

BUSINESS AFFAIRS AND HUMAN RESOURCES
AUGUST 23, 2023

UNIVERSITY OF IDAHO

SUBJECT

Resolution of Disputed Claims Related to an Employee

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.W.3. Settlement.

Idaho Code § 74-106(1) – Records exempt from disclosure – Personnel records.

Idaho Code § 74-206(1)(d) – Consideration of records exempt from disclosure.

Idaho Code § 74-206(1)(f) – To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

BACKGROUND/DISCUSSION

This matter involves proposed resolution of disputed personnel claims that are subject to the confidentiality of personnel information mandated by Idaho Code § 74-106(1). Deliberations relating to confidential personnel records and information may be held in executive session provided that any decision is made in the public session.

IMPACT

Approval of the proposed resolution of the disputed claims will allow the University and the employee a final conclusion to the matter.

BOARD STAFF COMMENTS AND RECOMMENDATIONS

The Board met in executive session to discuss resolution of litigation between the University of Idaho and one of its employees. Board Policy V.W.3. requires Board approval of settlements in excess of \$200,000.

BOARD ACTION

I move to approve the proposed settlement agreement pursuant to the deliberations of the Board in executive session, and to authorize the President of the University of Idaho, or the President's designee, to execute the final agreement in substantial conformance with the agreement presented to the Board, along with such other documents necessary to carry out the terms of the agreement.

Moved by _____ Seconded by _____ Carried Yes _____ No _____