and hired Jerilyn Hansen to serve as a central proposal development specialist and OPD manager. The OPD mission is to expand external research funding at USU through: training researchers on proposal development; providing services to enhance success in obtaining funding; managing proposal development for strategically important submissions; and fostering interdisciplinary collaborations. Key initiatives are listed below:

- **Strategic Proposal Development** - The full services of the OPD are provided, as available, to any academic or research unit that seeks to prepare a large,

institutionally strategic proposal. These services can run from the beginning to end of the proposal development process or can be utilized at any point in the process. Although the office is still very young, OPD staff assisted in 36 submitted external proposals valued at more than \$33 million dollars and are currently involved in numerous additional proposals. The OPD project portfolio includes several especially strategic proposals for the University, including an NIH NIAID proposal that could elevate one of USU's most successful research centers (Institute for Antiviral Research), NIH facilities proposals to enhance USU research infrastructure, and a \$12 million STEM-related grant that would bridge the colleges of Education and Science. To date, one NIH facilities proposal to enhance the LARC and the NIH NIAID proposal have been awarded, three NIH facilities proposals have been declined, and many other applications are still pending.

- **Establish a Campus - Wide Network of Proposal Development Specialists** - USU's OPD is comprised of a network of proposal development staff located in the units across campus. These individuals provide a variety of services to their college researchers in addition to pooling their efforts on large, institutionally strategic proposals. To promote unit participation in the OPD network, the VP for Research Office provides 50% of a salary for the first year, and 10% each year thereafter, to academic or research units who employ a proposal development specialist. The OPD manager works with these units to identify and recruit specialists who can provide proposal development services to that unit's researchers. Services provided by a proposal developer to his/her unit are under the direction of the dean/departments head/center director. Unit proposal developers are expected to contribute effort, as needed, toward large institutionally strategic proposals as directed by the Manager of Proposal Development. All proposal developers are expected to assist with the annual Proposal Writing Institute. In FY 2009, Elaine Thatcher (Humanities, Arts, and Social Sciences) and Nancy Sassano (Emma Eccles Jones College of Education and Human Services) joined the OPD under this framework, and additional hires are in process.
- **Proposal Development Institute** - The PDI is an intensive training experience in proposal development that culminates with submission of a major external grant. Small group size allows for individualized attention and positive interactions among participants and staff. Participation in the PDI is based on a competitive application process that requires nomination by a researcher's department head and dean or center director. USU's first Proposal Development Institute was delivered by OPD personnel in May, 2009. Academic college Deans nominated up to three persons for participation in the Institute. One faculty from each academic college (except Business, which did not submit a nominee), were automatically included, then another six faculty were selected OPD staff through a competitive review of nomination packets. Participants and OPD personnel met for six full days, collectively and in small groups, while each participant prepared an original external proposal. Participants were instructed to solicit a written peer review of their external proposal before November 20, 2009.

The following faculty participated in the first Proposal Development Institute:

Kory Hintz, (NFS)  
Kerry Jordan, (Psych)  
Soonjo Kwon, (BIE)  
Damon Cann, (PolySci)  
Jiming Jin, (WATs)  
John Stevens, (Math & Stats)  
Brett Shelton, (ITLS)  
Jong Su Eun, (ADVS)  
Karin Kettenring, (WATs)  
Ann Laudati, (E&S)  
Sean Johnson, (Chem & BioChem)  
Shane Larson, (Phys)

APPENDIX A  
SPONSORED PROGRAM CONTRACT/GRANT AWARDS  
BY COLLEGE<sup>1</sup>

	<b>2004-2005</b>	<b>2005-2006</b>	<b>2006-2007</b>	<b>2007-2008</b>	<b>2008-2009</b>
Agriculture	13,650,668	16,979,327	12,022,213	15,309,673	16,257,864
Business	1,985,155	2,373,466	1,334,038	960,504	1,353,087
Education	25,789,744	20,722,283	22,730,535	18,256,237	20,228,926
Engineering	9,911,299	10,223,439	13,258,408	15,179,544	12,294,578
HASS	925,631	1,456,615	1,088,437	1,199,615	2,939,781
Natural Res.	9,786,361	9,684,998	10,482,217	8,200,490	5,478,575
Science	10,038,023	8,123,447	7,890,437	8,598,964	7,320,622
USURF	43,566,429	49,353,930	54,000,033	57,557,872	51,652,892
Other	7,222,649	5,525,978	10,279,740	11,698,365	6,271,093
Jointly Admin. Programs <sup>2</sup>	<u>-660,217</u>	<u>-1,391,647</u>	<u>-395,158</u>	<u>-601,324</u>	<u>-339,087</u>
<b>TOTAL</b>	<b><u>\$122,215,742</u></b>	<b><u>\$123,051,836</u></b>	<b><u>\$132,690,900</u></b>	<b><u>\$136,359,943</u></b>	<b><u>\$123,458,332</u></b>
Financial Aid-Pell Grants, etc.	22,402,674	24,374,592	19,474,007	19,902,221	21,083,543
<b>Adjusted Total</b>	<b><u>\$144,618,416</u></b>	<b><u>\$147,426,428</u></b>	<b><u>\$152,164,907</u></b>	<b><u>\$156,262,164</u></b>	<b><u>\$144,541,876</u></b>

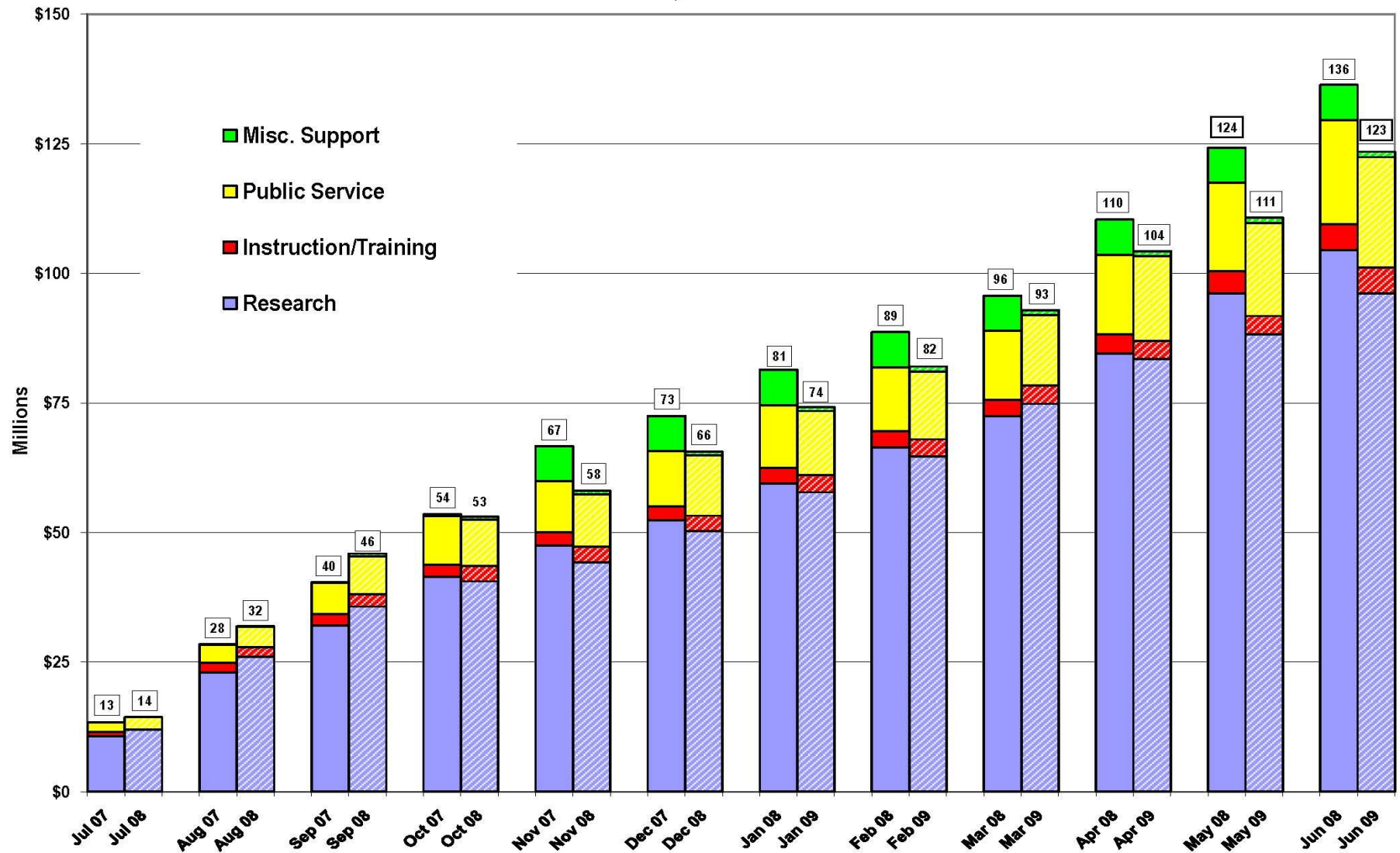
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<sup>1</sup> College awards include centers most closely aligned with that college (See Appendix D for Center totals).

<sup>2</sup> Awards for jointly administered programs are reflected in the total of both colleges involved with these programs. The amount in the jointly administered programs category is an accounting function designed to eliminate double counting of awards.

Appendix B

# Utah State University Sponsored Program Awards FY 2008, FY 2009





# APPENDIX C

## RESEARCH AWARDS BY FEDERAL SPONSORING AGENCY (IN DOLLARS)

	<b>FY04-05</b>	<b>FY05-06</b>	<b>FY06-07</b>	<b>FY07-08</b>	<b>FY08-09</b>
Department of Agriculture	14,844,728	12,933,403	11,291,025	11,313,340	12,752,755
Department of Defense	6,229,055	20,718,470	23,854,478	35,294,360	32,715,392
Department of Education	17,795,729	16,683,226	14,080,060	14,180,883	13,778,457
Department of Health and Human Services	9,568,985	10,997,713	10,488,329	11,709,196	8,197,206
Department of the Interior	3,754,104	5,096,481	3,596,782	2,309,079	3,094,563
Department of State		-	188,281	195,135	30,000
Environmental Protection Agency	643,766	911,386	116,509	0	50,500
National Aeronautics & Space Administration	24,977,824	23,596,496	21,987,757	13,864,987	10,647,596
National Science Foundation	8,761,253	9,331,392	6,099,684	9,525,689	3,777,608
State Agencies & Others <sup>1</sup>	58,042,973	47,157,861	60,461,975	57,869,495	59,497,798
<b>TOTAL</b>	<b><u>\$144,618,417</u></b>	<b><u>\$147,426,428</u></b>	<b><u>\$152,164,907</u></b>	<b><u>\$156,262,164</u></b>	<b><u>\$144,541,875</u></b>

<sup>1</sup>This number is a composite of international banks, state agencies, other federal agencies, local agencies, private industry, and others.

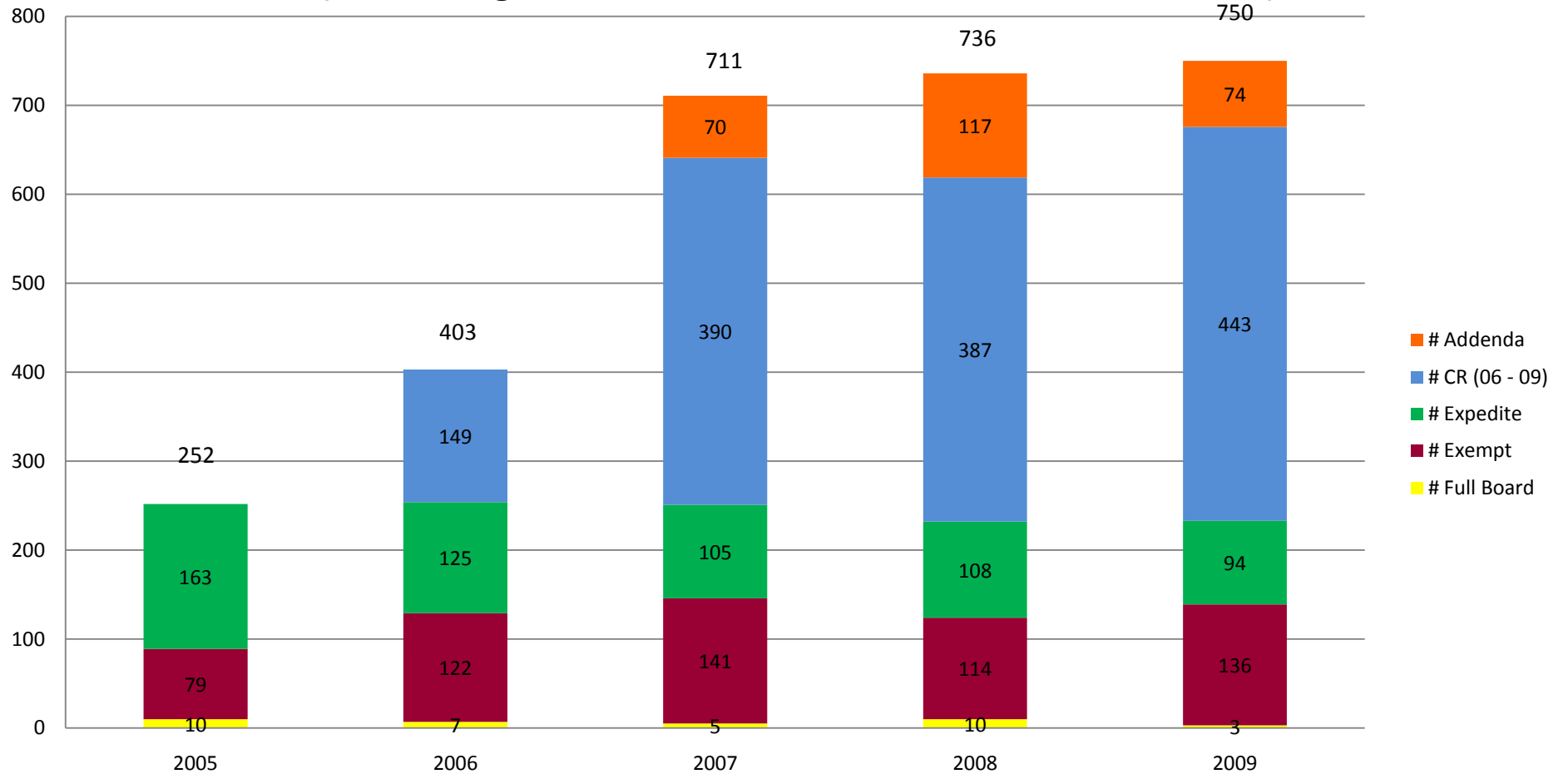
# APPENDIX D

## SPONSORED PROGRAMS CONTRACT/GRANT AWARDS BY RESEARCH CENTER

RESEARCH CENTER	FY04-05	FY05-06	FY06-07	FY07-08	FY08-09
Ag. Experiment Station	11,605,967	13,881,355	12,933,734	15,064,305	16,364,154
Center for Integrated BioSystems	0	0	0	90,000	265,626
CASS	1,647,479	537,175	1,226,610	1,134,720	1,150,161
CPD	11,873,218	6,071,622	7,275,949	9,796,797	10,161,700
Center for Space Eng. (Beginning FY2002, USURF reassigned reporting centers)	0	0	0	0	0
Cooperative Extension	4,339,414	3,242,340	1,761,756	3,355,502	5,173,285
Ecology	2,424,505	3,250,987	2,755,350	2,722,347	1,092,954
Eng. Experiment Station	274,991	558,532	776,561	306,613	47,894
Financial Aid-Pell Grants, etc.	22,402,675	24,374,592	19,474,007	19,902,221	21,083,543
High Performance Computing	0	0	523,700	33,713	0
International Programs	0	0	0	0	0
School of the Future	0	0	0	0	0
Provost	24,699	0	0	0	0
Univ. Research & Training	44,267,770	44,506,542	45,486,402	41,463,628	30,174,211
USTAR	0	0	177,292	250,942	1,135,384
USURF/SDL	43,566,429	49,353,930	54,000,033	57,557,873	51,633,892
Remote Sensing	0	0	0	65,372	135,661
UT Transportation Center	0	0	1,801,834	460,261	1,550,240
Utah Water Research Lab.	<u>2,191,270</u>	<u>1,649,352</u>	<u>3,971,679</u>	<u>4,057,870</u>	<u>4,573,171</u>
<b>Total USU</b>	<b><u>\$144,618,417</u></b>	<b><u>\$147,426,427</u></b>	<b><u>\$152,164,907</u></b>	<b><u>\$156,262,164</u></b>	<b><u>\$144,541,876</u></b>

APPENDIX E

**Institutional Review Board (IRB)  
New Approved Research Projects by Category and Total  
2005- 2009  
(Continuing Review and Addenda for FY 2007, 2008, 2009)**



## APPENDIX F

### UNIVERSITY RESEARCH COUNCIL Membership (2009-2010)

		Phone	
		Ext.	UMC
Brent C. Miller	Vice President for Research, Chair	1180	1450
Chris Fawson	College of Business Representative	2320	3530
Jeff Broadbent	Associate Vice President for Research	1199	1450
Byron Burnham	Dean, School of Graduate Studies	1191	0900
Noelle Cockett	Dean, College of Agriculture	2201	4900
Ray Coward	Executive Vice President and Provost	1167	1435
Jim Dorward	College of Education & Human Services, Associate Dean	1469	2800
James MacMahon	Dean, College of Science & Director of Ecology Center	3515	0305
Todd Crowl	College of Natural Resources Representative	7541	5200
Douglas Lemon	Executive Vice President of Laboratories/SDL	4501	9700
Jagath Kaluarachchi	College of Engineering, Associate Dean	2776	4100
M. K. Jeppesen	Vice President/CIO-Information Technology	2630	1495
John Allen	College of Humanities, Arts, & Social Sciences, Assoc. Dean	0310	0700
Joyce Kinhead	Associate Vice President for Undergraduate Research	1706	1450
Mac McKee	Utah Water Research Laboratory, Director	3188	8200
Vincent Wickwar	Faculty Senate President	3641	4405
Bryce Fifield	Center for Persons with Disabilities, Director	2816	1987
Richard Clement	Dean of Libraries	2631	3000
<u>Students</u>			
Ben Croshaw	Academic Senate President	1726	0105
Todd Redmon	Science Senator	7441	0105
Aaron Davis	ASUSU Graduate Student Representative	1736	TSC 326

## APPENDIX G

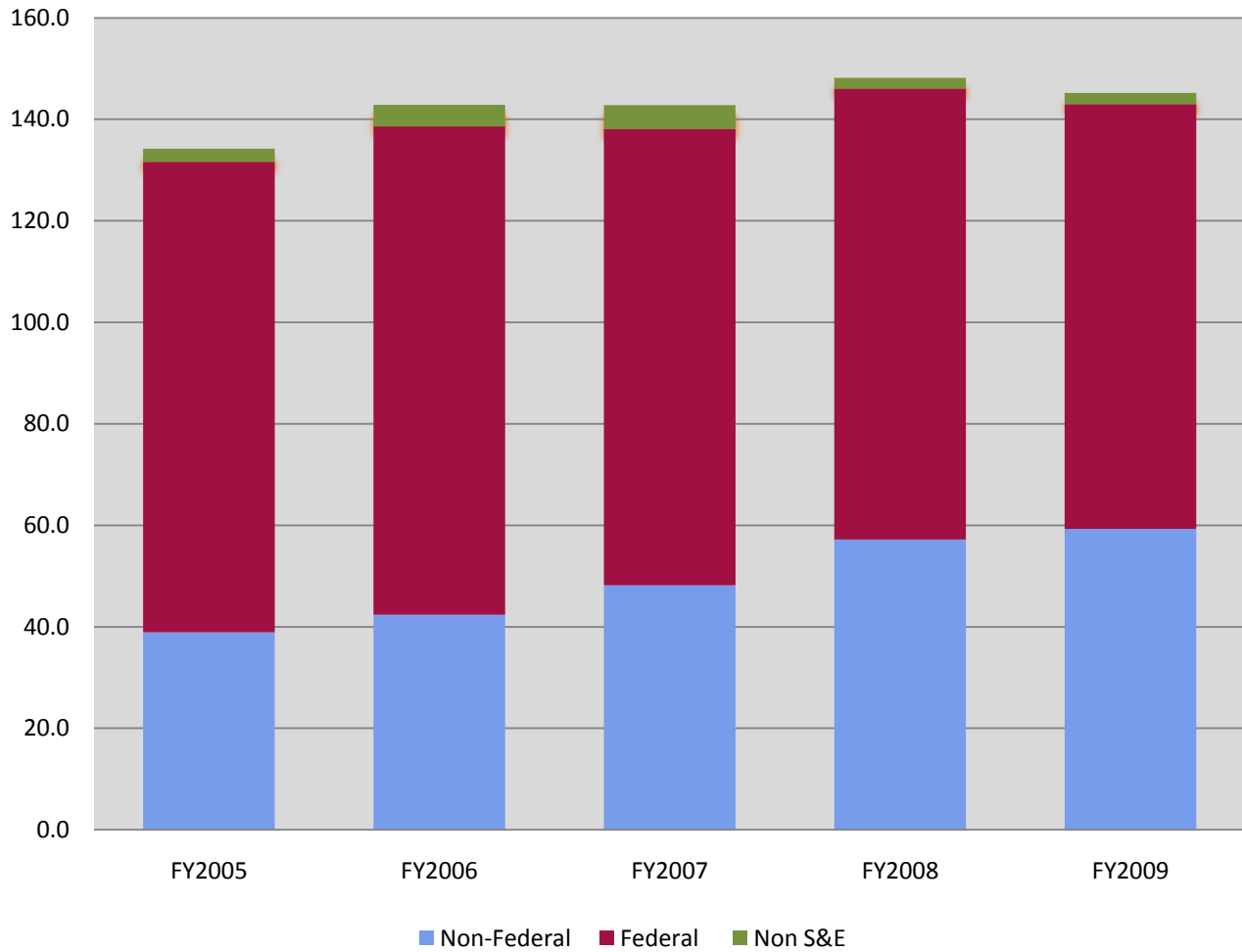
### Utah State University Analysis of Facilities and Administrative Costs Generated and Allocated July 1, 2008 through June 30, 2009

College or Other Unit	Generated	Budget Allocations From 30% Return	Allocations From 70% Centrally Held	Total Budget Allocations	Budget as a % of Generated
College of Agriculture					
Dean's Office - Agriculture			67,146.00	\$67,146.00	N/A
Agriculture - Economics	\$32,141.37	\$9,642.41		9,642.41	30.00%
Agricultural Experiment Station	27,097.23	8,129.17		8,129.17	30.00%
Animal, Dairy and Veterinary Sciences	1,236,833.79	371,050.14	74,982.00	446,032.14	36.06%
Agricultural Systems Technology and Education	(19.42)	(5.83)		(5.83)	30.00%
Center of Epidemiologic Studies	141,376.86	42,413.06		42,413.06	30.00%
Nutrition and Food Science	54,508.01	16,352.40	81,066.00	97,418.40	178.72%
Plants, Soils and Biometeorology	71,895.23	21,568.57		21,568.57	30.00%
Total College of Agriculture	1,563,833.07	469,149.92	223,194.00	692,343.92	44.27%
College of Business					
Dean's Office - Business	2,335.77	700.73	43,665.00	44,365.73	1899.40%
Business Administration	84,233.92	25,270.18		25,270.18	30.00%
Economics	3,306.00	991.80		991.80	30.00%
Total College of Business	89,875.69	26,962.71	43,665.00	70,627.71	78.58%
College of Education and Human Services					
Dean's Office - Education and Human Services			176,167.00	176,167.00	N/A
Center for Persons with Disabilities	947,135.05	284,140.52	65,538.00	349,678.52	36.92%
Communicative Disorders	85,028.34	25,508.50	43,421.00	68,929.50	81.07%
Family Consumer and Human Development	100,456.65	30,137.00	5,003.00	35,140.00	34.98%
Health, Physical Education and Recreation					
Department	1,969.23	590.77	116,238.00	116,828.77	5932.71%
Instructional Technology	46,261.63	13,878.49	50,285.00	64,163.49	138.70%
Psychology	407,380.48	122,214.14	87,121.00	209,335.14	51.39%
School of the Future	1,523.96	457.19		457.19	30.00%
School of Teacher Education and Leadership	24,565.21	7,369.56	54,305.00	61,674.56	251.06%
Special Education and Rehabilitation	54,922.50	16,476.75		16,476.75	30.00%
Total College of Education and Human Services	1,669,243.05	500,772.92	598,078.00	1,098,850.92	65.83%
College of Engineering					
Dean's Office - Engineering	180,772.81	54,231.84	76,189.00	130,420.84	72.15%
Biological and Irrigation Engineering	200,607.10	60,182.13	262,464.00	322,646.13	160.83%
Civil and Environmental Engineering	352,421.98	105,726.59	102,880.00	208,606.59	59.19%
Electrical and Computer Engineering	128,429.99	38,529.00	146,998.00	185,527.00	144.46%
Engineering and Technology Education	107,295.23	32,188.57	42,015.00	74,203.57	69.16%
Mechanical and Aerospace Engineering	287,114.47	86,134.34	244,293.00	330,427.34	115.09%
Utah Water Research Laboratory	998,821.43	299,646.43	140,034.00	439,680.43	44.02%
Total College of Engineering	2,255,463.01	676,638.90	1,014,873.00	1,691,511.90	75.00%
College of Humanities, Arts and Social Sciences					
Dean's Office - Humanities, Arts and Social Sciences	122,962.41	36,888.72	40,008.00	76,896.72	62.54%
Art			7,000.00	7,000.00	N/A
English	540.33	162.10		162.10	N/A
History			2,800.00	2,800.00	N/A
Intensive English				-	N/A
Interior Design			13,058.00	13,058.00	N/A
Journalism and Communication	294.02	88.21		88.21	30.00%
Landscape Architecture and Environmental Planning	18,834.16	5,650.25	31,731.00	37,381.25	198.48%

Languages and Philosophy			5,000.00	5,000.00	N/A
Music			16,302.00	16,302.00	N/A
Political Science	(68.19)	(20.46)	11,470.00	11,449.54	N/A
Sociology, Social Work and Anthropology	97,807.03	29,342.11	32,500.00	61,842.11	63.23%
Total College of Humanities, Arts and Social Sciences	240,369.76	72,110.93	159,869.00	231,979.93	96.51%
College of Natural Resources					
Dean's Office - Natural Resources	-\$29.63	-\$8.89	\$43,311.00	\$43,302.11	N/A
Aquatic, Watershed and Earth Resources	328,354.50	98,506.35	94,498.00	193,004.35	58.78%
Ecology Center	50,313.06	15,093.92	13,014.00	28,107.92	55.87%
Environment and Society	122,394.35	36,718.31	42,833.00	79,551.31	65.00%
Forest, Range and Wildlife Sciences	340,627.68	102,188.30	70,500.00	172,688.30	50.70%
Total College of Natural Resources	841,659.96	252,497.99	264,156.00	516,653.99	61.39%
College of Science					
Dean's Office - Science			70,224.00	70,224.00	N/A
Biology	334,981.75	100,494.53	44,945.00	145,439.53	43.42%
Center for Atmospheric and Space Sciences	409,453.77	122,836.13		122,836.13	17.08%
Chemistry and Biochemistry	166,455.05	49,936.52	20,000.00	69,936.52	42.02%
Computer Science	226,904.00	68,071.20	53,400.00	121,471.20	53.53%
Geology	124,572.31	37,371.69	20,000.00	57,371.69	46.05%
Mathematics and Statistics	53,588.54	16,076.56	61,383.00	77,459.56	144.55%
Physics	129,475.25	38,842.58	46,930.00	85,772.58	66.25%
Total College of Science	1,445,430.67	433,629.21	316,882.00	750,511.21	51.92%
Vice President - University Extension					
Cooperative Extension				-	N/A
Extension Agriculture and Natural Resources	110,065.20	33,019.56		33,019.56	30.00%
Extension Field Staff	61,425.04	18,427.51		18,427.51	30.00%
Extension Youth Programs	19,248.80	5,774.64		5,774.64	30.00%
Uintah Basin Center	18,334.70	5,500.41		5,500.41	30.00%
Total Vice President - University Extension	209,073.74	62,722.12	-	62,722.12	30.00%
International Programs	-	-	179,259.00	179,259.00	N/A
Total International Programs	-	-	179,259.00	179,259.00	N/A
Vice President - Student Administration and Services					
Campus Recreation	69,784.39	20,935.32		20,935.32	30.00%
Student Support Services	19,942.88	5,982.86		5,982.86	30.00%
Student Wellness	107.70	32.31		32.31	30.00%
Vice President for Student Services	10,221.49	3,066.45		3,066.45	30.00%
Undergraduate Scholarships and Recruitment			77,000.00	77,000.00	N/A
Total Vice President - Student Administration and Services	100,056.46	30,016.94	77,000.00	107,016.94	106.96%
Vice President - Information Technology					
Information Technology	20.20	6.06	-	6.06	30.00%
Total Vice President - Information Technology	20.20	6.06	-	6.06	30.00%
Utah State University Research Foundation					
Space Dynamics Laboratory	12,481,232.00	12,481,232.00		12,481,232.00	100.00%
Total Utah State University Research Foundation	12,481,232.00	12,481,232.00	-	12,481,232.00	100.00%
School of Graduate Studies	9,535.09	2,860.53	300,263.00	303,123.53	3179.03%
Total School of Graduate Studies	9,535.09	2,860.53	300,263.00	303,123.53	3179.03%
Total Colleges and Non-Academic Units					
	20,905,792.70	15,008,600.23	3,177,239.00	18,185,839.23	86.99%
Support of Infrastructure					
Vice President - Research					
Center for Advanced Nutrition	\$109,601.01	\$32,880.30		\$32,880.30	30.00%
Center for High Performance Computing	1,625.20	487.56	\$207,761.00	208,248.56	N/A

Center for Biofuels	47,369.15	14,210.75		14,210.75	30.00%
Disallowance Account			50,000.00	50,000.00	N/A
Grant Writer/Faculty Grantwriting Workshop			168,573.00	168,573.00	N/A
Internet II			100,600.00	100,600.00	N/A
Faculty Activity Database			35,000.00	35,000.00	N/A
Technology Commercialization Office			500,000.00	500,000.00	N/A
Women and Gender Research Institute			34,000.00	34,000.00	N/A
URCO			13,000.00	13,000.00	N/A
Undergraduate Research			39,000.00	39,000.00	N/A
Washington Based Support			191,400.00	191,400.00	N/A
Total Vice President - Research	158,595.36	47,578.61	1,339,334.00	1,386,912.61	N/A
Vice President - Business and Finance					
Accounting and Financial Reporting			168,152.00	168,152.00	N/A
Controller's Office			115,669.00	115,669.00	N/A
Facilities and Administrative Cost Study			272,232.00	272,232.00	N/A
Federal Single Audit			27,920.00	27,920.00	N/A
Purchasing			25,869.00	25,869.00	N/A
Total Vice President - Business and Finance	-	-	609,842.00	609,842.00	N/A
<b>Total Support of Infrastructure (% is computed on total Facilities and Administrative costs generated from all units)</b>	<b>158,595.36</b>	<b>47,578.61</b>	<b>1,949,176.00</b>	<b>1,996,754.61</b>	<b>N/A</b>
Vice President - Research					
Biotechnology Bond			792,318.00	792,318.00	N/A
Building 620 Bond Payment			579,839.00	579,839.00	
				-	
Total Vice President - Research			1,372,157.00	1,372,157.00	N/A
<b>Total</b>	<b>\$21,064,388.06</b>	<b>\$15,056,178.84</b>	<b>\$6,498,572.00</b>	<b>\$21,554,750.84</b>	<b>102.33%</b>

## USU Scientific and Engineering Expenditures



Millions of Dollars

	FY2005	FY2006	FY2007	FY2008	FY2009
Non-Federal	38.9	42.4	48.2	57.2	59.3
Federal	92.7	96.2	89.9	88.9	83.7
Total S&E	131.6	138.6	138.1	146.1	143
Non S&E	2.6	4.3	4.7	2.1	2.2
Total Research Exp.	134.2	142.9	142.8	148.2	145.2



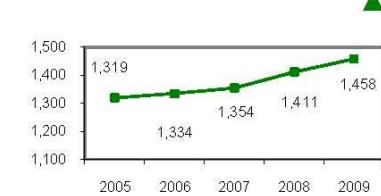
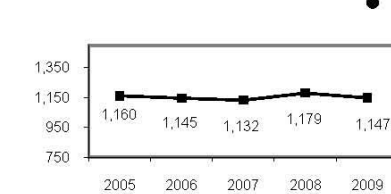
# APPENDIX I

## VPR SEED FUNDING PROGRAMS

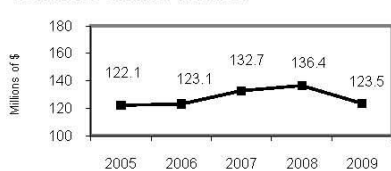
PROGRAM	ELIGIBILITY	FUNDING	NOTES	REQ. OUTCOME
<u>Grant-Writing Experience Through Mentorship (GEM)</u>	Tenure-eligible asst. profs, research asst. profs., or research professionals with $\leq 4$ yrs in rank	1-yr, \$5,000 max (semiannual)	Requires active collaboration between the junior faculty member and a successful senior colleague.  Funds cannot be used for salary support of junior faculty member, but mentors can receive \$1,000.	Develop and submit an external grant proposal within 3 mo of project completion  Serve on review panel for 2 yrs afterward.
<u>Research Catalyst (RC)</u>	All tenured or tenure-eligible faculty, research faculty, or other USU research professionals	1-yr, \$20,000 max (semiannual)	Funds can be used for 1 mo faculty salary support, student RA, travel required to do research, supplies and equipment needed to complete the project.	Develop and submit an external grant proposal within 3 mo of RC award end date.
<u>Seed Program To Advance Research Collaboration (SPARC)</u>	Same as RC, but must also engage faculty from more than 1 dept, research center, college or institution	1-yr, \$35,000 max (semiannual)	Funds use is same as above plus travel to meet with collaborators or representatives of funding agencies.  To obtain full award level, PIs must utilize a professional proposal development service.	Develop and submit an interdisciplinary external grant proposal seeking $\geq \$1M$ within 3 mo of SPARC award end date.

# USU RESEARCH PERFORMANCE DASHBOARD – FY 2009

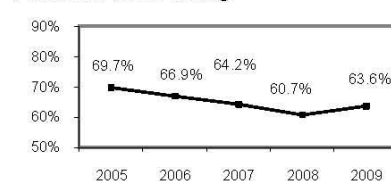
## Sponsored Programs

Number of Proposals Submitted<sup>3</sup>Number of Grants Awarded<sup>3</sup>

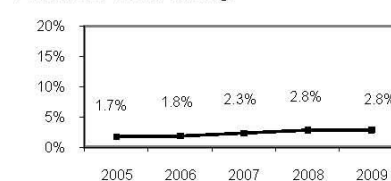
Total Amount of Contracts/Grants Awarded



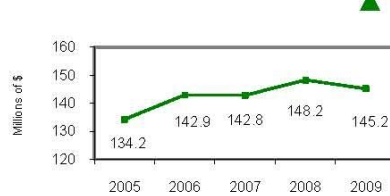
Federal Funding as a Percent of Total Funding



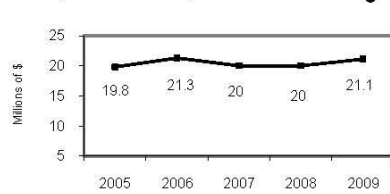
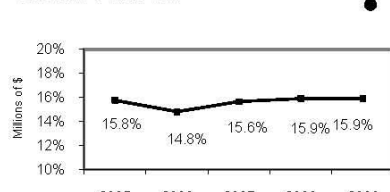
Industry Funding as a Percent of Total Funding



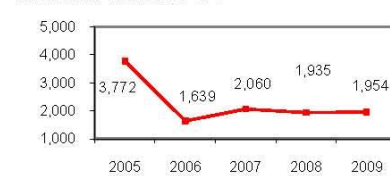
## Research Funding

Total Research Expenditures<sup>1</sup>

F&amp;A (Indirect Costs) Recovered

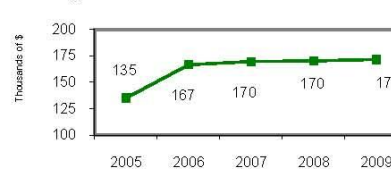
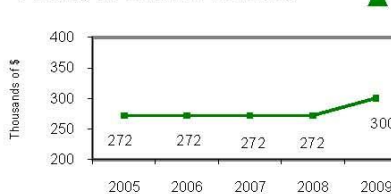
Effective F&A Rate<sup>2</sup>

USU Non-Student Research-Related Jobs

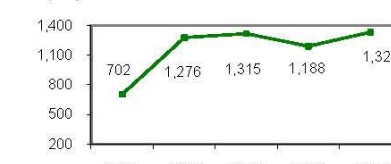


## Student Research

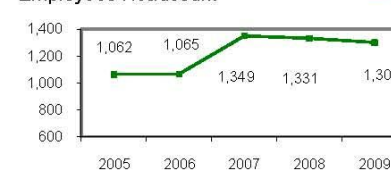
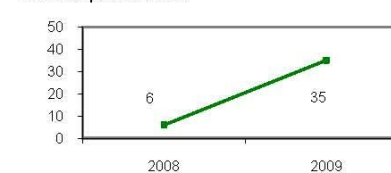
Funding for Undergraduate Research

Funding for Graduate Research<sup>4</sup>

Undergraduate Research Employees Headcount



Graduate Research Employees Headcount

Undergraduate Research Transcript Scholars<sup>5</sup>

### TREND KEY:

▲ higher

▼ lower

● no change

green = better

red = worse

black = neutral

### FOOTNOTES:

<sup>1</sup> According to NSF Report<sup>2</sup> Some funding agencies by policy limit the recovery of F&A costs to less than the negotiated rate. Effective F&A is the ratio between modified total direct costs and actual F&A collected.<sup>3</sup> One proposal can be awarded in multiple years.<sup>4</sup> Graduate research funding includes: fellowships, travel, and graduate student recruitment.<sup>5</sup> 2008 number includes students who graduated in December 2007 and May 2008.

**Budget and Faculty Welfare (BFW) Committee**  
**Summary Report to the Faculty Senate for 2009-2010**  
**February 16, 2010**

**Charge to the Budget & Faculty Welfare Committee**

The duties of the Budget and Faculty Welfare Committee are to (1) participate in the budget preparation process, (2) periodically evaluate and report to the Senate on matters relating to faculty salaries, insurance programs, retirement benefits, sabbatical leaves, consulting policies, and other faculty benefits; (3) review the financial and budgetary implications of proposals for changes in academic degrees and programs, and report to the Senate prior to Senate action relating to such proposals; and (4) report to the Senate significant fiscal and budgetary trends which may affect the academic programs of the University. ( Policy 402.12.4 )

**Members of the Committee**

Vance Grange, Chair	Business
Gary Stewardson, Vice Chair	Engineering
Rhonda Miller	Agriculture
Charles Salzberg	Education and Human Services
	Humanities, Arts and Social Sciences
Robert Schmidt	Natural Resources
Ted Evans	Science
Jolene Bunnell	Extension
Steve Sturgeon	Libraries
Scott Bates	Senate
Doug Jackson-Smith	Senate
Ilka Nemere	Senate

**Issues and Actions**

The following issues have been addressed by the BFW Committee during its monthly meetings:

- Budget Issues, including regular updates from President Albrecht and/or Provost Coward on state funding and other matters
- Potential furloughs
- Employee Benefits Advisory Board

- Budget Advisory Committee
- Fringe benefits
- Wellness Program

Actions:

- Doug Jackson-Smith prepared and distributed a furlough background document (see <http://www.usu.edu/fsenate/Committees/BFW/>)
- Doug Jackson-Smith led a Faculty Senate discussion of furloughs and received and summarized feedback from interested faculty members
- Received information and encouragement from Caroline Shugart about the Wellness Program and the Wellness Center

Future work and activities:

- Continue to receive regular updates on budget developments from President Albrecht and Provost Coward
- Receive information from BrandE Faupell, Human Resources Director, about new and future frings benefits
- Become involved in the Wellness Program and use the resources of the Wellness Center
- Encourage all faculty members to become involved in the Wellness Program. See <http://www.usu.edu/wellness/>
- Other matters as requested

# **ACADEMIC FREEDOM & TENURE COMMITTEE REPORT 2010**

**Prepared by  
Anthony (Tony) Peacock  
AFT Chair**

## **INTRODUCTION**

Under **USU Policy 402.12.3** the Academic Freedom and Tenure Committee is defined as “an administrative body, with jurisdiction in matters related to academic freedom, tenure, promotion, dismissals, and other sanctions; and actions alleged not to be in accordance with the adopted standards, policies, and procedures of the University. In relation to these matters, the committee may hear both complaints initiated by the University against a faculty member and grievance petitions brought by a faculty member.”

### **AFT Committee Members 2009-2010:**

James Barnhill, Scott Budge, Sandi Gillam, Richard Jenson, Tony Peacock (Chair), David Peak, Peggy Petrzalka, Helga Van Miegroet, Dale Wagner, Cheryl Walters, Ralph Whitesides, Wayne Wurtsbaugh.

## **MEETINGS AND HEARINGS**

The AFT Committee held a number of meetings during 2009. Most important of these were the pre-hearings and hearings dealing with faculty grievances. Six grievances were filed in 2009. Six pre-hearings were held in October 2009 and since then six hearings have taken place or are in the process of being completed.

## **ISSUES**

The numerous pre-hearings and hearings were very time consuming for everyone on the AFT Committee. Many issues arose. Here's a sample:

- Should the AFT Committee be expanded so that members do not have to spend so much of their year dealing with AFT matters?
- In the alternative, should AFT Committee members be remunerated or given a course reduction for their work on the Committee?
- Could an administrative assistant be assigned to work with the AFT committee on hearings to help with logistics (e.g., scheduling, collection and dissemination of documents, reserving meeting rooms, etc.)?

- Should AFT Committee members, or at least the AFT Committee chair, be full professors? AFT Committee members are often put in the predicament of having to oppose administration positions on issues. Perhaps full professors would be better suited for this.
- Does USU Policy 407.6, setting out the grounds for grievances, need to be clarified? What, for instance, constitutes “arbitrary or capricious conduct”?
- Should lawyers be involved in grievances—either in the pre-hearing or hearing process? Lawyers often understand USU policy better than faculty and administrators but, on the other hand, they are prone to trying to turn internal administrative processes (grievances) into civil lawsuits, replete with numerous rules of evidence and procedures. Do we want to keep the grievance process purely an internal (USU only) matter?
- Should the Faculty Senate consider establishing an "advocate" office/position for faculty members -- a person(s) who is equally versed in the faculty code as the Provost, Vice-Provost, and other administrators and who can advise faculty on the issues involved in a grievance? This might mitigate or eliminate the problem of grievants showing up to hearings unprepared or ignorant about the faculty code or, alternatively, showing up with lawyers.
- What about the grievance process itself? Should it be scrapped or at least part of it scrapped? Do the costs of the process outweigh the benefits? If this seems too extreme, could the grievance process be streamlined? Grievants go into the process thinking they have a good chance of success. The reality is quite otherwise. Rather than going through this extensive and costly process, would it be simpler—and perhaps fairer—to leave parties to resolve their complaints against the university in civil courts? If this seems too drastic—and many faculty believe a grievance process is essential at USU—perhaps grievants could be notified of how difficult it is to succeed with a grievance. For instance, if we had statistics on how seldom grievances succeed, and how compelling a case is necessary for success, this might discourage unnecessary complaints.
- Should more training be given to AFT committee members on what to expect, how to conduct grievance hearings, etc. Similarly, should grievants be educated on what they can grieve and how the grievance process works so that they don't show up to pre-hearings or hearings uninformed?
- Should the AFT Committee be able to dismiss a grievance before or at a pre-hearing if there is no apparent “smoking gun” evidence of capricious or arbitrary behavior?

- Should the faculty code be revised to give the grievance hearing panel clear authority to tightly limit the number of pages of documents that can be introduced in grievances and the time that can be spent discussing issues? What discretionary authority should be given to hearing panels? This might be made more specific in the code.
- Should USU Policy 407.7.2 (Reasons for Non-Renewal) include criteria for pre-tenure termination beyond the current language "Non-renewal prior to the end of the pre-tenure probationary period for tenure-eligible faculty is an administrative decision of the department head, director, dean, or vice president and must be approved by the Provost and President"? There was some concern that this language currently allows for dismissal with minimal justification.
- There was also concern expressed about USU Policy 405.7. For example, in at least two cases this year issues of letters arose. One of these issues had to do with letters from external reviewers. There is considerable murkiness in the statement in the code of how these letters should be solicited and what constitutes a requisite number returned. See section 405.7.2(1).

In addition, there are several statements about letters of evaluation/recommendation (i.e., from heads, deans, etc.)/decisions going to candidates and other parties but there is a lack of clarity about who delivers such letters and when. See sections 405.7.2(2)-(4) and also 407.6.6(8).

The latter section is now becoming increasingly important, because the Provost has established the precedent (on several occasions) of accepting input from candidates after the dean and/or head has (have) written letters but before the central committee has been convened. There is no provision for this explicitly in the code, but as the precedent has been set it would be difficult to turn back. There was some concern that all candidates should have the ability for input before a final decision is made and that there needs to be a regularization of how information flows to make this most effective.

This is not an exhaustive list of the issues that arose this year during the numerous pre-hearings and hearings but it does address some of the more pressing questions that the AFT Committee has.

## **RECOMMENDATIONS OR ACTIONS NEEDED BEFORE WORK CAN CONTINUE**

None needed at this time.

## **Report from the Educational Policies Committee February 9, 2010**

The Educational Policies Committee met on February 4, 2010. The agenda and minutes of the meeting are posted on the Educational Policies Committee web page and are available for review by the members of the Faculty Senate and other interested parties.

During the February 4<sup>th</sup> meeting of the Educational Policies Committee, the following discussions were held and key actions were taken.

1. Approval of the report from the Curriculum Subcommittee meeting of February 4<sup>th</sup> which included the following notable actions:
  - The Curriculum Subcommittee approved 46 requests for course actions
  - The request from the Department of Biological and Irrigation Engineering to change the name of the department to Biological Engineering was approved.
2. There was no January meeting of the Academics Standards Subcommittee.
3. Approval of the report from the General Education Subcommittee meeting of January 19, 2010. Of note:
  - The following General Education courses were approved:  
HONR 3030 (DSS)  
HIST 4840 (DHA)  
HIST 4841 (DHA)  
SPCH 1020 (BHU)  
SPCH 2110 (BHU)
  - For information only
    - When General Education designated courses change topics, a request should be made using the routine committee approval process. However, the Chair of the General Education Subcommittee, in consultation with the disciplinary sub-committee chair, can make the decision regarding approval if time is critical.
    - A new Regents policy stipulates that Utah general education requirements will be satisfied as a consequence of a student completing an associate degree from any accredited regional institutions of higher education.
    - An analysis is underway to project General Education course seat availability next year to identify areas in need of assistance.



## **PRPC Report for Faculty Senate, 16 Feb 2010**

### **SECOND READING (Sections 401.1 through 401.5)**

1. Phrase “as determined by professional colleagues” modified to “as determined by appropriate administrator” in sections 3.2(1), 3.2(2), 3.3(2), 3.4(1), 3.4(2). This seems to be more in line with actual practice and alludes to the organizational structure.

### **FIRST READING (Sections 401.6 through 401.11)**

1. As in previous edits, numbering modifications and minor cleanup edits.
2. PRPC Recommendation, Review of Code regarding Term Faculty

PRPC Recommends that Faculty Senate form an ad hoc committee to study the code regarding term faculty, seeking input from faculty and administration on related issues, including those listed below, and presenting revisions to the senate for discussion and approval:

- A. Many references in the code refer to “faculty” but do not specify whether this means only core faculty or both core and term faculty.
- B. The employment of term faculty has been on the rise, both nationally and at USU. PRPC recommends the senate consider modifying code to account for their increasing role.
- C. Limitations have been placed on term faculty inconsistently in Section 401.4.3(4).
  - a. Among those limitations, the majority of term faculty are not counted toward Senate apportionment and therefore have no senate representation (though the code allows for term faculty to elect and be elected as senators).
  - b. The code allows for limitations on the ability of term faculty participate in department and college policy-making decisions.
- D. Term faculty are excluded from tenure-eligibility in Section 4.3(1). PRPC is concerned that tenure is not being fully utilized as a protection of academic freedom:
  - a. Section 405.12: “Tenure is a means to certain ends, specifically; freedom of teaching, research and other academic endeavor, and a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security for faculty are indispensable to the success of a university in fulfilling its obligation to its students and to society.”
- E. Because term faculty teach primarily lower-division, general education courses, and because code specifies that during layoffs, term faculty be considered for dismissal first, budget cuts result in a disproportionate impact on general education offerings.
- F. Term faculty are being used in ways inconsistent with code, for example, to teach upper-division courses.
- G. The inclusion of CEU faculty (reportedly including tenure-line faculty without terminal degrees and few research expectations) ought to be accommodated by code.

## **SECOND READING**

# **POLICY MANUAL**

## **FACULTY**

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### **Number 401**

**Subject: Composition and Authority of the Faculty**

**Effective Date: July 1, 1997**

**Effective Date of Last Revision: July 1, 1999**

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### **401.1 FACULTY MEMBERSHIP**

The faculty consists of the President, the Provost, deans, and other members of the tenured and tenure-eligible faculty, faculty with term appointments, faculty with special appointments, and emeritus faculty as defined herein.

### **401.2 DEFINITIONS**

#### **2.1 Faculty Defined; Faculty Categories**

The terms "faculty" and "faculty members" designate university employees appointed for the purpose of carrying out one or more of the following primary functions of the University: (1) academic instruction, (2) enlargement of knowledge through research and other creative activities, and (3) dissemination of knowledge beyond the campus through extension, service, and other methods.

Faculty members receive appointments in one of the following four separate categories: (1) tenured or tenure-eligible appointments; (2) term appointments without eligibility for tenure; (3) special appointments without eligibility for tenure; and (4) emeritus appointments.

#### **2.2 Academic Units and Academic Departments Defined**

An academic unit is a group of faculty of the University with an identifiable teaching, research, or other academic mission. To be designated an academic unit, the group of faculty must fulfill all of the following criteria: (a) have an identifiable curriculum or formal description in current University catalogs or other publications; (b) have a separate, identifiable budget; (c) be designated an academic unit by decision of the Educational Policies Committee and ratification of the Faculty Senate, and approved by the President, the Board of Trustees and the Board of Regents.

An academic department is a group of faculty of the University with an identifiable teaching, research, or other academic mission. To be designated an academic department, the group of faculty must fulfill all of the following criteria: (a) offer or administer a degree, certificate, or some other official credential of the University; (b) have an identifiable curriculum and formal description in current University catalogs or other publications; (c) have a separate identifiable budget; (d) be designated an academic department by decision of the Educational Policies Committee and ratification of the Faculty Senate, and approved by the President, the Board of Trustees and the Board of Regents.

All academic departments are academic units. Two academic units are not academic departments. These are the Library and Extension.

#### **401.3 RESIDENT AND NONRESIDENT FACULTY MEMBERS DISTINGUISHED**

~~The resident faculty consists of all those faculty members who work at the Logan campus and maintain a primary office there. The nonresident faculty consists of all faculty members whose primary place of work and primary office is off the Logan campus.~~

**Comment [JE1]:** Note: PRPC recognizes that if academic units hold branch campus faculty to the same tenure requirements as main campus faculty, for publishing expectations, for example, branch campus faculty could have difficulty qualifying since their roles statements often reflect, for example, a higher teaching load.

#### **401.34 THE TENURED AND TENURE-ELIGIBLE FACULTY**

##### **34.1 Description and Eligibility**

The tenured and tenure-eligible faculty consists of those individuals appointed to carry out the University's scholarly and educational functions and who have been or may be granted permanent status (policy 405.1.2). They receive their appointments within academic units.

All faculty in this category either hold tenure or enter the process that leads to the granting of tenure.

Tenured and tenure-eligible faculty appointments shall not be made for less than .5 FTE, 50 percent time.

##### **34.2 Academic Ranks: Core Faculty**

Tenure and tenure-eligible faculty members appointed to an academic department are the "core" faculty and hold one of the following ranks: Instructor, Assistant Professor, Associate Professor, or Professor. A description of each follows. (See policy 405.2 for a complete discussion of the criteria for appointment or promotion for these ranks.)

(1) Instructor.

Appointment as instructor requires, a master's degree or its equivalent, as determined by

| [appropriate administrator](#), and demonstrated ability related to the role assignment.

(2) Assistant professor.

Appointment as or advancement in rank to assistant professor requires a terminal degree or its equivalent; demonstrated ability in teaching, research, extension, or other qualifying work; ~~evidence of scholastic promise~~; and evidence of progressive professional development [as determined by appropriate administrator](#).

**Comment [JE2]:** The phrase "evidence of scholastic promise" is also found in Sec 405.2.1, 3.1, and 5.1. PRPC recommends it be stricken in all cases, as vague and already covered by other verbiage.

(3) Associate professor.

Appointment as or advancement in rank to associate professor requires all the qualifications prescribed for an assistant professor; an established reputation based upon a balance of scholarship, teaching, and service; and/or broad recognition for professional success in the field of appointment.

(4) Professor.

Appointment as or advancement in rank to professor requires all the qualifications prescribed for an associate professor and an established outstanding reputation in the field of appointment.

### | **34.3 Academic Ranks: Librarians**

Faculty members appointed to the academic unit of the library hold one of the following ranks: Affiliate Librarian, Assistant Librarian, Associate Librarian, or Librarian. A description of each follows. (See policy 405.3 for a complete discussion of the criteria for appointment or promotion for these ranks.)

(1) Affiliate librarian.

Appointment as affiliate librarian requires, a terminal degree in library and information science, which is a master's degree in library and information science, from an institution accredited by the American Library Association or a master's degree and appropriate credentials for assignment to areas with specialized needs and demonstrated ability related to the role assignment.

(2) Assistant librarian.

Appointment as or advancement in rank to assistant librarian requires all the qualifications prescribed for an affiliate librarian; demonstrated ability in librarianship, research, or other qualifying work; ~~evidence of scholastic promise~~; and evidence of professional development [as determined by appropriate administrator](#).

(3) Associate librarian.

Appointment as or advancement to associate librarian requires all the qualifications prescribed

for an assistant librarian; an established reputation in librarianship based on scholarship, and service; and/or broad recognition for professional success in librarianship.

(4) Librarian.

Appointment as or advancement to librarian requires all the qualifications prescribed for an associate librarian and an established outstanding reputation in the field of academic librarianship.

#### **34.4 Academic Ranks: Extension**

Faculty members appointed to the academic unit of Extension and who fulfill general Extension responsibilities hold one of the following ranks: Extension Instructor, Extension Assistant Professor, Extension Associate Professor, or Extension Professor. A description of each follows. (See policy 405.4 for a complete discussion of the criteria for appointment or promotion for these ranks.)

(1) Extension instructor.

Appointment as Extension instructor requires a master's degree or its equivalent, [as determined by appropriate administrator](#), and demonstrated ability related to the role assignment.

(2) Extension assistant professor.

Appointment as or advancement in rank to Extension assistant professor requires a terminal degree or its equivalent; demonstrated ability in teaching, research, extension, or other qualifying work; ~~evidence of scholastic promise~~; and evidence of progressive professional development [as determined by appropriate administrator](#).

(3) Extension associate professor.

Appointment as or advancement in rank to Extension associate professor requires all the qualifications prescribed for an Extension assistant professor; an established reputation based upon a balance of scholarship, teaching, and service; and/or broad recognition for professional success in the field of appointment.

(4) Extension professor.

Appointment as or advancement in rank to Extension professor requires all the qualifications prescribed for an extension associate professor and an established outstanding reputation in the field of appointment.

#### **34.5 Academic Ranks: Extension Agents**

This historic title is no longer in use; instead, refer to “Academic Ranks: Extension” (see Section 401.3.4).

~~Faculty members appointed to the academic unit of Extension and who serve as Extension agents hold one of the following ranks: Affiliate Extension Agent, Assistant Extension Agent, Associate Extension Agent, or Extension Agent. A description of each follows. (See policy 405.5 for a complete discussion of the criteria for appointment or promotion for these ranks.)~~

~~(1) Affiliate extension agent.~~

~~Appointment as affiliate extension agent requires a bachelors degree and demonstrated ability in Extension related to the role assignment.~~

~~(2) Assistant Extension agent.~~

~~Appointment as or advancement in rank to assistant Extension agent requires a master's degree or its equivalent; demonstrated ability in teaching and developing programs relevant to the identified population; evidence of scholastic promise; and evidence of progressive professional development.~~

~~(3) Associate Extension agent.~~

~~Appointment as or advancement in rank to associate Extension agent requires all the qualifications prescribed for an assistant Extension agent; an established reputation based upon a balance of scholarship, teaching, Extension work and service; and/or broad recognition for professional success in Extension.~~

~~(4) Extension agent.~~

~~Appointment as or advancement in rank to Extension agent requires all the qualifications prescribed for an associate Extension agent and an established outstanding reputation in the field of appointment.~~

## **34.6 Exceptions**

Under extraordinary circumstances exceptions to Section 401.3 may be made to the qualifications for appointment in the various ranks in order to fulfill the mission of the University. Exceptions require petition to and approval by the President, and must specify a time period for meeting the qualifications.

## | 401.5-4 THE FACULTY WITH TERM APPOINTMENTS

### | 54.1 Description and Appointment Requirements

The faculty with term appointments consists of individuals appointed to perform specialized academic duties who make substantial and regular contributions to a University academic unit, but do not have the permanence of appointment of tenured ~~and/or the prospect of permanence of appointment of tenure-eligible~~ faculty.

~~These appointments must be commensurate with the specialized duties to be performed. Proposed term appointments must be considered by committees using appropriate standards and procedures which apply to an appointment to a tenured and/or tenure-eligible faculty position.~~

Term appointments are for one academic or fiscal year in duration and are automatically renewed based on funding and performance, unless the faculty members holding such appointments are given notice of nonrenewal (policy 404.1.2(4)). The faculty member who holds a term appointment has no claim to a de facto permanent appointment based on length of service. Appointments for less than one academic or calendar year's duration are made to the temporary ranks (policy 401.6.2(3)). For those faculty whose appointments depend on extramural funds, the appointment is dependent upon the availability of those funds. Term appointments are established only in an academic unit. ~~In other units, term appointments are not made.~~

### | 54.2 Academic Ranks

The academic ranks for the faculty with term appointments follow.

#### | (1) Lecturer ~~R~~anks.

Faculty members whose function it is to teach remedial, beginning, or, on occasion, intermediate university courses, are appointed to one of the following titles: Lecturer, Senior Lecturer, or Principal Lecturer. ~~Appointments to lecturer positions are made only in academic units.~~

#### | (2) Clinical ~~R~~anks.

Faculty members whose primary function is the supervision of students in clinical practicum, residency, and intern programs are appointed to one of the following ranks: Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, or Clinical Professor. Clinical appointments are made through academic units.

#### | (3) Research ~~R~~anks.

Faculty members whose primary function is research and whose source of funding is extramural are appointed to one of the following ranks: Research Assistant Professor, Research Associate Professor, or Research Professor. ~~Appointments to research ranks are made only in academic departments.~~

**Comment [JE3]:** A question was raised about whether these faculty have become tenure-eligible. PRPC members are not aware of any change.

| (4) Federal ~~C~~ooperator (FC) ~~R~~anks.

Faculty members who are federal employees, who are paid by agencies of the federal government, whose primary function at the university is equivalent to core faculty, and who serve as faculty under cooperative agreements between the University and the federal government (e.g., U.S. Dep~~t~~artment of the Interior, Fish and Wildlife Service) are appointed to one of the following ranks: Instructor (FC), Assistant Professor (FC), Associate Professor (FC), or Professor (FC).

Appointments to federal cooperator ranks are made only in academic units where such cooperative agreements exist.

| (5) Federal ~~R~~esearch (FR) ~~R~~anks.

Faculty members who are federal employees, who are paid by agencies of the federal government, whose primary function at the University is research, and who serve as faculty under agreements between the University and the federal government (e.g., U. S. Department of Agriculture) are appointed to one of the following ranks: Assistant Professor (FR), Associate Professor (FR), or Professor (FR). Appointments to federal research ranks are made only in academic units where such agreements exist.

| (6) Edith Bowen ~~T~~eachers.

Faculty members who hold certification or licensure required by public schools and whose primary function is teaching preschool, elementary school, or developmentally disabled students at Edith Bowen Elementary School~~;~~ are appointed to one of the following titles: Teacher, Mentor Teacher, or Master Teacher. Appointments to teacher ranks are made only by the College of Education and Human Services.

| **45.3 Limitations on Positions: Faculty with Term Appointments**

| (1) No ~~T~~enure

Faculty with term appointments are not eligible to enter the process that leads to the granting of tenure, unless the faculty member's status is changed.

| (2) Changes in ~~S~~tatus.

| All changes in status from term~~-~~appointment faculty to faculty with tenure or tenure-eligibility require a national search.

| (3) Leave.

| Faculty with term appointments are not eligible for sabbatical leave, but ~~under appropriate conditions~~ may be granted professional leave under appropriate conditions, as determined by the appropriate administrator.



| (4) Limitations on Faculty Participation.

Faculty with term appointments are eligible to be elected to and to vote for members of the Faculty Senate. The participation in faculty affairs of faculty members holding lecturer, clinical, research, federal research, or teacher positions is subject to the following limitations: (a) they may participate in the processes of setting policy within their academic units only to the extent determined by their appointing departments, colleges, or other academic units; (b) they may serve as members of appointed faculty committees and may vote on all matters except those relating to appointment, retention, tenure, or promotion of tenured and/or tenure-eligible faculty; and (c) they may not be counted among the number of tenured and tenure-eligible resident faculty members for purposes of apportioning Faculty Senate members. Federal Coordinator ranks are exempt from the foregoing limitations on faculty participation with the following exceptions: they may not serve on committees or vote on matters relating to retention or tenure of tenure-eligible faculty.

**Comment [JE4]:** A question was raised whether these committees need to be specified. PRPC believes the existing language is sufficient.

**Comment [JE5]:** PRPC poses the question to FS as to why FC are the only term faculty exempt from the foregoing limitations?

| **401.56 FACULTY WITH SPECIAL APPOINTMENTS**

| **56.1 Description and Appointment Requirements**

The faculty with special appointments consists of those individuals whose appointments confer a limited association with the University. Such appointments are made to establish an association with professional peers for temporary or part-time service.

Faculty members with special appointments must possess qualifications and experience commensurate with those required for tenured and/or tenure-eligible or term appointment faculty. Proposed special appointments must be considered by appropriate departmental procedures. Periodic reviews of the performance of faculty members with special appointments may be conducted. Faculty with special appointments are not eligible for tenure.

| **56.2 Academic Ranks**

The academic ranks for the faculty with special appointments follow.

| (1) Adjunct Ranks.

Faculty members whose association with an academic department is secondary to an appointment within a different department, institution, organization, or other personal and professional interests are appointed to one of the following ranks: Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, or Adjunct Professor. Adjunct appointments are made for less than 50 percent time only.

**Comment [JE6]:** A questions was raised about whether this statement should be removed. PRPC feels strongly that it should be kept to deter replacing benefits-eligible faculty with adjunct faculty.

| (2) Visiting Ranks.

Faculty members from other academic institutions who are participants in a university exchange program or who are employed to teach one or more ~~quarters~~ semesters for an academic department while on leave from another academic institution are appointed to one of the following ranks: Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, or Visiting Professor.

(3) Temporary ranks.

The term temporary may precede all tenure-eligible academic ranks. In extraordinary circumstances, academic units may ~~be forced to~~ fill faculty appointments on a temporary basis. The temporary nature and the length of the term of such a position must be clearly specified in advance. The term cannot exceed one academic year and is renewable up to an additional two years. An exception may be made for long-term international assignment. Temporary appointments shall not be used as long-term strategies for accomplishing the duties of academic departments or academic units.

**Comment [JE7]:** A question was raised about whether who specifies "extraordinary circumstances" should be specified. PRPC believes the existing language is sufficient.

### **56.3 Limitations on Positions: Faculty with Special Appointments**

(1) No tenure eligibility.

Faculty with special appointments are ineligible for tenure.

(2) Limitations on faculty participation.

The participation of faculty members holding adjunct, temporary, or visiting positions is subject to the following limitations: (a) they may participate in the processes of setting policy within their departments only to the extent determined by their appointing departments; (b) they may serve as voting members of appointed faculty committees except those relating to appointment, retention, tenure, or promotion of tenured and/or tenure-eligible faculty and faculty with term appointments; (c) they may not be counted among the number of ~~resident~~ faculty members for the purposes of apportioning the Faculty Senate members; and (d) they are ineligible to be elected to and to vote for members of the Faculty Senate.

## **FIRST READING**

### **401.67 EMERITUS FACULTY**

At the time of retirement and upon recommendation of the President and the approval of the Board of Trustees, faculty members may be awarded the honorary rank of Emeritus preceding

their final academic rank.

**Comment [JE8]:** PRPC recommends that it remain unspecified who makes these recommendations.

## **401.78 LIST OF FACULTY**

Prior to the end of fall semester of each year the University shall publish a list of all faculty which states the faculty category and the academic unit to which they are appointed.

**Comment [JE9]:** It appears this requirement is no longer being met in print, but via the USU online faculty directory

## **401.89 AUTHORITY OF THE FACULTY**

### **89.1 Policy Statement**

(1) American Association of University Professors Joint Statement.

~~Although~~ This policy statement may contain some provisions ~~which that~~ are the same or similar to certain principles promulgated by the American Association of University Professors (AAUP). ~~This~~ this policy statement is not intended to incorporate AAUP principles and interpretations, and any such incorporation by reference is expressly disclaimed.

(2) Faculty Responsibility for Educational Process.

The faculty has primary responsibility for such fundamental areas as curriculum, subject matter, and methods of instruction, and those aspects of student life which relate to the educational process. In those exceptional circumstances when the power of review or final decision of the President is exercised adversely on these matters, it shall be communicated to the faculty. Following such communication, the faculty shall have the opportunity for further consideration and further transmittal of its view to the President.

The faculty sets the requirements for the degrees offered, determines when the requirements have been met, and recommends to the President that the degrees be granted.

**Comment [JE10]:** In response to a question about which faculty this entails, please see refer to PRPC's Term Faculty Review recommendation.

(3) Faculty Status and Related Matters.

Faculty status and related matters, such as appointments, reappointments, nonrenewals of appointments, terminations, dismissals, reductions in status, promotions, and the granting of tenure are primarily a faculty responsibility. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues; in such competence it is implicit that responsibility exists for both adverse and favorable judgments. Determination in these matters should be first by faculty action through established university procedures, reviewed and approved by - the President, followed, where necessary, by the approval of the Board of Trustees and/or the Board of Regents.

**Comment [JE11]:** In response to a question about which faculty this entails, please see refer to PRPC's Term Faculty Review recommendation.

(4) Collegial Governance of the University.

There is shared responsibility in the governance of the University with a meaningful role for the faculty. This role includes participation in decisions relating to the general academic operations

of the University, such as budget matters and the appointment of administrators. The faculty should actively advise in the determination of policies and procedures governing salary increases.

Organizations and methods for faculty participation in the collegial governance of the University should be established wherever faculty responsibility is present. The organizations and methods may consist of meetings of the faculty members of a department, college, library, extension, other academic unit, or the University as a whole; or they may take the form of faculty-elected committees in academic units and a faculty designed, approved, and established through joint effort of the faculty and the administration.

#### (5) Faculty and Administration Communications.

Suggested means of communication among the faculty, the University administrators, and Board of Trustees are:

- (a) circulation of memoranda and reports,
- (b) joint ad hoc committees of the groups,
- (c) standing liaison committees of the groups, and
- (d) membership of faculty members on administrative councils, committees, and other bodies.

### **89.2 Legislative Authority of the Faculty**

Subject to the authority of the Board of Regents, the Board of Trustees, and the President, faculty shall legislate on all matters of educational policy, enact such rules and regulations as it deems desirable to promote or enforce such policies, and decide upon curricula and new courses of study.

The legislative power will normally be exercised by the Faculty Senate. In all matters except those within the authority of the Faculty Senate, the faculty retains original jurisdiction.

~~Whenever the faculty is acting within the scope of its authority, its actions shall be effective.~~

**Comment [JE12]:** PRPC agrees with the recommendation to strike this paragraph.

### **89.3 Appellate Authority of the Faculty:**

#### Right to Review and to Modify Faculty Senate Actions

Faculty shall have the appellate power to review all Faculty Senate actions by means of a special meeting. ~~See policy 402.1.~~ Upon the written petition of 10% of ~~resident~~ faculty who are eligible to vote in Faculty Senate elections, or upon the written request of 25 senators, the faculty must meet to reconsider Faculty Senate actions and to ratify, modify, or repeal them. The petition or request must be submitted to the President as chair of the faculty.

**Comment [JE13]:** In response to a question about which faculty this entails, please see refer to PRPC's Term Faculty Review recommendation.

### **401.944 MEETINGS OF THE FACULTY**

**Comment [JE14]:** PRPC recommends that this sections be placed ahead of the section "Chair of the Faculty" to improve clarity.

### | **914.1 Calling Meetings**

Meetings of the faculty may be convened upon the call of the President. Upon receipt by the President of a written request or a written petition as provided in policy 401.9.3, the President must call a meeting of the faculty within ten working days to discuss and/or act on issues raised in the request or petition.

### | **910.2 Notice**

Faculty must receive individual notice of the meeting and its agenda a minimum of five days before the meeting, unless a majority of them waives that notice prior to or at the meeting or unless the President waives the notice on the grounds of emergency.

### | **191.3 Quorum**

Any number over ten percent of the resident faculty eligible to vote in Faculty Senate elections shall constitute a forum for discussion at faculty meetings, but no vote shall be binding unless a quorum is present. Fifty percent plus one member of the voting faculty shall constitute a quorum. A quorum being present, all actions shall be by majority vote of those in attendance with voting power. Meeting procedures shall be governed by Robert's Rules of Order.

## **401.10 CHAIR OF THE FACULTY; SECRETARY OF THE FACULTY**

| The President of the University (and in the President's absence, the Provost) is the chair of the faculty and presides over all ~~its~~ meetings [of the faculty](#).

| The President of the University shall appoint a secretary for the faculty who will also be ex officio ~~E~~xecutive ~~s~~ecretary of the Faculty Senate. The secretary shall record all actions of the faculty when it meets, and shall preserve the records in a form convenient for reference.

| [See also policy 402.8](#)

## | **401.112 COMMITTEES OF THE FACULTY**

The faculty may appoint, at any time, such committees as the work of the University may require. These committees must report to the faculty and to the Faculty Senate the progress of their work and the action they have taken.