



11-5-2015

November 5, 2015

University of North Dakota

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Minutes of the University Senate Meeting
November 5, 2015

1.

The November meeting of the University Senate was held at 4:05 p.m. on Thursday, November 5, 2015 in Room 113, Education. Chair Rebecca Weaver-Hightower presided.

2.

The following members of the Senate were present:

Anderson, Suzanne	Keengwe, Jared	Pupino, Kaaren
Beck, Pamela	Kenville, Kim	Quinn, Andrew
Bradley, April	Kopp, Matthew	Rakow, Lana
Bridewell, John	Kurtz, Sharley	Rand, Kathryn
Burgess, Gaye	Laguetta, Soizik	Richards, Thomas
Campbell, Katherine	Lawrence, David	Sage, Melanie
Christopherson, Anne	Lawrence, Wesley	Schindler, Gary
DiCristina, Bruce	Liang, Lewis	Semke, William
DiLorenzo, Thomas	Lim, Howe	Sens, Donald
Doze, Van	Lindseth, Glenda	Sens, Mary Ann
Ferraro, Richard	Martin, Will	Sheridan, William
Gedafa, Daba	McGimpsey, Grant	Staples, Cliff
Halgren, Cara	McGinniss, Mike	Stofferahn, Curt
Hanson, Collin	Mosher, Sarah	Stone, Lucian
Harsell, Dana	Munski, Doug	Sutton, James
Henderson, Pam	Murphy, Eric	Takahashi, Shuzo
Ho, I-Hsuan	Nelson, Taylor	VanLooy, Jeffrey
Hunter, Cheryl	Noghanian, Sima	Walker, Stephanie
Johnson, Chase	Pettinato, Tammy	Weaver-Hightower, Rebecca
Jorgenson, Terra	Porter, Kimberly	Wood, Robert

3.

The following members of the Senate were absent:

Basile, Eric	Kelley, Robert	Schroeder, Nate
Blanchard, Paige	Kenville, Kim	Smith, Bruce
Brekke, Alice	Kitzes, Adam	Storrs, Debbie
Brown, Ryan	Lang, Jacob	Swisher, Wayne
El-Rewini, Hesham	Lerma, Sam	Tanaka, Tomohiro
Fazel-Rezai, Reza	Peshut, Conner	Urlacher, Brian
Flint, Jamie	Ray, Linda	Walton, Susan
Flynn, Amber	Reesor, Lori	Williams, Margaret
Hill, Robert	Reissig, Brad	Wynne, Joshua
Jendrysik, Mark	Ring, Tanner	
Keengwe, Jared	Roux, Gayle	

4.

The following announcements were made:

- a. Ms. Weaver-Hightower introduced Marci Mack as co-Interim Registrar and University Senate secretary.

- b. An event calendar has been added to the University Senate webpage for all the Senate committee meetings and other events.
- c. Ms. Weaver-Hightower reported on the results of the feedback on the senators' priorities. She listed the priorities and the ranking for each to be worked on this upcoming year.
- d. Mr. Petros shared information on open source textbooks, which NDUS is promoting. He and Mr. Harsell attended a workshop on open source textbooks and Mr. Petros will share the documents on the Senate website. Mr. Harsell reported that, as with regular text books, he learned that there are good open source textbooks and not so good. There is some funding for proposals for which UND can compete for writing and piloting.
- e. Dave Chakraborty, AVP for Facilities Management, and Gary Hay, a consultant from Hay Dobbs, reported on the Master Planning process. Mr. Chakraborty gave background information and shared the questions that they are trying to look at for space efficiency, UND ranking, and priorities. He then described the process to develop the answers and the various master plans in process. The result of this project will be a list of priorities for a two-year plan. Mr. Hay shared the details of the study that he is undertaking. The initial focus is the core of the campus. The goal is to focus on students and enhance teaching and learning. The presentation will be posted on the University Senate website. Mr. Chakraborty then described the next steps.
- f. Ms. Weaver-Hightower called attention to the draft Presidential search announcement. She went through the list of what is desired in a new President. She then asked the senators to submit comments to the search committee.
- g. Mr. Murphy indicated he will be at the SBHE meeting regarding the Interim UND President. He encouraged the senators to email comments/concerns to him by 5:00 p.m. on Monday. He will collectively share the comments with the SBHE.
- h. There was a straw poll regarding the draft presidential announcement. There was 73% support and that, along with the comments, will be shared with the committee.
- i. University Senate is represented by Kanishka Marasinghe on the Registrar Search Committee.
- j. Leslie Martin will represent faculty on the Policy Action Group.
- k. Carolyn Ozaki is representing faculty on the Graduate Dean Search Committee.
- l. Mr. Quinn shared an update on the Student Evaluation of Teaching Committee (SETIC). He explained the Committee's charge, which is to select a new form. They have received feedback from eight focus groups and will incorporate the feedback received to this point. There are volunteer faculty who will use the proposed form in their classes. Revisions will then be made and there will be a pilot in a larger, diverse group of classes. There will be training for students and faculty and there is a software purchase in process. The goal will ultimately be to go paperless. The timeline is to have the form be used for all faculty in summer 2016 or fall 2016.
- m. Ms. Weaver-Hightower presented the PTE Working Group update on work accomplishments and the communication plan.
- n. Mr. Kopp reported on three resolutions that Student Senate passed: 1) to support adoption of the new UND Constitution; 2) to move from 125 to 120 credits for graduation; and 3) to adopt a statement on free expression.
- o. Ms. Kurtz reported on Staff Senate activity: 1) they approved a resolution to support the revised UND Constitution; 2) the Tubs of Love project is underway to provide support to specific charities identified for this year; and 3) the 31 Days of Glory raffle tickets are being sold to support staff development. Ms. Kurtz also reported that budget information is being provided to staff.

- p. Faculty have been chosen for the MIRA committees and will be announced in the near future.
- q. Budget 101 training is ongoing and all are encouraged to attend.
- r. The Faculty Senate process was shared. Ms. Weaver-Hightower presented a proposed revised timeline. There will be a Faculty Senate meeting on Thursday, November 12. She asked that the senators consider the timeline and voting on all the documents at once. She asked that they talk to their constituents. The timeline will be discussed on November 12.
- s. A study of administrative evaluations has been requested. Ms. Burgess moved to place the item on the business calendar. Mr. Murphy seconded and the motion was approved.
- t. Grant McGimpsey, VP for Research, shared ongoing research initiatives. He requested input on issues as they arise. He would like to meet with departments and also meet with individual faculty on their research. There are research advisory councils and he wants to open them up to as many as are interested. Interested faculty should contact him.
- u. The Provost will update the campus on progress on campus priorities at 9:30 a.m. on November 12 in the Lecture Bowl, Memorial Union.
- v. University Council will meet December 9, at 3:00 p.m. in the Lecture Bowl, Memorial Union.

5.

Ms. Weaver-Hightower called attention to the minutes of the October 1, 2015 meeting. There were no additions or corrections to the minutes. There was a motion of approval by Mr. Stofferahn and a second by Mr. Quinn. The minutes were approved as distributed.

6.

The question period was opened at 5:05 p.m.

- a. Mr. Sheridan asked Mr. Chakraborty about planning and the focus on students. He was concerned that this is a research University and there was no mention of research space. He also indicated that in the new budget model research space will be taxed. Mr. Chakraborty indicated that all spaces will be considered in the master plan; but, first, they need to gather information. The VP for Research is asking for data on research space and is on the steering committee. Over the next few months there will be focus on research. Mr. Murphy stated that there are other things about research that are missing and that there appears to be a disregard of research. Mr. Chakraborty indicated there is no intention of ignoring research and he will bring Mr. Murphy's concern back to the steering committee. Mr. Murphy made a suggestion to consider the animal facility and the neuroscience building. Mr. Chakraborty indicated that they will be looked at as part of the old medical building. Those wanting to provide further feedback can email Mr. Chakraborty. He also indicated that there will be polling in the future as well. Discussion and clarifications were given. Marcia Mikulak requested to speak. It was granted by the senators. She spoke of her department facilities for research, which are not hard science facilities, and was concerned that they are not represented. Mr. Chakraborty indicated that there are two avenues to give feedback. All deans and the VP for Research are on the steering committee and feedback can be provided to them.
- b. Mr. Martin asked about different taxation of space. The general comment was that the decisions and amounts would come from the MIRA committee. Mr. DiLorenzo stated that he would bring more information to the next meeting.

c. Mr. Murphy asked about the timeline proposed by Ms. Weaver-Hightower for the Faculty Senate documents. He was concerned that the time between the two required votes was not long enough. He also requested a check with the Attorney General on the validity of an electronic University Council vote. There was discussion. Ms. Weaver-Hightower said she would look into it.

The question period closed at 5:23 p.m.

7.

Mr. Munski moved to extend the meeting to 5:45 p.m. There was a second by Mr. Sheridan and the motion was approved.

8.

Ms. Weaver-Hightower called attention to the annual report from the Senate Essential Studies Committee. Mr. Quinn moved to approve and file the report. Ms. Kenville seconded and the motion was approved.

9.

Ms. Weaver-Hightower called attention to the University Curriculum Committee report. She pointed out items needing Senate approval. There was a motion to approve by Mr. Munski, a second by Mr. Quinn, and the motion was approved.

10.

Ms. Weaver-Hightower called attention to the proposed revisions to the Misconduct in Scholarship (Creative Activity) policy. The changes were reviewed. There was a motion to accept by Mr. Stofferahn and a second by Ms. Kurtz. The vote was taken and the policy was approved.

11.

Administrative evaluations were discussed. Mr. Sheridan moved and Mr. Murphy seconded that the Senate Executive Committee establish an ad hoc committee to study administrator evaluations. The motion was approved.

12.

The meeting adjourned at 5:40 p.m.

Marci Mack, Secretary
University Senate



DRAFT

PRESIDENT

The North Dakota State Board of Higher Education and the University of North Dakota community invite nominations and applications for the position of President of the University of North Dakota (UND). The successful candidate will succeed Dr. Robert O. Kelley, who has served with dedication and distinction since 2008.

Established in 1883, UND is the oldest research university in the State of North Dakota. It is the flagship university and is classified by the Carnegie Foundation as a Research University (high research activity) with a research expenditure of over \$100 million per year. UND offers degrees in more than 230 fields of study to about 15,000 students in nine colleges. UND's student population numbers more than 11,500 undergraduates and about 3,500 graduate and professional school students in doctoral and master's programs, including law and medicine. They are supported by over 2,700 faculty and staff. UND is committed to enhancing the scientific, economic, social, legal, and cultural assets of the state, region, nation, and beyond. The UND community takes pride in its commitment to teaching, research, and public service. Student athletes compete in 21 NCAA Division I sports.

UND seeks an inspiring, well-rounded, innovative leader who has knowledge of and engagement with national higher education issues. The successful candidate must exhibit a commitment to lifelong learning, teaching, research, and scholarly activity. The new president should have the skills to build consensus and shape a broad, strategic vision for UND's immediate and long-range future. The community expects a transformational leader, a vigorous advocate, and staunch supporter.

The successful candidate should be committed to working effectively in a statewide system of higher education and a statewide governing board. Preferred applicants will possess the following:

- Proven success as an educator, scholar, and senior administrator along with an understanding of undergraduate and graduate learning and the role of professional education within a research university;
- Preparation to engage in an effective, inclusive visioning and strategic planning process with specific goals and the means to achieve them;
- A commitment to student-centered learning and devotion to access and success in all areas of student academics and activities, including Division I intercollegiate athletics;
- A commitment to research, innovation, and scholarly activities
- A deep knowledge of financial management, resource generation, and higher education funding, with the promise for success in fundraising pursuits;
- Demonstrated ability to assess, strengthen, and develop a cohesive senior team entrusted with the ability to guide the university;
- An understanding of the principals of shared governance, using a consultative style and supporting professional development for faculty and staff while working within the hierarchy of a statewide system with a governing board;
- Demonstrated ability to create an inclusive environment to ensure a diverse and representative population of faculty, staff, and students through recruitment, and retention;
- Excellent spoken and written communication skills;

- Demonstrated ability to be the advocate voice and face of UND and all of its external communities, including the state legislature, tribal leaders, business community, foundations, K-12, the statewide higher education sector, and residents from all parts of the state;
- An appreciation for an influential, active alumni base in the state, country, and world; and
- Absolute integrity and transparency, along with the desire to nourish cooperation.
- Demonstrated ability to sort out and make complex decisions.

Candidates with an earned doctorate/terminal degree from an accredited institution of higher education will be highly preferred.

NOMINATIONS AND APPLICATIONS

For best consideration, applications should be received by January 4, 2016. The application should include a letter of interest specifically addressing the applicant's background in relationship to qualifications described (not more than three pages); a current résumé (or curriculum vitae); and the names of five professional references with each person's position, office or home address, e-mail address, and telephone numbers. References will not be contacted without prior authorization from the applicant. The new President will assume office on or about July 1, 2016.

The UND Presidential Search Committee is being assisted by James H. McCormick, Senior Consultant, AGB Search. Nominations and applications should be sent electronically (MS Word or PDF Format) to und@agbsearch.com. Additional university information may be found at und.edu/president-search. The consultant may be contacted at 651-238-5188 or jhm@agbsearch.com.

Minimum Qualifications: (1) Post Baccalaureate Degree, (2) Experience

Applicants who are North Dakota residents and eligible to claim veterans' preference must include Form DD214 with their application materials; claims for disabled veterans' preference must include Form DD214 and a letter less than one year old from the Department of Veterans' Affairs indicating disability; claims for preference as the eligible spouse of a disabled or deceased veteran must include Form DD214, a marriage certificate and a letter less than one year old from the Department of Veterans' Affairs indicating disability, or the veteran's death certificate.

Anyone needing assistance or accommodations during any part of the application or interview process may contact Terry Meyer at terry.meyer@ndus.edu, or (701) 328-2963.

The successful candidate will be required to complete a satisfactory criminal background check.

Equal Opportunity Employer: The State of North Dakota and this hiring agency do not discriminate on the basis of race, color, national origin, sex, genetics, religion, age, or disability in employment or the provision of services, and complies with the provisions of the North Dakota Human Rights Act.

As employers, the State of North Dakota and political subdivisions prohibit smoking in all places of state and political subdivision employment in accordance with N.D.C.C. § 23-12-10.

Names of all candidates or nominees for the position are a matter of public record as the search process complies with North Dakota's Open Records and Meetings Law.

The logo for AGB Search features a stylized arch above the text "AGB SEARCH".

UND Senate Essential Studies Committee
2014-2015 Annual Senate Report

Compiled by Krista Lynn Minnotte, Chair, Senate Essential Studies Committee

Membership of the Senate Essential Studies Committee 2014-2015

Faculty Members	
Krista Lynn Minnotte	College of Arts & Sciences/Sociology
Anne Walker	College of Education and Human Development
Karen Peterson	School of Medicine & Health Sciences
April Bradley	College of Arts & Sciences/Psychology
Glenda Rotvold	College of Business & Public Administration
Darlene Hanson	College of Nursing
Michael Hill	JDO School of Aerospace Sciences
Elizabeth Bjerke	JDO School of Aerospace Sciences
Elizabeth Rheude	College of Arts & Sciences/Music
Charles Moretti	College of Engineering & Mines/Civil Engineering
Jeff Carmichael	College of Arts & Sciences/Biology
Lori Robison	College of Arts & Sciences/English
Administration/Staff	
Tom Rand	Academic Deans' Designee (voting)
Joan Hawthorne	Provost's Designee (voting)
Tom Steen	Essential Studies Director (non-voting)
Christina Fargo	Registrar/Designee
Student Members	
Elle Kylo	
Brandon Beyer	
Committee Secretary	
Carla Spokely	Essential Studies Office

The Essential Studies Committee (ESC) met 14 times during the 2014-2015 year. Minutes from the meetings are available on the ES web page.

The scope of the committee's work included:

1. Reviewing and validating new courses applying for Essential Studies designation
2. Reviewing and approving ES course revalidations.
3. Reviewing and voting on student petitions regarding ES requirements.
4. Reviewing and establishing ES policies.
5. Reviewing and discussing the ES program review.

Course Validations: Summary and Accomplishments

The ESC reviewed and voted on 15 applications to have courses validated as part of the Essential Studies program.

- 14 courses were approved during the initial review
- 1 course was initially tabled, with a request for more information and revision.
- Physical Therapy was able to add a capstone course to their program this year as part of the validation of two other courses in their program.

Course Revalidations: Summary and Accomplishments

ES courses are scheduled to be revalidated every 4 years to ensure they are continuing to meet Essential Studies goals. During the 2014-2015 academic year the ESC reviewed and voted on 119 course revalidations.

- 119 course revalidations were reviewed
 - 78 courses were revalidated
 - 39 courses were provisionally revalidated and asked to submit further assessment data.
 - Two courses were removed as Essential Studies courses at the request of their departments.

This was the first year with an October 1 deadline for ES course revalidations. The ESC worked very closely with departments to ensure this deadline was met, and to provide timely feedback once revalidation requests were submitted.

Student Petitions: Summary and Accomplishments

The ESC reviewed and voted on 45 student petitions during the 2014-2015 year.

- ❖ 30 petitions were approved
- ❖ 15 petitions were denied

Policies and Procedures

In addition to the work associated with ES course validations, ES course revalidations, and ES student petitions, the ES committee (often with the help of others) completed other work, including:

- Improving communication processes to departments was implemented
- Improving communication to students on petitions was initiated

- Revision of the GUEST document
- Revision of the diversity rubric
- Two revalidation workshops (Fall & Spring) for departments on how to complete and submit revalidation materials were held
- Capstone students participated in the second annual 'Assessment Week' in February for Quantitative Reasoning and Information Literacy
- Three scoring sessions were held to evaluate the capstone students 'Assessment Week' submissions. Faculty volunteers from across campus participated. The scoring sessions focused on Oral Communication, Quantitative Reasoning, and Information Literacy
- A subcommittee was formed to create a policy handbook for the committee that will be made available on the ES website
- The ES program review was discussed

**University Senate Curriculum Committee Report
November 5, 2015**

I New Course

- ACCT 495 : Special Topics in Accounting – New Course Proposal
- CE 517 : Transportation Asset Management – New Course Proposal
- CE 518 : Pavement Engineering – New Course Proposal
- CE 519: Sustainable Pavements – New Course Proposal
- CE 557 : Advanced Steel Design – New Course Proposal
- CE 558 : Theory of Plasticity – New Course Proposal
- CE 562 : Graduate Seminar in Civil Engineering – New Course Proposal
- CE 599 : Doctoral Research – New Course Proposal
- CE 999 : Dissertation – New Course Proposal
- CHEM 101 : Orientation to Chemistry – New Course Proposal
- CHEM 361 : Problem Solving in Organic Chemistry I – New Course Proposal
- CHEM 362 : Problem Solving in Organic Chemistry II – New Course Proposal
- CHEM 471R : Quantum Mechanics & Spectroscopy Recitation – New Course Proposal
- CHEM 475 : Materials Chemistry – New Course Proposal
- COMM 515 : International and Intercultural Narrative Communication – New Course Proposal
- COMM 528 : Intercultural Global Conflict – New Course Proposal
- COMM 533 : Communication and International Development – New Course Proposal
- COMM 538 : International Media – New Course Proposal
- COMM 543 : International and Intercultural Indigenous Communication – New Course Proposal
- COMM 549 : Communication Technologies, Society, & Diversity – New Course Proposal
- EE 599 : Doctoral Research in Electrical Engineering – New Course Proposal
- EE 999 : Dissertation in Electrical Engineering – New Course Proposal
- PTRE 511 : Advanced Petroleum Engineering Labs – New Course Proposal
- PTRE 541 : Data Mining in Petroleum Engineering – New Course Proposal
- PTRE 561 : Natural Gas Engineering – New Course Proposal

II Course Deletion

- CHEM 470 : Thermodynamics & Kinetics – Course Drop Proposal
- PSYC 535: Physiological Psychology – Course Drop Proposal
- COMM 502 : Research Methods in Communication – Course Drop Proposal
- COMM 503 : Public Theories – Course Drop Proposal
- COMM 504 : Semiotics and Visual Communication – Course Drop Proposal
- COMM 507 : Communication, Technology, and Media – Course Drop Proposal
- COMM 508 : Rhetorical and Communication Theory – Course Drop Proposal
- COMM 509 : Media and Mass Communication Theory – Course Drop Proposal
- COMM 510 : Advanced Quantitative Research Design – Course Drop Proposal

- COMM 511 : Advanced Qualitative research Design – Course Drop Proposal
- COMM 514 : Research Design Special Topics – Course Drop Proposal
- COMM 520 : Criticism and Communication – Course Drop Proposal
- COMM 521 : Perspectives on Media Writing – Course Drop Proposal
- COMM 545 : Advocacy and Communication – Course Drop Proposal
- COMM 555 : Film/Video as Communication – Course Drop Proposal
- COMM 560 : Health Communication – Course Drop Proposal
- COMM 565 : Communication and Rural Community – Course Drop Proposal

III Title Changes – Department, Major, and Minor

- Program title change from “German” to “German Studies”
- Degree title change from “BA with a major in Political Science” to “BA in Political Science”
- Delete the department of Technology as it has merged into the School of Entrepreneurship
- Program title change from “Sustainable Energy Engineering” to “Energy Systems Engineering”
- Program title change from “Ph.D in Communication & Public Discourse” to “Ph.D in Communication”

Senate Approval is not required for the following report items

IV Program Changes

- Engl-BA : BA with Major in English – Program Change Request
 - Editorial changes
- ME-BS : BS in Mechanical Engineering – Program Change Request
 - Change in degree requirements
- NLP-Cert : Certificate in Nonprofit Leadership – Program Change Request
 - Change in degree requirements
- NLP-Minor : Minor in Nonprofit Leadership – Program Change Request
 - Change in degree requirements
- Psyc-MS-FP : MS in Forensic Psychology – Program Change Request
 - Change in admissions requirements
- Psyc-PhD-GEP : PhD in General/Experimental Psychology – Program Change Request
 - Change in admissions requirements
- Psyc-PhD : PhD in Clinical Psychology – Program Change Request
 - Change in admissions requirements
- COMM-PhS: Ph.D. in Communication & Public Discourse –Program Change Request
 - Program title change to Ph.D. in Communication
 - Change in admissions requirements
 - Change in degree requirements
- Pols-BA : BA in Political Science – Program Change Request
 - Program title change to BA in Political Science
- SusE-MS: MS in Sustainable Energy Engineering – Program Change Request

- Program title change to Master of Engineering in Energy Systems Engineering
- Change in degree requirements
- SusE-Meng : Master of Engineering in Sustainable Energy Engineering – Program Change Request
 - Program title change to MS in Energy Systems Engineering
 - Change in admissions requirements
 - Change in degree requirements

V Course Changes: Undergraduate

- A&S 200 : Introduction to the Nonprofit Sector – Course Change Request
 - Change in credit hours from 2 to 3
 - Terms offered: Fall
- A&S 450 : Capstone Experience and Development for Nonprofit – Course Change Request
 - Change in credit hours from 1 to 3
 - Terms offered: Spring
 - Revise course description
- CHEM 341C: Organic Chemistry
 - Title change to Organic Chemistry I
 - Change in credit hours from 3 to 4
 - Prerequisite change
 - Terms offered: On Demand
 - Revise course description
- CHEM 341 : Organic Chemistry I – Course Change Request
 - Change in credit hours from 4 to 3
 - Revise course description
 - Terms offered: Fall and Spring
- CHEM 342 : Organic Chemistry II – Course Change Request
 - Change in credit hours from 4 to 3
 - Prerequisite change
 - Terms offered: Fall and Spring
 - Revise course description
- CHEM 342C : Organic Chemistry II – Course Change Request
 - Change in credit hours from 4 to 3
 - Prerequisite change
 - Terms offered: On Demand
 - Revise course description
- CHEM 462 : Physical Chemistry Laboratory – Course Change Request
 - Prerequisite change
 - Terms offered: Fall
- CHEM 466: Survey of Physical Chemistry – Course Change Request

- Title change to Fundamentals of Physical and Biophysical Chemistry
- Prerequisite change
- Terms offered: Fall
- Revise course description
- CHEM 471 : Quantum Mechanics & Spectroscopy – Course Change Request
 - Prerequisite change
 - Terms offered: Spring
- COMM 497 : Internship – Course Change Request
 - Change in credit hours from 3 to 1-3
 - Revise course description
- ME 397 : Cooperative Education – Course Change Request
 - Change in credit hours from 1-3 to 1-2
 - Terms offered: Fall, Spring, and Summer
- ME 426 : Mechanical Vibrations – Course Change Request
 - Title change to: Mechanical Vibrations
 - Terms offered: Spring
- PSYC 493 : Tutoring in Psychology – Course Change Request
 - Title change to Instructional Experiences in Psychology
 - Prerequisite and Corequisite change
 - Terms offered: Fall, Spring, and Summer
 - Revise course description
- PSYC 437 : Psychophysiology – Course Change Request
 - Title change to Physiology of Behavior and Psychophysiological Measurement
 - Terms offered: Fall
 - Revise course description
- GEOL 420: The Evolving Earth – Course Change Request
 - Title change to Geology Capstone
 - Prerequisite and Corequisite change
 - Terms offered: Fall and Spring
 - Revise course description
- MLS 234 : Human Parasitology – Course Change Request
 - Prerequisite change
 - Terms offered: Fall, Spring, Summer
- MLS 234L : Human Parasitology Laboratory – Course Change Request
 - Prerequisite change
 - Terms offered: Fall
- MLS 301 : Immunology – Course Change Request
 - Prerequisite change
 - Terms offered: Fall
- MLS 325 : Hematology – Course Change Request

- Prerequisite change
- Terms offered: Fall
- MLS 340 : Molecular Diagnostics – Course Change Request
 - Prerequisite change
 - Terms offered: Spring
- MLS 340L : Molecular Diagnostics Laboratory – Course Change Request
 - Prerequisite change
 - Terms offered: Spring
- MLS 490 : Financial and Quality Management of the Clinical Laboratory – Course Change Request
 - Prerequisite change
 - Terms offered: Spring

VI Course Changes: Graduate

- PSYC 537 : Psychophysiology – Course Change Request
 - Title change to Physiology of Behavior and Psychophysiological Measurement
 - Terms offered: Fall
 - Revise course description

UNIVERSITY of NORTH DAKOTA
RESEARCH & ECONOMIC DEVELOPMENT POLICY LIBRARY
MISCONDUCT IN SCHOLARSHIP (CREATIVE ACTIVITY)

Section 1, Research
 Policy 9, Misconduct in Scholarship
 Responsible Executive: VP Research & Economic Development
 Responsible Office: VP Research & Economic Development
 Issued:
 Latest Review / Revision:



POLICY STATEMENT

1. INTRODUCTION

Scholarship is defined as all creative activity that supports the intellectual endeavors of the University of North Dakota (UND/University). The integrity of the scholarship process is an essential aspect of a university's intellectual and social structure. Although incidents of misconduct in scholarship are rare, those that do occur threaten the entire Scholarship enterprise.

The integrity of the Scholarship process must depend largely upon self-regulation. All members of the University Community, including all faculty, staff, administrators, and students, both full and part time, who are affiliated with the University, share responsibility for following the implemented standards to assure ethical conduct in scholarship, integrating these standards into their own work and reporting any abuse of the standards by others. This policy formalizes the rights and responsibilities of the University and University Community in conducting scholarship. The University is responsible for promoting practices that prevent misconduct and also for developing policies and procedures for dealing with allegations of misconduct.

It is important to create an atmosphere that encourages openness and creativity. It is particularly important to distinguish misconduct in Scholarship from the honest error and the ambiguities of interpretation that are inherent in the scholarship process. The following policies and procedures apply to faculty, staff and, in certain circumstances, students. These policies are not intended to address all academic issues of an ethical nature such as discrimination and affirmative action which are covered by other University policies.

Inquiries regarding this Policy may be directed to the Vice President for Research & Economic Development office.

REASON FOR POLICY

2. ETHICAL STANDARDS

The primary way to encourage appropriate conduct in scholarship at the University is for the University Community to promote and maintain a climate consistent with ethical standards. To reduce the likelihood of misconduct and promote high quality in scholarship, the University Community should promote and facilitate the following:

2.1. Commitment to Intellectual Honesty

This commitment to intellectual honesty is evidenced by adherence to standards of the discipline and the University including but not limited to, submission of work to peer review; avoidance of conflicts of interest fraud, and bias; scholarly exchange of ideas and data; and self-regulation.

2.2. Responsibility of Scholarship Supervisor

Supervisors of Scholarship should serve as mentors in conveying the ethics and responsibilities underlying scholarship. Mentoring relationships between academic leaders and new practitioners should serve to enhance the transmission of ethical standards.

2.3. Appropriate Assignment of Credit and Responsibility

Authors or creators should recognize the contributions of others through adequate citation and/or acknowledgment. They should also name as authors or creators only those who have had a genuine role in the scholarship and who accept responsibility for the quality of the work being reported or presented.

SCOPE OF POLICY

This policy applies to all members of the University Community and should be read by:

- | | |
|--|------------|
| ✓ President | ✓ Faculty |
| ✓ Vice Presidents | ✓ Staff |
| ✓ Deans, Directors & Department Chairs | ✓ Students |
-

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RELATED INFORMATION

NSF Responsible Conduct of Research (RCR)	http://www.nsf.gov/bfa/dias/policy/rcr.jsp
UND Code of Conduct	http://und.edu/president/_files/docs/code-of-conduct.pdf
SBHE Officer and Employee Code of Conduct	http://ndus.edu/makers/procedures/sbhe/default.asp?PID=215&SID=4
UND Code of Student Life	http://und.edu/student-affairs/code-of-student-life/
UND Conflict of Interest Policy	http://und.edu/research/_files/docs/policy/1-8-conflict-of-interest-policy.pdf
NIH Policy Statement	http://grants.nih.gov/grants/policy/nihgps_2013/
NIH and NSF are examples, but each agency may have its own Policy.	

CONTACTS

General questions about this policy should be directed to your department's administrative office. Specific questions should be directed to the following:

Subject	Contact	Telephone	E-Mail / Web Address
Policy and Procedure Content Clarification	Research Development & Compliance	777-4278	http://und.edu/research/resources/index/

DEFINITIONS

Allegation	
Allegation: any statement, describing possible Misconduct in scholarship, made to an institutional official.	
Committee of Investigation (CoI)	
The CoI: three member panel who gather and examine evidence during the Investigation.	
Complainant	
Complainant: individual (s) who brings an Allegation of Misconduct in scholarship.	
Counsel	
Counsel: a Support Person who is either an attorney or otherwise has legal training.	
Days	
Days: all references to Days mean business days.	
Disposition	
Disposition: the final decision of the VPAA resolving the Allegation of Misconduct in Scholarship.	
Falsification of Data	
Falsification of data: manipulating Scholarship materials, equipment, or processes, or changing or omitting data or results such that the Scholarship is not accurately represented in the Scholarship record.	
Fabrication of Data	
Fabrication: making up data or results and recording or reporting them.	

Improprieties of Authorship	
Improprieties of authorship: the improper assignment of credit, such as: excluding other authors; inclusion of individuals as authors who have not made a definite contribution to the work; or submission of multi-authored publications without the knowledge of all authors.	
Inquiry	
Inquiry: information gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct in scholarship warrants an investigation.	
Inquirer	
Inquirer: person performing an inquiry.	
Institutional Charge	
Institutional Charge: the formal charges of misconduct arising from the Inquiry.	
Integrity Officer	
Integrity Officer: person responsible to ensure compliance with this policy.	
Investigation	
Investigation: the formal examination and evaluation of all relevant facts to determine if misconduct in scholarship has occurred.	
Misappropriation of Intellectual Property	
Misappropriation of intellectual property: the unauthorized possession or use of proprietary information however obtained.	
Misconduct in Scholarship	
Misconduct in Scholarship: any form of behavior which entails scholarship fraud, scientific misconduct, negligence, misrepresentation, or an act of deception. Misconduct in Scholarship is distinguished from honest error and from ambiguities of interpretation that are inherent in the Scholarship.	
Office of Research Integrity	
Office of Research Integrity: the federal agency organized under the U.S. Department of Health and Human Services, the Office of the Secretary of Health and Human Services and the Office of Public Health and Science.	
Plagiarism	
Plagiarism: the misappropriation of the work of another or one's own work and its misrepresentation as one's own original work, Plagiarism does NOT require intent i.e., lack of awareness does not excuse responsibility for upholding these standards.	
Respondent	
Respondent: the person against whom an allegation of misconduct is made.	
Scholarship	
Scholarship: all creative activity that supports the intellectual endeavors of the University.	
Support Person	
Support Person: may accompany a Complainant or Respondent to the interview, but cannot be an individual who can potentially be called as a witness during the course of an Inquiry or Investigation. A Support Person may also be Counsel.	
University Community	
University Community: all faculty, staff, administrators, and students, both full and part time, who are affiliated with the University of North Dakota, and involved in Scholarship.	
VPAA	
VPAA: the Vice President for Academic Affairs or a designee.	

VPRED

VPRED: the Vice President for Research and Economic Development (VPRED) or a designee.

Witness

Witness: a person who has special knowledge relative to the Allegation and may be called during the investigation. A witness must not be a Support Person.

GENERAL PROVISIONS

1. Principles

The following principles shall guide the review of Allegations of Misconduct in Scholarship at the University:

- 1.1. The process must avoid damage to Scholarship.
- 1.2. The University will provide leadership in the pursuit and resolution of all charges.
- 1.3. Process will be provided to all parties under UND and State Board of Higher Education (SBHE/Board) policies and procedures. All parties will be fairly treated and their reputations guarded by providing confidentiality to the extent possible under UND and SBHE policies and procedures, applicable state and federal requirements, and the North Dakota Open Records Act.
- 1.4. Conflicts of interest will be avoided.
- 1.5. Allegations will be resolved as expeditiously as possible.
- 1.6. The University will document its actions at each stage of the process.
- 1.7. The University will pursue Allegations within the scope of this Policy without regard to whether related civil or criminal proceedings have been initiated. The University may, at its option, suspend the Inquiry/Investigation temporarily, but is not under obligation to do so, as the standards of the University may differ from those of the courts.
- 1.8. To the extent feasible and reasonable, the University will pursue the Allegation of Misconduct in Scholarship to its conclusion, even if the Respondent leaves or has left the University before the matter is resolved.

2. Allegations Involving Students

The Allegation must be reported to the Integrity Officer who will make the decision as to whether the complaint should be handled in accordance with the procedures as stipulated in the *Code of Student Life* or the procedures as provided in this Policy. If the decision is to proceed utilizing the *Code of Student Life* process, each step of the process must be coordinated with the Integrity Officer in order to assure compliance with the procedures for timelines, decisions, and sanctions as prescribed in this Policy.

3. Reporting Allegations of Misconduct in Scholarship

A Complainant may make Allegations of Misconduct in Scholarship, in writing or orally to any faculty member or administrator. All Allegations must then be reported to the Integrity Officer by the person who receives it.

4. Sanctions

If misconduct is found by the CoI, the VPAA may take actions and/or impose sanctions depending on the severity of the misconduct.

5. Appeal

Appeals may be made according to the procedures outlined below.

The following provisions are procedures amendable by the Conflict of Interest/Scientific Misconduct Committee as appropriate. Amendments to procedures do not require University Senate approval. However, the Conflict of Interest/Scientific Misconduct Committee shall inform the University Senate of amendments to these procedures in a timely fashion.

PROCEDURES FOR DEALING WITH ALLEGATIONS OF MISCONDUCT IN SCHOLARSHIP

1. Pre-Inquiry Review

- 1.1. Initial review by the Integrity Officer
 - 1.1.1. Upon receipt by the Integrity Officer of an Allegation of Misconduct in Scholarship, the Integrity Officer will conduct a pre-inquiry review of the Allegation within 20 days to determine whether:
 - 1.1.1.1. the Allegation is within the purview of this Policy;
 - 1.1.1.2. other policies and procedures, such as those relevant to employment grievances, should be invoked;
 - 1.1.1.3. the Allegation is outside the purview of the University;
 - 1.1.1.4. the Allegation is clearly without substance.
 - 1.1.2. If an Inquiry is determined to be unwarranted, the Integrity Officer shall prepare an internal memorandum-for-file including a statement of the Allegation and the rationale for not conducting an Inquiry. After the resolution of the Allegation of Misconduct in Scholarship this memorandum shall be kept secure pursuant to the University's records retention schedule. A copy shall be given to the VPAA, VPRED, Respondent, and Complainant.
 - 1.1.3. If an Inquiry is determined to be warranted, the Inquiry process will be initiated.
- 1.2. Notification of Respondent
Within 5 Days of the determination that an Inquiry is warranted, the Integrity Officer, shall:
 - 1.2.1. notify (Notification #1) the Respondent, the VPAA, VPRED, University's Office of General Counsel and appropriate Dean(s) of the Allegation;
 - 1.2.2. notify all parties of the procedures that will be used to examine the Allegation;
 - 1.2.3. appoint an Inquirer, who must be a tenured faculty member at the rank of associate or full professor, is without conflict of interest, and has appropriate expertise to evaluate the information relative to the case; and
 - 1.2.4. notify all parties of the proposed Inquirer and ask all parties to identify any real or potential conflict of interest between the proposed Inquirer and the parties involved in the Allegation.
- 1.3. Precautionary Actions. As the University is responsible for protecting the health and safety of Scholarship subjects, students, and staff, interim administrative action prior to conclusion of the Inquiry and, if necessary, the Investigation may be indicated. Such action ranging from slight restrictions through complete suspension of the Respondent or the Respondent's Scholarship and notification of external sponsors, if indicated, will be initiated by the VPRED in collaboration with the VPAA. Sanctions that prevent the Respondent from fulfilling his/her obligations as an employee of the University shall not be imposed during the Inquiry or Investigation phases unless

it is necessary to prevent harm to the Respondent or to others. Factors to be considered in determining the timing of such actions include the following:

- 1.3.1. There is an immediate health hazard involved;
- 1.3.2. There is an immediate need to protect federal or state funds or equipment;
- 1.3.3. There is an immediate need to protect the interests of the Complainant or Respondent as well as co-investigators and associates, if any;
- 1.3.4. It is probable that the Allegation will be reported publicly;
- 1.3.5. There is reasonable indication of possible criminal violation.

2. Inquiry Phase

2.1. Purpose

- 2.1.1. In the Inquiry phase, factual information will be gathered and expeditiously reviewed to determine whether or not a further investigation of the charge (Investigation phase) is warranted. The Inquiry phase is designed to separate Allegations deserving of further investigation from frivolous, malicious, unjustified, or clearly mistaken Allegations.

2.2. Process and Structure

- 2.2.1. The Integrity Officer will provide the Inquirer and the Respondent with copies of all relevant documents. During the Inquiry, the Integrity Officer and the Inquirer will be responsible for maintaining the confidentiality of the information obtained and the security of relevant documents. After the resolution of the Allegation of Misconduct in Scholarship, originals of all documents and related communications are to be securely maintained in the Office of the VPRED pursuant to the University's records retention schedule.
- 2.2.2. Responsibilities of the Inquirer:
 - 2.2.2.1. Records of the Inquiry are to be stored securely throughout the Inquiry and, at the end of the Inquiry, transferred to the Integrity Officer.
 - 2.2.2.2. If there is a need for interviews, the interviews must be recorded and, upon request, made available to involved parties after the completion of the Disposition Phase.
 - 2.2.2.3. Information, expert opinions, records, and other pertinent data may be requested by the Inquirer. All involved individuals are expected to cooperate with the Inquirer by supplying such requested documents and information.
 - 2.2.2.4. The Inquiry phase will be completed within 40 Days of its initiation. If the Inquirer determines that circumstances clearly warrant an extension of time, a request for such an extension must be forwarded to the Integrity Officer. If the Integrity Officer grants the request, the Inquirer will notify all relevant parties of the extension, including the VPAA, and VPRED. The record of the Inquiry will include the rationale for exceeding the 40 Day period.
 - 2.2.2.5. As the Inquiry is intended to be expeditious, individuals are expected to speak for themselves, but may be accompanied by an Advisor. If any individual chooses to bring Counsel, the University's Office of General Counsel must be notified in advance and must be present during the meeting.

2.3. Findings

- 2.3.1. The completion of an Inquiry is marked by a determination of whether or not an Investigation is warranted. The report of the Inquirer will be conveyed in writing to the Integrity Officer who will be responsible for communicating the findings to the Respondent and Complainant within 5 Days of receipt of the report in writing, by certified mail, return receipt requested. The same report will be sent to the VPAA, VPRED, Office of General Counsel, and appropriate Dean(s). The report of the Inquirer shall specify the information that was reviewed, summarize relevant interviews, and include the conclusions of the Inquiry. The Inquirer will make a recommendation to the Integrity Officer as to whether an Investigation is warranted. The Inquirer shall not recommend that an Investigation occur unless he/she concludes, based on the sufficient information for each Allegation, that the Allegation justifies an Investigation. The Respondent shall be given the opportunity to comment in writing (Notification #2) upon the findings and recommendations of the Inquirer. If the Respondent chooses to comment, such comments shall be forwarded to the Integrity Officer as soon as possible but no later than 15 Days from the date of notification of the findings by the Integrity Officer. The Respondent's comments will become part of the Inquiry record. Within 15 days of receiving the comments from the Respondent, the Integrity Officer will determine whether to proceed with an Investigation.
- 2.3.2. If the Integrity Officer determines that the Allegation was frivolous, malicious, unjustified, or clearly mistaken, and therefore, that an Investigation is unnecessary the Integrity Officer shall prepare an internal memorandum-for-file including a statement of the Allegation and the rationale for not conducting an Inquiry. After the resolution of the Allegation of Misconduct in Scholarship this memorandum shall be kept secure pursuant to the University's records retention schedule. A copy shall be given to the VPAA, VPRED, the Respondent, and the Complainant.
- 2.3.3. If the Integrity Officer determines that an Investigation should be conducted, the Integrity Officer (after notification to the appropriate Dean(s), the VPAA, VPRED and University's Office of General Counsel), will initiate the Investigation phase. The Integrity Officer must notify any sponsoring agency or funding source, including the Office of Research Integrity, if appropriate, at a time prior to the initiation of an Investigation.

2.4. Issues Unrelated to the Inquiry

- 2.4.1. If, in the course of its Inquiry, the Inquirer finds an issue unrelated to the Inquiry, the Inquirer shall inform the Integrity Officer, who may send a separate letter to the administrator who has the authority to act on the information. This unrelated issue should not be contained in the official Inquirer report nor should the letter to the administrator reveal the subject matter of the Investigation or the parties involved.

3. Investigative Phase

3.1. Purpose

- 3.1.1. An Investigation will be initiated when the Integrity Officer determines that it is necessary. The purpose of the Investigation is to examine the Institutional Charge and determine whether Misconduct in Scholarship has occurred. The Investigation will examine the factual materials of each case.

3.2. Process and Structure

- 3.2.1. After making a decision to proceed with an Investigation, the Integrity Officer will consult with the Chair of the University Senate to appoint a Committee of Investigation (CoI). No member of the CoI may have a conflict of interest. At least two members must be tenured faculty at the rank of associate or full professor and have appropriate expertise for evaluating the information relative to the case. However, if the Respondent is someone other than a faculty member of the University, one of these two members of the CoI must have a position with the University similar to that of the Respondent. The third member may be appointed from outside the University of North Dakota community if, in the judgment of the Integrity Officer, the circumstances justify such an appointment. Otherwise, the third member shall be appointed from within the University and must meet the same requirements as those listed for the first two members. The Inquirer may not serve on the CoI. Appointment of a CoI should be made within 20 Days following the decision by the Integrity Officer to proceed with an Investigation.
- 3.2.2. Before the CoI is convened, the Integrity Officer shall notify (Notification #3) all parties in writing of the Institutional Charge and of the procedures that will be used in the Investigation. Further, the parties will be informed of the proposed membership of the CoI for the purpose of identifying, in advance, any conflicts of interest.
- 3.2.3. At its first meeting, the CoI will elect a chairperson to handle procedural and administrative matters. All CoI members will be voting members.
- 3.2.4. Copies of all pertinent documents in the possession of the Integrity Officer will be provided by the Integrity Officer to the CoI and the Respondent in advance of scheduled meetings. The CoI proceedings must be recorded and, upon request, made available to the involved parties, but only after the completion of the Disposition phase.
- 3.2.5. Every effort shall be made to complete the Investigation within 80 Days. If the CoI determines that circumstances clearly warrant an extension of time, a request for such an extension must be forwarded to the Integrity Officer. If the Integrity Officer grants the request, the CoI will notify all relevant parties of the extension. The record of the Inquiry will include the rationale for exceeding the 80 Day period, along with the length of the extension.
- 3.2.6. The Integrity Officer shall convey to any affected funding agency such information about the Investigation as may be required by the funding agency, and shall keep the funding agency up to date at intervals as required by the agency.
- 3.2.7. Individuals involved may have one Support Person accompany them to the meeting with the CoI. The Support Person may not present to the CoI. If the Support Person is Counsel, the individual must notify the Integrity Officer in advance. The Integrity Officer shall notify the University's Office of General Counsel who must be present during the meeting.
- 3.2.8. The Investigation will include examination of all relevant documentation and information the CoI feels pertains to the issue. The CoI will make every attempt to interview all individuals involved, as well as other individuals who might have information regarding key aspects of the Allegations. Complete summaries of recorded interviews will be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file. The CoI may request the involvement of outside experts. The Investigation must be sufficiently thorough to permit the CoI to reach a decision about the validity of the Allegation and the scope of the wrongdoing or to be sure that further investigation is not likely to alter an inconclusive result.
- 3.2.9. All parties in the Investigation will cooperate by producing any additional data requested. Copies of all materials secured by the CoI shall be provided to the Respondent.

- 3.2.10. The Respondent shall have an opportunity to address the charges and information in detail during his/her interview and in writing at the end of the process.
 - 3.2.11. After all information has been received and the fact-finding interviews have been completed, the CoI shall deliberate and prepare its findings. The CoI finds Misconduct in Scholarship if a majority of its members conclude beyond a reasonable doubt that the Allegation has been substantiated. A minority report may be written.
 - 3.2.12. All significant developments during the Investigation, will be reported by the Integrity Officer to any affected funding agency, sponsor, or UND official, if appropriate.
- 3.3. Findings
- 3.3.1. Upon completion of the Investigation, the CoI will submit a draft report to the Respondent by certified mail, return receipt requested. The Respondent shall be given the opportunity to comment in writing (Memo #4) upon the findings and recommendations of the CoI. If the Respondent chooses to comment, such comments shall be forwarded as soon as possible but no later than 20 Days from the date of receipt of the draft report. The Respondent's comments will be taken into consideration when completing the final report. The CoI will then submit the final report to the Integrity Officer who shall in turn transmit it to the VPAA and VPRED.
 - 3.3.2. The final CoI report must be in writing and include:
 - 3.3.2.1. Allegations. Describe the nature of the initial Allegations of Misconduct in Scholarship;
 - 3.3.2.2. Federal or state support. Describe and document federal or state support including, for example, any grant numbers, grant applications, contracts, and publications listing federal or state support;
 - 3.3.2.3. Institutional charge. Describe the specific instances of Misconduct in Scholarship that were considered in the Investigation;
 - 3.3.2.4. Policies and procedures. The institutional policies and procedures under which the Investigation was conducted shall be included;
 - 3.3.2.5. Sources of information. Identify and summarize the sources of information received whether or not reviewed;
 - 3.3.2.6. Statement of findings. For each separate Allegation of Misconduct in Scholarship identified during the Investigation, provide a finding as to whether Misconduct in Scholarship did or did not occur. For each instance of Misconduct in Scholarship that did occur:
 - 3.3.2.6.1. Identify the person(s) responsible;
 - 3.3.2.6.2. Identify the nature of the misconduct;
 - 3.3.2.6.3. Summarize the facts and the analysis of information which support the conclusion of the CoI, considering the merits of any reasonable explanations by the Respondent or other individuals who provided information;
 - 3.3.2.6.4. Identify the specific federal or state support;
 - 3.3.2.6.5. Identify whether any publications need to be corrected or retracted; and

- 3.3.2.6.6. List any current support or known applications or proposals for support that the Respondent has pending with all federal or state agencies.
- 3.3.2.7. Comments. Include and respond to comments made by the Respondent and Complainant on the draft Investigation report.
- 3.3.3. Upon request, the CoI will maintain and provide to the Office of Research Integrity (or other federal or state agencies) all relevant sources of information and records of the institution's Misconduct in Scholarship proceeding, including results of all interviews and the transcripts of recordings of such interviews.
- 3.3.4. After the resolution of the Allegation of Misconduct, all records will be maintained in the office of the VPRED by the Integrity Officer pursuant to the University's records retention schedule.
- 3.4. Issues Unrelated to the Investigation
 - 3.4.1. If, in the course of its Investigation, the CoI finds an issue unrelated to the Investigation, the CoI shall inform the Integrity Officer, who may send a separate letter to the administrator who has the authority to act on the information. This unrelated issue should not be contained in the official findings, nor should the letter to the administrator reveal the subject matter of the Investigation or the parties involved.

4. Disposition Phase

- 4.1. The VPAA shall consider the recommendations of the CoI and shall be responsible for determining and implementing any sanctions. The evaluation has two possible designated outcomes:
 - 4.1.1. If no Misconduct in Scholarship is found
 - 4.1.2. Within 10 Days of receipt of the CoI report, the VPAA shall furnish the report to the Respondent with the VPAA's decision. The VPAA shall inform the Respondent, Complainant, and the appropriate Dean that Allegations of Misconduct in Scholarship were not supported. The VPAA, through the Integrity Officer, shall inform all federal or state agencies, sponsors, or other external entities initially informed of the Investigation, that the Allegations of Misconduct in Scholarship were not supported. In determining whether to publicize the findings of no Misconduct in Scholarship, the University will be guided by whether public announcements will be harmful or beneficial in restoring any reputation(s) that may have been damaged. The Respondent's wishes will be taken into consideration when making publicity decisions. If the Allegations are deemed to have been maliciously motivated, the Inquirer or CoI will report those findings to the VPAA and a decision will be made whether to treat that finding as an Allegation of Misconduct in Scholarship against the Complainant.
- 4.2. If Misconduct in Scholarship is Found
 - 4.2.1. Within 10 Days of receipt of the report from the CoI, the VPAA shall notify the Respondent and the President, in writing, of the recommended responses, if any. A copy of the report will accompany the VPAA's decision.
 - 4.2.2. The University must respond in ways that are appropriate to the seriousness of the Misconduct in Scholarship, including, but not limited to, one or more of the following:
 - 4.2.2.1. Non-sanction
 - 4.2.2.1.1. Letter of reprimand in file.

- 4.2.2.1.2. Letter of reprimand with public notice.
- 4.2.2.2. Sanction
 - 4.2.2.2.1. Removal from particular project.
 - 4.2.2.2.2. Special monitoring of future work.
 - 4.2.2.2.3. Probation for a specified period with conditions.
 - 4.2.2.2.4. Suspension of rights and responsibilities for a specified period, with or without salary.
 - 4.2.2.2.5. Financial restitution.
 - 4.2.2.2.6. Termination of employment/enrollment.
- 4.2.3. If the sanctions involve a recommendation for termination of employment, the Respondent may use any applicable termination procedures.
- 4.2.4. The VPAA, through the Integrity Officer, is responsible for notification of all federal or state agencies, sponsors or other entities initially informed of the Investigation's outcome. Consideration should be given to formal notification of:
 - 4.2.4.1. Sponsoring agencies, funding sources.
 - 4.2.4.2. Co-authors, co-investigators, collaborators, departments.
 - 4.2.4.3. Editors of journals in which fraudulent Scholarship was published.
 - 4.2.4.4. State professional licensing boards.
 - 4.2.4.5. Editors of journals or other publications, other institutions, sponsoring agencies, and funding sources with which the individual has been affiliated.
 - 4.2.4.6. Professional societies.
- 4.3. Appeal
 - 4.3.1. Respondents who are members of the faculty of the University may appeal the sanctions to the Standing Committee on Faculty Rights (SCoFR).
 - 4.3.1.1. Under section 605.3(9) of the State Board of Higher Education (SBHE) Policies "If the administration determines that the conduct of a faculty member . . . provides reasonable cause for imposition of a sanction, the administration shall inform the faculty member in writing of the sanction and the reasons for the sanction." A faculty member may appeal to the SCoFR "[i]f the sanction is imposed without a [SCoFR] hearing . . ." The faculty member may request a SCoFR review by following the SBHE policy and the University Implementation, both of which are found in the University's Faculty Handbook.
 - 4.3.1.2. If initiated, the review of imposed sanctions by SCoFR concludes review under this Policy.

4.3.1.3. If the finding of Misconduct in Scholarship results in termination, Respondent may request a SCoFR review of the decision to terminate by following the SBHE policy and the University Implementation, both of which are found in the University's Faculty Handbook.

4.3.2. Respondents who are not members of the faculty of the University may appeal the sanctions using any applicable procedures available under state or University policies.

RESPONSIBILITIES

Individual	▪ Report Allegations of Misconduct in Scholarship to the Integrity Officer
Integrity Officer	▪ Collect, Advise, Investigate, and Monitor Allegations of Misconduct in Scholarship
VPAA	▪ Determine and Implement any Sanctions
VPRED	▪ Record Retention

NOTIFICATIONS

Notification 1	Notification of Inquiry into Professional Misconduct
Notification 2	Inquiry into Professional Misconduct
Notification 3	Notification of Investigation into Professional Misconduct
Notification 4	Investigation into Professional Misconduct

REVISION RECORD

- Policy Implementation	Signed by President Robert O. Kelley
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Notification #1

Sent Certified Mail
Return Receipt Requested

To: _____, Respondent(s)

Cc: _____, Complainant

_____, proposed Inquirer

From: _____, Integrity Officer

Date: _____

Re: Notification of Inquiry into Professional Misconduct

This is to inform you that I have completed a Pre-Inquiry review of Allegations of professional misconduct brought against you by _____, and that I have determined that further inquiry into the Allegations is warranted.

The next step in the process, pursuant to the Misconduct in Scholarship Policy, is the Inquiry Phase during which factual information will be gathered and expeditiously reviewed to determine whether a further inquiry of the charge is warranted. The Inquiry Phase is designed to separate Allegations deserving of further investigation from frivolous, unjustified, or clearly mistaken Allegations.

I intend to appoint _____ to conduct an Inquiry. Within five working days of the date of this memo, everyone should inform me whether or not any real or potential conflict of interest exists between the proposed individual conducting the Inquiry and the parties involved in the Allegation. If I receive no notice of conflict of interest, the individual conducting the Inquiry, the Inquirer, will have 40 working days to complete the Inquiry, unless circumstances clearly warrant a longer period. This is a paper review based on the documentation received by the Integrity Officer and responses to questions submitted by the Inquirer to either the Complainant or Respondent for clarification. After review of all of the documentation including the written responses from the Complainant and Respondent, a determination may be made that follow-up interviews with the Complainant or Respondent may be necessary to complete the Inquiry. If the Inquirer determines that an interview is necessary, principals are expected to speak for themselves but may be accompanied by a Support Person. In case the issue is determined to need further review, do not bring an individual as an advisor who has knowledge of the issues and with whom you may want a Committee of Investigation to speak.

If you have any questions about the process, please refer to the following documents that are guiding the Inquiry:

UND Faculty Handbook, § _____ Ethical Conduct in Research, Scholarship and Creative Activity

Office of Research Integrity, US Department of Health and Human Services

Thank you for your attention to this matter.

Notification #2

Sent Certified Mail
Return Receipt Requested

To: _____, Respondent

From: _____, Integrity Officer

Date: _____

Re: Inquiry into Professional Misconduct

The Inquiry concerning Allegations of professional misconduct against you has been completed. The findings of the Inquiry (support/do not support) further Investigation. Enclosed please find the report. Pursuant to the section 2.3.1 of the Misconduct in Scholarship policy, you have the opportunity to provide written comment on the findings and recommendations of the enclosed report. Your comments will become part of the record. Please send me your written comments, if any, within 15 working days from the date of this memorandum.

Thank you for your attention to this matter.

Enclosure

Notification #3

Sent Certified Mail
Return Receipt Requested

To: _____, Respondent

Cc: _____, Complainant

_____, Dean

_____, VPAA

_____, VPRED

_____, Office of General Counsel

_____, proposed Committee of Investigation

From: _____, Integrity Officer

Date: _____

Re: Notification of Investigation into Professional Misconduct

This is to inform you that I concur with the findings of the Inquiry that an investigation into your professional misconduct is warranted. The purpose of Investigation is to explore further the Allegations and determine whether misconduct in research and scholarship has been committed. The Investigation will focus on accusations of misconduct as defined previously and examine the factual materials of each case. In the course of the Investigation, additional information may emerge that justifies broadening the scope of the Investigation beyond the initial Allegations. You will be informed in writing if significant new directions for investigation are undertaken.

I intend to appoint _____, _____, and _____ to serve on the Committee of Investigation (CoI). Within five working days of the date of this memo, please inform me as to whether or not you have any real or potential conflict of interest between the proposed Committee of Investigation and you. Pursuant to section 3.2.5 of the Misconduct in Scholarship policy, the Committee of Investigation will have 80 working days to complete its Investigation, unless the Committee determines that circumstances clearly warrant a longer period. You may bring a Support Person; he or she may not speak with the CoI. Do not bring an individual as Support Person who has knowledge of the issue and with whom you would like the Committee to speak.

If you have any questions about the process, please refer to the following documents that are guiding the inquiry:

UND Faculty Handbook, § _____ Ethical Conduct in Research, Scholarship and Creative Activity

Office of Research Integrity, US Department of Health and Human Services

Thank you for your attention to this matter.

Notification #4

Sent Certified Mail
Return Receipt Requested

To: _____, Respondent

From: _____, Chair, Committee of Investigation

Date: _____

Re: Investigation into Professional Misconduct

The Committee of Investigation has completed the investigation into the Allegation of professional misconduct against you. Enclosed please find the draft report. Pursuant to section 3.3.1 of the Misconduct in Scholarship policy, you have the opportunity to provide written comment on the findings and recommendations of the enclosed report. Please send me your written comments, if any, within 20 working days from the date of this memorandum. Your comments will be taken into consideration when finalizing the report.

Thank you for your attention to this matter.

Enclosure