

BUDGET-RELATED POLICY REPORT

This document is intended to serve as a reference for groups working to identify solutions to the University of Idaho's budget shortfall. It addresses Board of Regents/State Board of Education and University of Idaho policies with budget implications. All policies are subject to compliance with laws and regulations instituted by higher governing authorities in the following order of hierarchy: 1) federal laws and regulations, 2) state laws and regulations, 3) Board of Regents/SBOE policies, and 4) UI policies. This document addresses only policy and not applicable federal or state law. Board policies are prefixed "RGP" (Regents General Policies); policies contained in the Faculty Staff Handbook are prefixed "FSH."

This document is intended as a general description of the policies and is not a legal opinion or legal advice. Specific application of policies may be subject to review by university counsel.

INTRODUCTION

Policies with budget implications can be divided into four conceptual groups: General Principles, Ordinary Actions, Short-Term Actions, and Actions under Financial Exigency.

General Principles includes policies that govern our mission, our long-range plans, our academic priorities, and our governance as it pertains to budget matters. They are policies that may apply to all of the actions in the other three groups.

Ordinary Actions comprise all of the actions available to us as part of university general operations. They include salary adjustment from one contract to the next, nonrenewal and layoff of employees, revisions to health benefits, and program modification or closure not pursuant to a declaration of financial exigency. Program modification or closure as part of university general operations may result in the termination of all categories of employees, including tenured faculty. Ordinary actions also include financial actions that have no policy constraints, such as leaving vacancies unfilled, although these are not addressed in this policy overview.

Short-Term Actions are actions authorized by RGP II.B.2.c, which grants to the president the power to "reduce expenditures to respond to financial challenges (without a financial exigency declaration by the Board) and to maintain sound fiscal management." FSH 3450 C further limits the scope of permissible actions to *short-term* employment actions such as furloughs or other unpaid leave of uniform application. By their very nature, short term actions do not provide a permanent resolution of systemic budget issues.

Actions under Financial Exigency are authorized by RGP II.N and FSH 3970. Financial exigency means a "demonstrably bona fide financial crisis that adversely affects an agency, institution, school, or office as a whole, or one (1) or more programs, or other distinct units." It requires a declaration by the Board of Regents, and would permit the Board to close programs, terminate employment of all categories of employees during the term of contract, and to take other employment actions such as salary reduction, work hour reduction, demotion, and administrative leave without pay. The employment actions taken need not be short term or uniformly applied. Although financial exigency allows for great flexibility in dealing with a financial crisis, it comes with legal risk, reputational risk, and a loss of autonomy, and for those reasons is a solution of last resort.

At this point, President Green is seeking our solutions that do not rely on a declaration of financial exigency; however, information on financial exigency is included to provide complete information on the scope of possible actions.

POLICY OVERVIEW

This overview is divided into three parts:

Part I: Framework divides budget-related policies into General Principles, Ordinary Actions, Short-Term Actions, and Actions under Financial Exigency.

Part II: Policy Highlights is a directory of budget-related SBOE and UI policies, in numerical order, each with a web link and brief summary. Important deadlines are called out in **red**. These highlights generally do not address procedures occurring later in a given process, such as appeals, reinstatement rights, and so forth.

Part III: Actions lists budget reduction actions with associated policies and deadlines.

PART I: FRAMEWORK

A. General Principles

RGP III.I.2-3 Role and Mission Statements

<https://boardofed.idaho.gov/board-policies-rules/board-policies/higher-education-affairs-section-iii/roles-and-missions/>

RGP III.I.4 Institutional Long-Range Plans

<https://boardofed.idaho.gov/board-policies-rules/board-policies/higher-education-affairs-section-iii/roles-and-missions/>

FSH 1340 Academic Priorities

<https://www.webpages.uidaho.edu/fsh/1340.html>

FSH 1520 Constitution of the University Faculty

<https://www.webpages.uidaho.edu/fsh/1520.html>

FSH 1640.34 Provost Council

<https://www.webpages.uidaho.edu/fsh/1640.html#1640.34>

FSH 1640.20 University Budget and Finance Committee

<https://www.webpages.uidaho.edu/fsh/1640.html#1640.12>

FSH 6560 Rights Retained by the University

<https://www.webpages.uidaho.edu/fsh/6560.html>

A. Ordinary Actions

RGP II.F Policies Regarding Nonclassified Employees

<https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/policies-regarding-nonclassified-employees-ii-f/>

RGP II.G Policies Regarding Faculty

<https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/policies-regarding-faculty-institutional-faculty-only-ii-g/>

RGP III.G. Postsecondary Program Approval and Discontinuance

<https://boardofed.idaho.gov/board-policies-rules/board-policies/higher-education-affairs-section-iii/iii-g-program-approval-and-discontinuance/>

RGP III.H Program Review

<https://boardofed.idaho.gov/board-policies-rules/board-policies/higher-education-affairs-section-iii/iii-h-program-review/>

RGP III.Z. Planning and Delivery of Postsecondary Programs and Courses

<https://boardofed.idaho.gov/wp-content/uploads/2017/02/III-Z-Delivery-of-Post-Secondary-Education-0818.pdf>

RGP III.Z.b.vii. Discontinuance of Programs

<https://boardofed.idaho.gov/wp-content/uploads/2017/02/III-Z-Delivery-of-Post-Secondary-Education-0818.pdf>

FSH 3080 Classification and Appointment of University Positions

<https://www.webpages.uidaho.edu/fsh/3080.html>

FSH 3090 Temporary Hourly Employment

<https://www.webpages.uidaho.edu/fsh/3090.html>

FSH 3370 Promotion or Reassignment of Exempt Employees

<https://www.webpages.uidaho.edu/fsh/3370.html>

FSH 3520 Faculty Tenure

<https://www.webpages.uidaho.edu/fsh/3520.html>

FSH 3730 Retirement Privileges and Programs

<https://www.webpages.uidaho.edu/fsh/3730.html>

FSH 3840 Procedures for Faculty Appeals

<https://www.webpages.uidaho.edu/fsh/3840.html>

FSH 3860 Grievance Procedures for Classified Employees

<https://www.webpages.uidaho.edu/fsh/3860.html>

FSH 3890 Grievance Procedures for Exempt Employees

<https://www.webpages.uidaho.edu/fsh/3890.html>

FSH 3900 Non-Reappointment at End of Contract of Non-Tenured Faculty and Exempt Staff

<https://www.webpages.uidaho.edu/fsh/3900.html>

FSH 3930 Separation of Classified Employees
<https://www.webpages.uidaho.edu/fsh/3930.html>

FSH 3950 Notice to Human Resources of Employee Separations
<https://www.webpages.uidaho.edu/fsh/3950.html>

B. Short-Term Actions

RGP II.B. Appointment Authority and Procedures
<https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/appointment-authority-and-procedures-ii-b/>

FSH 3450 Presidential Actions to Manage Expenditures to Respond to Financial Challenges
<https://www.webpages.uidaho.edu/fsh/3450.htm>

C. Actions Taken under Financial Exigency

RGP II.N. Staff Reduction Procedures. [AKA Financial Exigency]
<https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/staff-reduction-procedures-all-employees-ii-n/>

FSH 3970 Financial Exigency Policy and Staff Reduction Procedures
<https://www.webpages.uidaho.edu/fsh/3970.html>

PART II: POLICY HIGHLIGHTS

SBOE Policies

RGP II.B. Appointment Authority and Procedures
<https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/appointment-authority-and-procedures-ii-b/>

- Delegates to the president “reductions in force and all similar and related work place decisions” “except or unless as limited by other Board or *institutional policy*.” FSH 3450 C limits employment actions under this section to “*temporary* wage adjustments such as furloughs or similar *short term* employment actions.” Non-temporary or non-uniform actions must be authorized by and follow procedures set forth in other applicable policies.
- Allows for employment actions that are
 - Uniform across entire institution
 - Uniform across institution budgetary units
 - Work hour adjustments such as furloughs or other unpaid leave as long as they are uniform across budgetary units or uniformly tiered as applied to certain salary levels or classifications
- May not include actions requiring a declaration of financial exigency. These include

- Layoff of nonclassified contract employees, tenured faculty, non-tenured faculty, and classified employees during the term of their contract of employment
- Other employment actions under RGP II.N., such as salary reduction (not uniformly applied, or not temporary), work hour reduction (not uniformly applied or not temporary), demotion, admin leave without pay
- Closure, relocation or discontinuance of programs or units under the financial exigency rules (as opposed to the RGP III.G. rules)
- Procedure
 - Give faculty, non-classified staff and classified staff **21 calendar days** to provide input on proposed actions
 - Establish procedures that provide for **30 days** written notice prior to effective date of action and opportunity for affected employee to be heard (notice and hearing requirements set forth in policy)

RGP II.F Policies Regarding Nonclassified Employees

<https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/policies-regarding-nonclassified-employees-ii-f/>

- Salary may be adjusted from one contract period to the next
- During the contract period, salary may be adjusted pursuant to RGP II.B.2.c.
- Contract may be nonrenewed pursuant to RGP II.F.5.
 - For annual appointments: Written notice must be given at least **60 calendar days** before end of contract
 - For appointments of less than one year: Written notice must be given at least **30 days** before end of contract.

RGP II.G Policies Regarding Faculty

<https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/policies-regarding-faculty-institutional-faculty-only-ii-g/>

- Non-tenured and tenured faculty who serve pursuant to contracts or letters of appointment containing a stated salary: Salary may be adjusted from one contract period to the next.
- During the contract period: Salary may be adjusted pursuant to RGP II.B.2.c.
- Contract may be nonrenewed pursuant to RGP II.F.5.
 - First year of service: Not later than **March 1** of the first full academic year of service if the appointment is not to be renewed at the end of the academic year; or if a one-year appointment terminates during the academic year, at least **three months** in advance of termination.
 - Second year of service: Not later than **December 15** of the first full academic year of service if the appointment is not to be renewed at the end of the academic year; or if a one-year appointment terminates during the academic year, at least **six months** in advance of termination.
 - Three or more years of service: Not later than **July 15** preceding the academic year at the end of which the appointment is to be terminated; or, if the appointment terminates during an academic year, at least **twelve months** in advance of termination.
- Tenured faculty may be terminated in the case of
 - Financial exigency
 - Where extreme shifts in enrollment have eliminated the justification for a position

- Where the board has authorized elimination or substantial reduction in a program

RGP II.N. Staff Reduction Procedures. [AKA Financial Exigency]

<https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/staff-reduction-procedures-all-employees-ii-n/>

- NOTE: Although this section deals with financial exigency, it is also relevant to non-exigent employment actions pursuant to RGP II.B because the hearing required by RGP II.B. must be “comparable” to the process described in RGP II.N.7.a.
- Financial exigency means a bona fide financial crisis affecting the institution as a whole OR one or more programs or other distinct units. Employment actions may be implemented across the whole institution or by subunit. No uniformity required.
- Authority to declare financial exigency rests solely with the Board.
- Potential responses to declaration:
 - Layoff of all categories of employees during term of contract; must be done equitably but not necessarily uniformly
 - Employment actions other than layoffs, not necessarily uniformly applied, including
 - Salary reduction
 - Work hour reduction
 - Demotion
 - Admin leave without pay
 - Closure, relocation, or discontinuance of any programs, units or activities
- Layoff Criteria
 - Primary: Preservation of overall quality and effectiveness of programs; therefore those of “key importance” retained in preference to others
 - Other criteria
 - Tenure
 - Rank
 - Time in rank
 - Length of service
 - Field of specialization
 - Maintenance of necessary programs or services
 - Maintenance of affirmative action programs
 - Qualify of service and work
 - Minimum time for written notice of layoff
 - Nonclassified contract and nontenured faculty: Not less than **60 calendar days** before effective date, unless contract says we can terminate on less notice
 - Tenured faculty occupying faculty positions: Notice of layoff with **effective date of end of first full semester after financial exigency declared**
 - Time for notice of employment actions other than layoff: At least **30 days** written notice prior to effective date
 - Reinstatement rights differ depending on whether layoff is pursuant to program closure. If it is, reinstatement rights exist only if program is reinstated.

RGP III.G. Postsecondary Program Approval and Discontinuance (not under Financial Exigency)

<https://boardofed.idaho.gov/board-policies-rules/board-policies/higher-education-affairs-section-iii/iii-g-program-approval-and-discontinuance/>

- This policy does not apply to program discontinuance under financial exigency, which is addressed by RGP II.N.
- Applies to
 - Modification and discontinuation of “academic program majors,” which includes
 - Certificates of 30 credits or more
 - Associates, bachelors, masters, specialist, and doctoral degrees
 - Instructional and administrative units
 - Modification and discontinuation of “academic program components” which includes “options, minor, emphases, tracks, concentrations, specializations, and cognates”
- Required approvals/notifications
 - Modification or discontinuation of academic programs with a financial impact of \$250,000 or more: Board must approve
 - Modification or discontinuation of academic programs with a financial impact of less than \$250,000: Executive Director must approve
 - Modification or discontinuation of graduate programs leading to a masters, specialist, or doctoral degree, regardless of fiscal impact: Board must approve
 - Modification or discontinuation of academic program components; academic certificates of 30 credits or less, [other items unlikely to apply here]: Formal letter notifying SBOE prior to implementation; if change is determined to be inconsistent with academic program components or CIP code change is significant departure from existing offerings, Board staff will require a program proposal
- Primary considerations in program discontinuance
 - Is it an effective use of the institution’s resources?
 - Does it no longer serve student or industry needs?
 - Does it no longer have sufficient students to warrant its allocation?
- Faculty/staff may be terminated as follows:
 - Nonclassified contract employees, including non-tenured faculty: Terminate or nonrenew following Board & UI policy
 - Classified: Layoff following UI policy
 - Tenured: Must give notice at least **12 months** prior to effective date of termination

RGP III.H Program Review

<https://boardofed.idaho.gov/board-policies-rules/board-policies/higher-education-affairs-section-iii/iii-h-program-review/>

- Mandates the establishment of institutional policies and procedures for program review for programs proposed for consolidation, relocation, or discontinuance (among others)
- Decisions about program consolidation, relocation, and discontinuance are reviewed at both the state and institutional level

RGP RGP III.I.2-3 Role and Mission Statements

<https://boardofed.idaho.gov/board-policies-rules/board-policies/higher-education-affairs-section-iii/roles-and-missions/>

- Consider throughout
- Any changes to mission require IRSA and Presidents’ Council review and recommendation, and Board approval.

RGP III.I.4 Institutional Long-Range Plans

<https://boardofed.idaho.gov/board-policies-rules/board-policies/higher-education-affairs-section-iii/roles-and-missions/>

- Consider throughout
- Changes require Board approval

RGP III.Z. Planning and Delivery of Postsecondary Programs and Courses

<https://boardofed.idaho.gov/wp-content/uploads/2017/02/III-Z-Delivery-of-Post-Secondary-Education-0818.pdf>

- Institutional Statewide Program Responsibility and Service Regions assigned by Board
- Requirements for programs in another institution’s Statewide Program Responsibility area or Service Region

RGP III.Z.b.vii. Discontinuance of Programs

<https://boardofed.idaho.gov/wp-content/uploads/2017/02/III-Z-Delivery-of-Post-Secondary-Education-0818.pdf>

If we are:

- a Designated Institution offering programs in our service region that support a Statewide Program of another institution
- a Partnering Institution offering programs in the service region of a Designated Institution
- offering programs for which we have Statewide Program Responsibility in the service region of a Designated Institution

and wish to discontinue such programs, we must use best efforts to provide the other institution with **one year’s written notice** and provide the same notice to the Board and to oversight and advisory councils

UI Policies

FSH 1340 Academic Priorities

<https://www.webpages.uidaho.edu/fsh/1340.html>

In changing or discontinuing academic programs, “the highest priority is that of maintaining excellence in all aspects of undergraduate education”; beyond that, priorities are ranked as follows:

1. Upper-division undergraduate education
2. Graduate programs and their associated research activities
3. Research activities not related to graduate programs

FSH 1520 Constitution of the University Faculty

<https://www.webpages.uidaho.edu/fsh/1520.html>

ARTICLE IV, Section 10. The Budget. Members of the university faculty participate in budgetary deliberations, and it is expected that the president will seek faculty advice and counsel on budgetary priorities that could significantly affect existing units of the university.

FSH 1640.34 Provost Council

<https://www.webpages.uidaho.edu/fsh/1640.html#1640.34>

A. FUNCTION. [See also 1420 D.] To advise the provost and provide a communication forum for the following purposes: . . .

- A-3. Evaluating the effectiveness of academic-management procedures.
- A-4. Developing academic budgetary priorities.
- A-5. Implementing academic budgetary procedures.

FSH 1640.20 University Budget and Finance Committee

<https://www.webpages.uidaho.edu/fsh/1640.html#1640.12>

A. FUNCTION. The function of the University Budget and Finance Committee is

- A-1. To advise the president, provost and the vice president for finance on matters pertaining to operating and capital budgets. The Committee will periodically review policy matters regarding the use of state appropriated funds, university expenditures (e.g., salaries, benefits, operating costs, capital outlays, etc.), operating and strategic reserves, long and short term capital plans, and deferred maintenance plans.
- A-2. To be involved strategically in the university budget process. The Committee may help define the budget process and goals, and participate in university budget hearings and meetings.
- A-3. To initiate and/or respond to the study of budget and financial policies and issues.
- A-4. To provide periodic reports to Faculty Senate and Staff Council on matters pertaining to university finances and budgets.

FSH 3080 Classification and Appointment of University Positions

“Temporary or special project non-classified employees” have no expectation of continuing employment beyond existing contract period and are not entitled to notice of or reasons for nonrenewal. This category includes

- Employees appointed to positions that are temporary or for special projects and who meet specific position requirements for
 - Grants or contracts of specified duration or
 - Part-time teaching or other responsibilities
- Employees appointed to fulfill the responsibilities of continuing positions on an emergency or temporary basis

FSH 3090 Temporary Hourly Employment

<https://www.webpages.uidaho.edu/fsh/3090.html>

At-will, no notice requirement, no grievance procedures

FSH 3370 Promotion or Reassignment of Exempt Employees

<https://www.webpages.uidaho.edu/fsh/3370.html>

- Describes requirements for reassignment of exempt employees for reasons such as the combining or elimination of positions.
- Employees reassigned due to unit restructuring are not entitled to use the grievance procedures in FSH 3890.

FSH 3450 Presidential Actions to Manage Expenditures to Respond to Financial Challenges

<https://www.webpages.uidaho.edu/fsh/3450.htm>

- Implements RGP II.B.2
- FSH 3450 C limits the president’s authority under this section to “temporary wage adjustments such as furloughs or similar short term employment actions”
- Synthesis of RGP II.B.2 and FSH 3450

- a. Source of authority
 - i. Board delegates all authority for personnel management not specifically retained to the president. RGP II.B.2.a.
 1. Includes “reductions in force and all similar and related work place decisions” except or unless as limited by other Board *or institutional policy*. RGP II.B.2.b.
 2. Includes authority to “reduce expenditures to respond to financial challenges (without a financial exigency declaration by the Board) and to maintain sound fiscal management”
 - ii. President has duty to respond to university financial challenges, limited to “temporary wage adjustments such as furloughs or similar short term employment actions.” FSH 3450 A
- b. Permissible and impermissible employment actions. RGP II.B.2.
 - i. Permissible
 1. Actions that are uniform across entire institution
 2. Actions that are uniform across institution budgetary units
 3. Work hour adjustments such as furloughs or other unpaid leave if
 - a. Uniform across budgetary units or
 - b. Uniformly tiered as applied to certain salary levels of classifications
 - ii. Impermissible: Actions requiring a financial exigency declaration by the Board
- c. Required procedure
 - i. RGP II.B.2.d. requires that UI give faculty, non-classified staff and classified staff **21 calendar days** to provide input
 1. FSH 3450 implements this policy by requiring that the president seek input from Faculty Senate and Staff Affairs Committee
 2. President must give FS & SAC written notice of need for reduction in university expenditures, including a description of any other cost reductions or additional ways to increase income that have been considered, and nature of proposed employment action. FSH 3450 B
 - ii. Then UI must provide for at least **30 days** written notice prior to effective date and an opportunity to be heard

FSH 3520 Faculty Tenure

<https://www.webpages.uidaho.edu/fsh/3520.html>

After tenure has been awarded, the faculty member’s service can be terminated only for adequate cause, the burden of proof resting with UI [see FSH 3910], except

- under conditions of financial exigency as declared by the board [see FSH 3970],
- in situations where extreme shifts of enrollment have eliminated the justification for a position, or
- where the board has authorized the elimination of, or a substantial reduction in, an academic program.

FSH 3730 Retirement Privileges and Programs

<https://www.webpages.uidaho.edu/fsh/3730.html>

UI through its Board of Regents reserves the right to change, amend or discontinue any part of the programs described within or any one or all of these programs in part or entirely at any time, to the extent allowed by law

3840 Procedures for Faculty Appeals

<https://www.webpages.uidaho.edu/fsh/3840.html>

FSH 3860 Grievance Procedures for Classified Employees

<https://www.webpages.uidaho.edu/fsh/3860.html>

FSH 3890 Grievance Procedures for Exempt Employees

<https://www.webpages.uidaho.edu/fsh/3890.html>

FSH 3900 Non-Reappointment at End of Contract of Non-Tenured Faculty and Exempt Staff

<https://www.webpages.uidaho.edu/fsh/3900.html>

- Notice requirements
 - Exempt staff (excluding “temporary or special project non-classified employees”): At least **60 days** before end of existing contract
 - Nontenured faculty
 - First year of service: Not later than **March 1** of the first full academic year of service if the appointment is not to be renewed at the end of the academic year; or if a one-year appointment terminates during the academic year, at least **three months** in advance of termination.
 - Second year of service: Not later than **December 15** of the first full academic year of service if the appointment is not to be renewed at the end of the academic year; or if a one-year appointment terminates during the academic year, at least **six months** in advance of termination.
 - Three or more years of service: Not later than **July 15** preceding the academic year at the end of which the appointment is to be terminated; or, if the appointment terminates during an academic year, at least **twelve months** in advance of termination.
- Elimination of exempt positions—not under financial exigency: notice requirement the same as in nonrenewal of term appointment (**60 days**)
- Reduction in force under financial exigency: Notice of layoff given as provided in FSH 3970.

FSH 3930 Separation of Classified Employees

<https://www.webpages.uidaho.edu/fsh/3930.html>

Layoffs

- Classified employees can be laid off in the event of
 - Absence of sufficient work or sufficient funds
 - Reorganization of a unit that results in the elimination of one or more positions
- Order of layoff is determined based on categories and retention points
- Required notice: **Two weeks**, given concurrently to employee and AVP for HR
- Sets forth criteria for reinstatement; preference is given according to same ranking as order of layoff

FSH 3950 Notice to Human Resources of Employee Separations

<https://www.webpages.uidaho.edu/fsh/3950.html>

Supervisors have an affirmative duty to report to HR the termination of anyone on regular appointment; if they don't, and the person is paid improperly, the supervisor may be held responsible for covering the loss.

FSH 3970 Financial Exigency Policy and Staff Reduction Procedures

<https://www.webpages.uidaho.edu/fsh/3970.html>

- Note: Refers to Fiscal Emergency Committee, FSH 1640.47. The web link for 1640.47 states "Removed 7/05 no longer exists." The Policy Coordinator's files contain no redline, cover sheet, or other documentation of this deletion. The president's memorandum of approval of policy items on the May 4, 2005 UFM agenda does not contain any items related to 1640.47, nor does the agenda itself. Since FSH 3970 was not amended to delete references to the committee, it seems reasonable to assume that there was no intent to abolish it, but rather to delete it from the list of standing committees, since by nature it functions ad hoc (although it technically was a standing committee). However, because FSH 1640.47 was deleted without amending FSH 3970, we currently have no policy addressing the composition of this committee.
- Requires Board declaration of state of financial exigency
- "Programs" in this context is not limited to academic programs; it also refers to administrative, maintenance, other support areas.
- Actions authorized by FSH 3970
 - Program reduction or elimination
 - Reduction in force
- Minimum required notice
 - Of president's recommendation to lay off: To all affected employees except classified employees: At least **30 days** before the recommendation is considered by the board
 - Of Board's approval of layoff
 - Classified and exempt contract employees, including nontenured faculty: At least **60 days** before layoff
 - Employees serving at pleasure of board: At least **30 days** before layoff
 - Tenured faculty: At least **one full semester** before layoff, but UI may elect to provide up to a full year's notice

FSH 6560 Rights Retained by the University

<https://www.webpages.uidaho.edu/fsh/6560.html>

When economic and other conditions permit, UI tries to provide advance notice of such changes. In particular, when an instructional program is to be withdrawn, UI will make every reasonable effort to ensure that students who are within two years of completing graduation requirements, and who are making normal progress toward completion of those requirements, will have the opportunity to complete the program that is to be withdrawn. FSH 6560 B-1

PART III: ACTIONS

Program Prioritization

RGP III.H. Program Review

RGP III.I.2-3 Roles and Missions

RGP III.Z. Planning and Delivery of Postsecondary Programs and Courses

RGP III.G. Postsecondary Program Approval and Discontinuance

FSH 1340 Academic Priorities

Program closure

(This section addresses only program closure itself; related employment actions are addressed below.)

1. Non-exigent
 - a. RGP III.G. Postsecondary Program Approval and Discontinuance
 - b. RGP III.H. Program Review
 - c. RGP III.Z.b.vii Discontinuance of Programs
 - d. FSH 1340 Academic Priorities
 - e. FSH 6560 Rights Retained by the University
2. As a result of financial exigency
 - a. RGP II.N. Staff Reduction Procedures
 - b. FSH 3970 Financial Exigency Policy and Staff Reduction Procedures
 - c. FSH 1340 Academic Priorities
 - d. FSH 6560 Rights Retained by the University

Layoff/Nonrenewal/Termination

1. Faculty
 - a. Tenured Faculty
 - i. As a result of nonexigent program closure or substantial reduction
 - a. RGP III.G.7.b.iii Postsecondary Program Approval and Discontinuance
 - b. FSH 3520 Faculty Tenure
 - ii. As a result of extreme shifts of enrollment eliminating the justification for a position
 - a. FSH 3520 Faculty Tenure
 - iii. As a result of financial exigency
 - a. RGP II.N. Staff Reduction Procedures
 - b. FSH 3520 Faculty Tenure
 - c. FSH 3970 Financial Exigency Policy and Staff Reduction Procedures
 - b. Non-tenured Faculty
 - i. At end of contract
 - a. RGP II.G.1.a, RGP II.G.5 Policies Regarding Faculty

- b. FSH 3900 Non-Reappointment at End of Contract of Non-Tenured Faculty and Exempt Staff
 - ii. As a result of program closure
 - a. RGP III.G.7.b.i Postsecondary Program Approval and Discontinuance
 - iii. During contract—requires financial exigency
 - a. RGP II.N. Staff Reduction Procedures
 - c. FSH 3970 Financial Exigency Policy and Staff Reduction Procedures
 - d. FSH 3900 D Non-Reappointment at End of Contract of Non-Tenured Faculty and Exempt Staff (notice must be given as provided in FSH 3970)
- 2. Exempt Contract Employees
 - a. At end of contract
 - i. RGP II.F.5. Policies Regarding Non-Classified Employees
 - ii. FSH 3900 Non-Reappointment at End of Contract of Non-Tenured Faculty and Exempt Staff
 - b. During term of contract: Requires financial exigency
 - i. RGP II.N. Staff Reduction Procedures
 - ii. FSH 3970 Financial Exigency Policy and Staff Reduction Procedures
 - c. As a result of program closure
 - i. RGP III.G.7.b.i Postsecondary Program Approval and Discontinuance
 - d. As a result of financial exigency
 - i. RGP II.N Staff Reduction Procedures
 - ii. FSH 3970 Financial Exigency Policy and Staff Reduction Procedures
 - e. Elimination of position
 - i. FSH 3900 C Non-Reappointment at End of Contract of Non-Tenured Faculty and Exempt Staff (treated the same as a nonrenewal)
- 3. Exempt At-Will Employees: No right to notice, hearing, or reinstatement
- 4. Classified Employees
 - a. Elimination of position, absence of sufficient work or funds: FSH 3930 Separation of Classified Employees
 - b. As a result of program closure: RGP III.G.7.b.ii Postsecondary Program Approval and Discontinuance

Work hour adjustments (furlough, unpaid leave)

- 1. Short term and uniformly applied across institution or institution budgetary unit
 - a. RGP II.B.2.c. Appointment Authority and Procedures
 - b. FSH 3450 Presidential Actions to Manage Expenditures to Respond to Financial Challenges
- 2. Not short term or not uniformly applied
 - a. RGP II.N. Staff Reduction Procedures
 - b. FSH 3970 Financial Exigency Policy and Staff Reduction Procedures

Salary reduction

- 1. During term of contract
 - a. Short term and uniformly applied across institution or institution budgetary unit

- i. RGP II.B.2.c. Appointment Authority and Procedures
 - ii. FSH 3450 Presidential Actions to Manage Expenditures to Respond to Financial Challenges
 - b. Not short term or not uniformly applied
 - i. RGP II.N. Staff Reduction Procedures
 - ii. FSH 3970 Financial Exigency Policy and Staff Reduction Procedures
- 2. From one contract to the next
 - a. Tenured: RGP II.G.1.c Policies Regarding Faculty
 - b. Non-tenured: RGP II.G.1.c Policies Regarding Faculty
 - c. Exempt contract: RGP II.F.b.ii Policies Regarding Non-Classified Employees

Changes to health benefits

- FSH 3730 Retirement Privileges and Programs
- APM Chapter 55 Payroll/Benefits Services
- See also the Human Resources website under the "Core Benefits" section at <https://www.uidaho.edu/benefits/core-benefits>.