

11-30-2009

University of Northern Iowa Faculty Senate Meeting Minutes, November 30, 2009

University of Northern Iowa. Faculty Senate.

Copyright © 2009 Faculty Senate, University of Northern Iowa
Follow this and additional works at: http://scholarworks.uni.edu/facsenate_documents

 Part of the [Higher Education Commons](#)

Let us know how access to this document benefits you

Recommended Citation

University of Northern Iowa. Faculty Senate., "University of Northern Iowa Faculty Senate Meeting Minutes, November 30, 2009" (2009). *Faculty Senate Documents*. 851.
http://scholarworks.uni.edu/facsenate_documents/851

This Minutes is brought to you for free and open access by the Faculty Senate at UNI ScholarWorks. It has been accepted for inclusion in Faculty Senate Documents by an authorized administrator of UNI ScholarWorks. For more information, please contact scholarworks@uni.edu.

SUMMARY OF FACULTY SENATE MEETING

11/30/09

CALL TO ORDER

Chair Wurtz called the meeting to order at 3:15 P.M.

APPROVAL OF THE MINUTES

Motion to approve the minutes of the 11/16/09 meeting as corrected by Senator Bruess; second by Senator East. Motion passed.

CALL FOR PRESS IDENTIFICATION

No press present.

COMMENTS FROM PROVOST GIBSON

Provost Gibson had no comments.

COMMENTS FROM FACULTY CHAIR, JESSE SWAN

Chair Wurtz noted that Faculty Chair Swan had another meeting and was not able to attend today's meeting.

COMMENTS FROM CHAIR, SUSAN WURTZ

Chair Wurtz had no comments.

CONSIDERATION OF CALENDAR ITEMS FOR DOCKETING

1013 Curriculum Package - College of Business Administration and College of Humanities and Fine Arts

University Curriculum Committee's recommendations regarding Seldom/Never Offered Courses, Dropped/Suspended APA Courses, and graduate College Curriculum Committee Changes to Graduate Credit for Undergraduate Students

Motion to docket at the head of the docket following item #904 as item #911 by Senator East; second by Senator. Motion passed.

NEW BUSINESS

Faculty Senate representative to the Veridian Community Engagement Awards Committee

Motion to respectfully declined to provide a representative from the Faculty Senate to the Veridian Community Engagement Awards Committee by Senator Bruess; second by Senator Lowell. Motion passed.

CONSIDERATION OF DOCKETED ITEMS

Chair Wurtz noted that this discussion began at last week's meeting. It is a federal mandate that institutions have such a policy in order to receive federal grant money. This is being brought before the Senate to see if the Senate would like to have some say in the creation of panels associated with responding to allegations of research misconduct.

Anita Gordon, Director of Research Services, Sponsored Programs was present to discuss this with the Senate. A lengthy discussion followed.

Motion by Senator East to endorse the general framework of the policy, understanding that it is a work in progress and expect that there will be changes made and the Senate would like to have input in the process, and accept the responsibility to create a misconduct committee that will report to the Senate; second by Senator Lowell. Motion passed.

911 Curriculum Package - College of Business Administration and College of Humanities and Fine Arts

Motion to accept the Curriculum Package of the College and Business Administration by Senator Hotek; second by Senator Smith.

Motion by Senator East to approve the Curriculum Package of the College of Business Administration by department; second by Senator Soneson. Motion approved.

Associate Provost Kopper reviewed changes in Accounting, noting that there are changes in prerequisites. There are two programs that are being suspended that came about by the Academic Program Assessment (APA) and restatements related to the Master of Accounting Degree

Motion by Senator Smith to approve the curriculum proposals from the Department of Accounting; second by Senator Soneson. Motion passed.

Associate Provost Kopper reviewed changes in Economics, noting a new course, change in titles, a restatement of the major, and also embedded in this proposal are two dropped programs at the recommendation of the APA. There are also some changes in catalog language related course offerings being changed to variable.

Motion to set aside the proposal for the new course, Sports Economics, for further discussion, and to go ahead with the remainder of Economics package by Senator Smith; second by Senator East.

Discussion followed.

Motion passed with 5 yeas, 4 opposed, 6 abstentions.

Motion to approve the remainder of the Economics Curriculum Package by Senator Smith; second by Senator Soneson. Motion passed.

Motion to table 920:131g Economics, New Course, Sports Economics by Senator East; second by Senator Soneson. Motion passed.

Associate Provost Kopper reviewed the changes in Management, noting that there is a new course as well as some title and description changes and there remains an unresolved objection related to 150:120 Database Management and Theory and 150:128 Business Application Development III. The University Curriculum Committee (UCC) notifies deans and department heads involved with any package as well as those that have unresolved objections or areas of interest. It is her understanding that Senator East can speak to the unresolved objections that remain for those two courses.

There is also a suspended program, she continued, that was an APA recommendation as well as a couple of other suspended programs and a restatement of a major.

Motion by Senator Smith to approve the curriculum proposals from the Department of Management; second by Senator East.

Senator East stated that the Department of Computer Science objected to 150:032 Business Application Development I and 150:034 Business Application Development II, not 150:120 and 150:128.

A lengthy discussion followed.

Motion to approve the curriculum proposals from the Department of Management passed with 2 abstentions.

Associate Provost Kopper noted that Marketing has one change in prerequisites for a course.

Motion to approve the curriculum proposal from the Department of Marketing by Senate East; second by Senate Funderburk.

Motion passed.

Associate Provost Kopper, in reviewing the College of Business Administration's Interdepartmental Abstract, noted that the UCC had extensive discussion related to the new courses centered around the issue of zero credit. Two additional pieces of information were sent to senators, which included other examples of zero credit courses and examples listing similar courses for credit. The UCC scheduled a special meeting to discuss this and it was approved by the UCC, 3 yes, 1 no and 2 abstentions.

Motion by Senator Smith to approve the Interdepartmental proposals from the College of Business Administration; second by Senator East.

Motion to divide the question, to approve all but the certificate; second by Senator Soneson. Motion passed with 3 opposed.

Dean Farzad Moussavi, College of Business Administration was present to discuss this with the Senate.

A lengthy discussion followed.

Motion to approve the four zero credit courses from the CBA passed with 2 abstentions.

Motion to approve the CBA Professional Skills Program Certificate by Senator Smith; second by Senator Hotek.

Discussion followed.

Motion to approve the CBA Professional Skills Program Certificate failed.

Motion to approve the curriculum proposal of the College of Humanities and Fine Arts by Senator Funderburk; second by Senator Soneson.

Motion by Senator Smith to split the issue to look at that the curriculum proposal of the College of Humanities and Fine Arts by department; second by Senator Hotek.

Motion passed with one opposition.

Associate Provost Kopper noted that with Art there are some new courses, some dropped courses, changes in descriptions as well as changes in titles, descriptions and prerequisites related to a variety of courses. There is a dropped Masters degree program out of the APA recommendations. There is a restatement of emphasis and a restatement of major.

Motion to approve the curriculum proposal of the Department of Art by Senator East; second by Senator Bruess.

A lengthy discussion followed.

Motion by Senator Funderburk to extend the meeting by ten minutes; second by Senator Roth. Motion passed.

Motion to approve the curriculum proposal of the Department of Art passed with one opposed.

Motion to approve the curriculum proposal of the Department of Communication Sciences and Disorders by Senator Bruess; second by Senator Soneson.

Associate Provost Kopper noted that there is a change in prerequisites and a dropped program per APA recommendation, and there was no controversy.

Motion to approve the curriculum proposal of the Department of Communication Sciences and Disorders passed.

Motion to approve the curriculum proposal of the Department of Communication Studies by Bruess; second by Senator Soneson.

Associate Provost Kopper noted that there are new courses, changes in descriptions, title and prerequisites, a dropped program as a result of the APA recommendations, a variety of restatement of hours, restatement of majors and minors as well

as restatement of a MA program. There are many different types of changes and no major controversies.

A lengthy discussion followed.

Motion to approve the curriculum proposal of the Department of Communication Studies passed.

Motion to table the remainder of the College of Humanities and Fine Arts curriculum proposals by Senator Breitbach; second by Senator Hotek. Motion passed.

ADJOURNMENT

DRAFT FOR SENATOR'S REVIEW

MINUTES OF THE UNIVERSITY FACULTY SENATE MEETING 11/30/09 1672

PRESENT: Megan Balong, Maria Basom, Karen Breitbach, Gregory Bruess, Michele Devlin, Phil East, Jeffrey Funderburk, Gloria Gibson, Doug Hotek, Bev Kopper, Julie Lowell, Pierre-Damien Mvuyekure, Michael Roth, Donna Schumacher-Douglas, Jerry Smith, Jerry Soneson, Susan Wurtz

Jerilyn Marshall was attending for Chris Neuhaus, Mary Boes was attending for Katherine Van Wormer

Absent: Phil Patton, Chuck Quirk, Jesse Swan,

CALL TO ORDER

Chair Wurtz called the meeting to order at 3:15 P.M.

APPROVAL OF MINUTES

Motion to approve the minutes of the 11/16/09 meeting as corrected by Senator Bruess; second by Senator East. Motion passed.

CALL FOR PRESS IDENTIFICATION

No press present.

COMMENTS FROM PROVOST GIBSON

Provost Gibson had no comments.

COMMENTS FROM FACULTY CHAIR, JESSE SWAN

Chair Wurtz noted that Faculty Chair Swan had another meeting and was not able to attend today's meeting.

COMMENTS FROM CHAIR, SUSAN WURTZ

Chair Wurtz had no comments.

Chair Wurtz asked the Senate's permission to take items out of order today, taking Consideration of Docketed Items #904 Policy for Responding to Allegations of Research Misconduct first, noting the Senate had started discussion on this at the last meeting.

Senator Lowell noted that she has concerns from colleagues so this may not be something that can be taken care of quickly.

It was decided to follow the agenda as it stands.

CONSIDERATION OF CALENDAR ITEMS FOR DOCKETING

1013 Curriculum Package - College of Business Administration and College of Humanities and Fine Arts

University Curriculum Committee's recommendations regarding Seldom/Never Offered Courses, Dropped/Suspended APA Courses, and graduate College Curriculum Committee Changes to Graduate Credit for Undergraduate Students

Motion to docket at the head of the docket following item #904 as item #911 by Senator East; second by Senator. Motion passed.

NEW BUSINESS

Faculty Senate representative to the Veridian Community Engagement Awards Committee

Chair Wurtz stated that the Senate has been asked to provide a representative to the Veridian Community Engagement Awards Committee. No nominations came forward.

Motion to respectfully declined to provide a representative from the Faculty Senate to the Veridian Community Engagement Awards Committee by Senator Bruess; second by Senator Lowell. Motion passed.

CONSIDERATION OF DOCKETED ITEMS

904 Policy for Responding to Allegations of Research Misconduct

Chair Wurtz noted that this discussion began at last week's meeting. It is a federal mandate that institutions have such a policy in order to receive federal grant money. This is being brought before the Senate to see if the Senate would like to have some say in the creation of panels associated with responding to allegations of research misconduct. There is still a Faculty Conduct Committee listed on the Senate's website but it is no longer a committee per the Committee on Committees. The question is if the Senate would like to activate the committee structure so that such a committee would be a Senate committee, reporting to the Senate.

Senator Lowell noted concerns that colleagues have brought to her about the process and responsibilities, stating that there is no mention of penalties.

Anita Gordon, Director of Research Services, Sponsored Programs, responded that that is up to the deciding official.

Senator Lowell asked what happens if someone is found to be irresponsible in their research.

Ms. Gordon replied that the Provost is the deciding official, but she may delegate that depending on who is involved. If it is delegated than that person makes the decisions about what the sanctions should be, if any, or the Provost herself if it is not delegated.

Senator Lowell stated that there is big process stated in the policy and then if guilty there is nothing specific.

Senator Bruess asked about any federal guidelines, as this is being foisted on us by federal agencies; don't they have any guidelines?

Ms. Gordon responded that they do not have any requirements about what happens other than the fact that if federal agency funding for the research is involved then they need to be notified if an investigation finds that someone has committed

misconduct. They do require a lot of other things but specific penalties are not included.

Senator Funderburk noted that there is an issue with a date when we need to have a policy in place so he believes it would be okay for us to set possibly a tentative policy with the understanding that we'll need to go back and review this further. His concern is that there is nothing stating that the review committee would necessarily understand the research that is being investigated. He understands the need for promptness but it is tricky to do this in a hurry. Someone should go back and develop guidelines as to what appropriate committee membership should be.

Senator East commented that the policy suggest that the people appointed to investigate recommend an appropriate committee, which is why a standing committee would not be very useful. The guidelines already say that a committee appropriate to the context would be named.

Senator Funderburk responding that the way he understood the "appropriate" part was identifying in context and there was nothing about who determines appropriate, who appoints, who thinks it's appropriate. And he also understood it to say that it only takes one person to decide if it is a good committee.

Ms. Gordon noted that the respondent has an opportunity to object to committee membership. It does not say anything if the respondent comes from a particular college and whether or not there is committee representation of someone that understands the research.

Senator Funderburk commented that it was his assumption that the Office of Compliance and Equity Management was trained to handle things like this.

Senator Lowell remarked that her colleague was concerned about the committee makeup and came up with questions, how many should be on the inquiry and investigation committees, and would they all be faculty or some staff members? Also, representatives from that person's own department might be the best to judge but also might be biased in favor of the person being investigated. There are a lot of issues and there should be some guidelines behind how these committees are made up.

Senator East noted that that information is given in the policy, and cited that information from the policy. It is fairly detailed in the policy, doesn't that provide guidelines?

Chair Wurtz stated that as she understands it, the question before the Senate is that the Senate has been invited, if we so choose, to have a Senate mechanism to have input. It doesn't necessarily mean that we'd have a panel that would be those doing the inquiry or investigation but we can have input as to who would be on those panels if we choose.

Senator East replied that that's impossible in a real time basis, to get Senate input within ten days of the reporting of an incident.

Chair Wurtz responded that it wouldn't have to be the Senate; it would be a Senate mechanism. She also noted that this is a draft, which we are working on.

Senator Hotek commented that he would like to see words to the effect that the burden of proof is on the research investigation officer, not the researcher. It should not turn into a document collection and recollection of information by the researcher to prove his or her innocence. The burden of proof should be on the committee.

Ms. Gordon replied that is how it is set up.

Senator Hotek reiterated that he would like it to specifically say that the burden of proof is on the panel.

Ms. Gordon noted that there has been a lot of discussion on this from other institutions. The burden of proof for an affirmative defense is on the researcher but the burden of proving that misconduct has occurred is on the institution. She noted that she will review the policy and confirm for sure what the policy stats, and discuss it with the university attorney.

Senator East stated that he's curious as to what the Senate's purpose is here? Is the Senate expected to lend its approval to this policy, saying whether we like it or not, to revise it? What did Ms. Gordon come to the Senate to get?

Ms. Gordon responded that she's looking for, one, feedback, to hear what people are saying about this. She will be receiving feedback from other groups on campus as well. Two, she doesn't have any idea if the Senate feels like it can say this policy is okay but the UNI Cabinet will certainly want to know that the Senate looked at this and what they said about it. It's up to the Senate as to whether the policy is voted is on but regardless of whether the Senate okays this for now, she has every intention of working with anyone who wants to for the next couple of years as it is implemented. It can't be seen as a "done deal" yet as there are many other people that would like

input. It's up to the Senate as to how formal they'd like to be about it but she's just asking for Senate involvement in it.

Senator East commented, that if the Senate takes no action then would it be brought to the Cabinet? This will be on record as our policy, or something very similar to it.

Provost Gibson noted that the UNI Cabinet would not approve this without Faculty Senate approval.

Chair Wurtz asked Ms. Gordon when the deadline is?

Ms. Gordon replied that the absolute latest is February 1, 2010, when we have to notify the Federal Government that we have a policy on file. She noted that it doesn't have to be complete but have one that is largely consistent with regulations.

Chair Wurtz stated that perhaps this can be done in pieces. Does the Faculty Senate wish to have a mechanism whereby we, or the people we choose, participate in the selection of the two panels?

Senator Funderburk responded that if the Senate will be voting on that then we're voting on a very specific set of guidelines that state that we will be doing that. Will we be amending the policy by supplying names?

Ms. Gordon noted that her understanding of what Chair Wurtz is proposing related to this is that the Senate would have a Misconduct or Conduct Committee of some sort that she could draw people from who would be trained in research misconduct specifically, so that when instances of alleged misconduct happen there will be a number people to draw from. This means that there needs to be a number of people trained for that.

Chair Wurtz commented that if the Senate's now defunct Misconduct Committee were active then it would be a matter of having a mechanism to recommend people to the various panels. It would be a group that would report to the Senate with their charge to assist Ms. Gordon in selecting faculty to serve in the inquiry and investigation, as needed. It is her goal to look at the committee structure as a whole next semester and this would be one of those committees that would be addressed.

Ms. Gordon responded that she really couldn't wait until Spring to have that committee named. It would be easier for her if there were a constituted panel of people she could draw from rather than making recommendations of people. That way she will know that they've already been trained. By making

recommendations she will have to worry about making contacts and training, and what if someone is unavailable, then what?

Senator East noted that assuming that the mechanism that we would want to use would be to have a faculty misconduct panel with a set of people that could be drawn from, we could today say that we're in agreement with this policy; we just haven't named our committee. That takes the time burden off getting the policy approved and puts it on the Senate's calendar to find people that are willing and able to do that, and who may also receive training.

Senator Funderburk noted that he hopes that United Faculty will be consulted in this process.

Motion by Senator East to endorse the general framework of the policy, understanding that it is a work in progress and expect that there will be changes made and the Senate would like to have input in the process, and accept the responsibility to create a misconduct committee that will report to the Senate; second by Senator Lowell. Motion passed.

911 Curriculum Package - College of Business Administration and College of Humanities and Fine Arts

Motion to accept the Curriculum Package of the College and Business Administration by Senator Hotek; second by Senator Smith.

Motion by Senator East to approve the Curriculum Package of the College of Business Administration by department; second by Senator Soneson. Motion approved.

Associate Provost Kopper reviewed changes in Accounting, noting that there are changes in prerequisites. There are two programs that are being suspended that came about by the Academic Program Assessment (APA) and restatements related to the Master of Accounting Degree.

Motion by Senator Smith to approve the curriculum proposals from the Department of Accounting; second by Senator Soneson. Motion passed.

Associate Provost Kopper reviewed changes in Economics, noting a new course, change in titles, a restatement of the major, and also embedded in this proposal are two dropped programs at the recommendation of the APA. There are also some changes in

catalog language related course offerings being changed to variable.

Motion to set aside the proposal for the new course, Sports Economics, for further discussion, and to go ahead with the remainder of Economics package by Senator Smith; second by Senator East.

Senator Smith stated that he believes he understands the rationale for this course and he thinks it's being proposed because it's a specialty of a tenured member of the Economics Department faculty. We probably have other courses from other departments in the Curriculum Package being proposed because of the same issues. What he believes we're having is an individual faculty member's research area, their special interest area, being set up as a course. Personally he believes those things should be done as seminars or topics courses; they shouldn't be set up as distinct courses unless the content knowledge is really important enough to be a requirement for all majors or significant enough to be an elective. He's not convinced that Sports Economics is that significant. He would like the Economics Department to make that case by showing if other Economics Departments in our peer institutions all have Sports Economics courses, then he would be quite comfortable with this. If they don't, he's very concerned about this and will be raising the same issue in other departments if and when he sees something that looks like a very specialized course that isn't justified on it's merits. He doesn't believe we should have courses, majors, minors, certificates that are there just because of particular individuals; they should have more fundamental grounding than that.

Motion passed with 5 yeas, 4 opposed, 6 abstentions.

Motion to approve the remainder of the Economics Curriculum Package by Senator Smith; second by Senator Soneson. Motion passed.

Motion to table 920:131g Economics, New Course, Sports Economics by Senator East; second by Senator Soneson. Motion passed.

Associate Provost Kopper reviewed the changes in Management, noting that there is a new course as well as some title and description changes and there remains an unresolved objection related to 150:120 Database Management and Theory and 150:125 Information Systems Development Projects. The University Curriculum Committee (UCC) notifies deans and department heads involved with any package as well as those that have unresolved objections or areas of interest. It is her understanding that

Senator East can speak to the unresolved objections that remain for those two courses.

There is also a suspended program, she continued, that was an APA recommendation as well as a couple of other suspended programs and a restatement of a major.

Motion by Senator Smith to approve the curriculum proposals from the Department of Management; second by Senator East.

Senator East stated that the unresolved objections are not about the two courses Associate Provost Kopper mentioned but about 150:032 Business Application Development I and 150:034 Business Application Development II. Computer Science had objected to several others but those were resolved.

Barbara Cutter, Administrative Fellow, Executive Vice President and Provost's Office, noted that the minutes from the UCC state that the objections to 150:120 Database Management and Theory and 150:128 Business Application Development III were still unresolved at the end of October.

Associate Provost Kopper stated that she had checked with Eugene Wallingford, Computer Science, Department Head, who had said those objections remain unresolved.

Senator East asked if the courses were specifically mentioned by course numbers?

Associate Provost Kopper replied that she had.

Senator East noted that Dr. Wallingford didn't understand and he has brought with him Dr. Wallingford's notes about the objections. The Computer Science Department decided to not continue their objection on 150:120 and 150:128 but to maintain their objection on 150:032 and 150:034.

Senator East continued, stating that the Computer Science faculty wanted more information on what "modern business programming language" was in :032; what language would be used, how much of this material is part of a traditional computer programming course, noting that the course seems to be evolving into the same course taught to introductory students in many Computer Science programs, including UNI, at least by the description. Management responded that the other courses, such as HTML, PHP and MYSQL, are currently being used to teach students fundamentals of web development. HTML, PHP and MYSQL used to teach students fundamentals of web development seems not to be business content but introductory programming content. The proposed catalog description does not list any business

concepts, only programming concepts: the fundamentals of application development process, programming logic and logical structures, programming language, syntax, program testing and documentation, which are all programming concepts, not business concepts. The Computer Science Department teaches all of this content in standard introductory programming courses for majors and non-majors. It also teaches courses on web development but they do not yet have a standard course on server-side programming. Teaching PHP and only the rudiments of databases in MYSQL seems to be a lot of content for an intro course, even if the student already knows HTML. Management's response to those objections said that HTML is taught in 150:080 but it is not mentioned in the content of that course nor is anything that seems obviously related.

Senator East continued, noting that for 150:034 they requested further consultation, saying the Computer Science faculty would like information on what modern business programming language will be used and how much of the material is part of a traditional computer programming course. Previously they had allowed a prerequisite of a computer programming course taught by Computer Science and that was removed, meaning that students who had taken Computer Science courses could not get into their courses through a prerequisite. They did respond that they would let people in on a case-by-case basis. Computer Science objected, now knowing what concepts are taught, it is difficult to note how this course builds on many concepts provided in :032 other than programming concepts that were noted above. Computer Science has taught a successful and popular Visual Basic for many years; Management had indicated that they would be teaching this in Visual Basic. It's not clear how a single programming course could teach both sufficient skills and Visual Basic programming, and an in-depth exploration of an array of business problems.

In general, Senator East continued, the course descriptions have evolved more and more over the last 10-15 years to contain only programming content with a mention of business applications. The Computer Science faculty have long been concerned, have objected and had discussions with Management before, but must continue to object as these courses become virtually indistinguishable from courses that might be taught in Computer Science. Procedurally, Management did not see fit with Computer Science and Computer Science did not know this until they were informed about these courses by another source and then requested consultation. Few if any students take the Computer Science prerequisites anyway, was part of their response. Computer Science finds that when their course is being taken out of a prerequisite list for a set of courses and they are not

consulted it seems outrageous, and Computer Science finds this both amazing and disturbing.

Senator Funderburk asked about 150:032 and 150:034, as they are just change in titles, can we allow them to just continue to call them what they had been called?

Senator East responded that he didn't know what the alternatives were. Computer Science was quite upset that they weren't even consulted about major changes to courses that are very similar to what Computer Science teaches, and even the dropping of a prerequisite from a course list. Imagine if some department were offering courses very similar to what the School of Music offers and they didn't consult when they changed them to make them sound even more like those courses than they had in the past and took your course out of their prerequisite list with nary a thought to consult, or they just didn't care.

Senator Smith stated that he agrees that Management should have consulted with Computer Science. He does believe that that program and that major needs to have some control over basic courses but he's not sure where you can draw a line between programming and business programming. Conceivably there are MIS programs that get their basic programming courses from computer science departments but this one historically hasn't. He doesn't think the Senate should not allow the change to be made but he does agree that they should have consulted. It would be nice if there were more interaction between these departments but he doesn't know if this is a case of serious duplication of courses on campus, which is something he would be really concerned about.

Senator Basom noted that years ago if there were unresolved objections the Senate would have the parties involved come together and work to resolve their objections. It seems to her that since consultations were not done it might be worth asking the two to come together to try to resolve the objections.

Mary Connerley, Department Head, Management, stated that they have to figure out where the objections lie because what she had seen listed 150:120 and 150:128 and no objections to 150:032 and 150:034. Dan Power, Management, attended the last UCC meeting, and defended the :128 changes successfully but :032 and :034 never came up because there were no objections listed at that time.

Senator East commented that it is possible that Dr. Wallingford may have filled out the forms incorrectly but their objections were clearly with :032 and :034.

Diane Wallace, Assistant Registrar, noted that the minutes from the UCC meeting reflect 150:120 and 150:128. There were no consultations with any of the Management courses and :120 and :128 were the only two that came back after consultation with unresolved objections, and this is also reflected online.

Senator East confirmed that Computer Science department did resolve their objections to 150:120 and 150:128 but not 150:032 and 150:034. However, he's not sure what Dr. Wallingford reported.

Ms. Wallace noted that at the meeting the UCC representative for Computer Science indicated that all of the consultations were fine except for :120 and :128.

Senator East commented that it's possible the Computer Science representative to the UCC had been misinformed. There is a problem in the process with consultations. The university also needs to think about how much, if any, duplication is going on and whether or not that needs to be looked at more carefully.

Chair Wurtz asked if what is shown here is an accurate representation of who did what when? This needs to be the basis on which the Senate is deliberating and making decisions.

Senator East noted that he doesn't know what good disapproving it does. He would be happy to hear someone from Management say, yes, we'll consult all the time in the future as it's much better to be over consulted than not consulted. There is a history of Management not consulting with the Computer Science Department.

Dr. Connerley added that as a new department head she was surprised at that consultations had not taken place before as well but with any future curriculum changes they will over-consult.

Motion to approve the curriculum proposals from the Department of Management passed with 2 abstentions.

Associate Provost Kopper noted that Marketing has one change in prerequisites for a course.

Motion to approve the curriculum proposal from the Department of Marketing by Senate East; second by Senate Funderburk.

Senator Hotek asked for clarification on this, how dropping a prerequisite could be done without consultation.

Associate Provost Kopper stated that the way the course was listed before it had Marketing major as a prerequisite, which has been dropped. The course prerequisites and junior standing remain the same.

Motion passed.

Associate Provost Kopper, in reviewing the College of Business Administration's Interdepartmental Abstract, noted the UCC had extensive discussion related to the new courses centered around the issue of zero credit. Two additional pieces of information were sent to senators, which included other examples of zero credit courses and examples listing similar courses for credit. The UCC scheduled a special meeting to discuss this and it was approved, 3 yes, 1 no and 2 abstentions.

Motion by Senator Smith to approve the Interdepartmental proposals from the College of Business Administration; second by Senator East.

Senator Bruess noted that the explanations and justification is UNI's description of the Liberal Arts Core (LAC). The LAC was constructed to serve the inadequacies of the College of Business Administration (CBA) and the College of Education. They both requested the LAC to help rectify issues that were present in professional programs. It seems that the entire paragraph, Explanation and Justification is a restatement of what the LAC exists to accomplish.

Senator Soneson asked what the objections are.

Associate Provost Kopper responded that that UCC had extensive discussion centered around the zero credit hours. If you're requiring students to take what the UCC saw as a course it should be credit bearing. The UCC was very supportive of the course intent and content but what they discussed was the fact that it was not for credit.

Senator Soneson reiterated that if students are expected to take a course they should get credit for it.

Associate Provost Kopper clarified that these courses are required; 100:010 is required for first year students, 100:020 is required for second year students and the UCC's discussion centered around if these courses are required then students should be given credit.

Senator Smith stated, with respect to Senator Bruess's comment, that a lot of skill type things are taught in the LAC but are

not developed as fully as they should be. Many faculty will argue on writing skills, that they should be taught across the curriculum, getting in the programs and majors, and this is consistent with that. It is taking up what's done in the LAC and extending it further. In addition, there are other skills that are much more specific to Business students, things like networking, understanding some fundamentals about business, things that aren't in the LAC but that are provided here and are very important skills for graduates of business schools to have. The LAC provides a foundation for many of these skills but they want to develop them further. Even the best LAC needs stuff over and beyond that.

Senator Soneson asked how many hours a week students are expected to be in class for this course, and how many hours a week are they expected to prepare for this class?

Dean Frazad Moussavi, CBA, was present to discuss this with the Senate.

Senator Smith stated that the CBA students are required to commit to a total of 30 hours their first two years, 15 hours the first, freshman, year and 15 hours the second, sophomore, year.

Dean Moussavi noted that there are no assignments, students don't take any exams but they are exposed to the fundamentals of being a business professional. The faculty in CBA decided that there is not sufficient academic content to give credit so they are maintaining the academic integrity of the institution by not giving academic credit to something, in their judgment, that is not academic. Things such as how to introduce yourself, how to shake hands are covered, fundamentals of being a business professional. There are no exams, no assignments; if there is it may be something such taking an assessment on your own time to see what type of person you are. It can be thought of as a lab attached to their business core, asking 15 hours from students to socialize them into what it means to be a businessperson. It's a socialization effort. For the second two years, junior and senior years, students are given optional workshops to learn actual skills.

Senator Funderburk asked about staffing and the overseeing of these courses; how is that handled?

Dean Moussavi responded that staffing will be done by alumni that will come back and tell students what it means to be a professional. Corporate trainers that alumni will lend to us will show students how to do things. These are "open your eyes to the world of business" sessions that alumni conduct and then

there are sessions by professional trainers that corporations that want to have exposure on our campus will lend to us. The expense for the corporate trainers will come from the supplemental tuition that CBA students pay but because they carry zero credit students will not pay. Every business student is charged supplemental tuition, and as part of the CBA's agreement with their students, students want professional training to have an edge in the competitive employment market. Students wanted the CBA to spend part of that supplemental tuition money for that purpose and they have devoted about 25% of the supplemental for that. They are taking the student's money and putting it where they want.

Senator Roth commented that he's not convinced that it's worth zero credits. Could this be appended to a course? He doesn't understand why these are separate courses.

Senator Soneson reiterated why is it required? Why not make it an optional thing for those students that want it?

Senator Roth continued, hearing what is in the course, it doesn't seem it should even merit a zero credit separate course name.

Dean Moussavi replied that is an attachment to their business core. They need this time from their students and this is the delivery mechanism to do that.

Chair Wurtz commented that she has a friend who teaches at Providence College in Boston with a very different student base than what we do. It's not uncommon for those students to fly to Paris for a weekend. Our students know there are people like that and feel that they are at a disadvantage because they come from Iowa. They don't know the strengths that they bring. Much of what this would accomplish is to create that level of self-efficacy, not self-esteem, to allow them to understand what they have and to be able to use what they have.

Senator Lowell asked how these are done, are they done as workshop, retreats?

Dean Moussavi responded that they come in different shapes, just speaking to students for 50 minutes or it could be a workshop where at the end of the session students can do something that they couldn't do at the beginning, a professional skill. It's a good thing and it gives our students the confidence that they need to actually sell the other element that they bring to the table, their traditional work values. Our students do work hard and show discipline but sometimes they don't have the professional confidence to capitalize on those strengths.

Senator Smith addressed Senator Roth's point, noting that they believe this is really important because it's important for business students to be acculturated into the business world and this is one way of doing it. They don't think it has enough academic content to warrant credits, and there are various other reasons why you wouldn't want to do it for credit such as it will cost students and increase the size of their program. In terms of academic content there are skills that do have academic substance to be in the curriculum and to warrant credit; this is on the lower end. Its importance is demonstrated by fact that a lot of schools do this in very much the same way. This is just a device to force students to do it. If you leave it optional the people who most need it are the ones most unlikely to do it, which is what they're trying to avoid.

Senator Schumacher-Douglas noted that in Education they have quite a few trainings that are required and students are required to attend and it is mandatory that they have this as a checkpoint in their program but they don't package it in a course. Has CBA tried that in the past to have these items offered and required but not packaged as a course?

Dean Moussavi replied that it's the transparency of what this is. There are a lot of hidden graduation requirements with students being asked to do things that they may not even know about. Here they are being open with students. Because it's a course it will be on their transcripts and employers are interested to know that this student has gone through this particular kind of training. If you just make it a check mark it will not show anywhere. This is the foundation for a certificate program for students who take the remaining two courses that are optional. Students that do all four will be entitled to a certificate. To do that they need this course mechanism otherwise this experience will be lost.

Senator Schumacher-Douglas continued, noting that to forewarn the Senate, she can anticipate that the College of Education (COE) will go forward with some zero hour courses that will include the trainings that they have required for many years and will also develop a certificate to go along with that for professional demeanor or attributes. If this is a trend then this is something that the COE has not packaged, but has required and has a checkpoint system on MyUNiverse that students can access and print. They have not packaged it as a certificate or into a course package.

Senator Hotek commented that he thinks this is a wonderful idea and supports it. It's not unlike the Teacher Education program where students have requirements, compliance training, etc. He

would support those becoming courses as well. The Department of Industrial Technology has a similar package as well.

Senator Smith responded to Senator Schumacher-Douglas, noting it may be possible that the COE should do this. One of the reasons it that it's very important for CBA is that while some business schools do this stuff a lot don't and yet all employers think it's important. UNI's CBA has made a point of saying professional skills are one of the keys that we're providing our students and we have to have some way of showing that. This is a way of getting it on students' transcripts and showing not only to students but also to employers our commitment to this. What's distinctive about this is that zero credit means you get no revenue for doing this so you need of way to support it.

Senator Schumacher-Douglas replied that the COE does all kinds of things similar to this with the resources that they currently have.

Senator Bruess reiterated that the CBA is using the supplemental tuition to cover those costs so there is a revenue base for it. What does UNI's Career Services do? Each college has a Career Services representative and it seems that it's their charge to provide a lot of these services, which they do through internships, job shadowing, and other mechanisms that accomplish the same tasks.

Linda Corbin, Director CBA Undergraduate Programs, CBA Support Services, noted that UNI's Career Services advisor does participate, giving some presentations in the first year course.

Dean Moussavi stated that they coordinate with Career Services and they support this program. It's in line with their objectives but well beyond what they provide.

Associate Provost Kopper noted the UCC raised this issue, knowing that there are other colleges that might follow suit and the Senate should be aware of that. All of the UCC deliberations took place related to the Senate mandate of no hidden prerequisites. Another discussion the UCC had and was very sensitive to was this issue of zero credit, how best to handle it, and what it means for the university.

Senator East commented that there are four courses involved and a certificate and that he would like to speak against the certificate. You can see on a transcript if students have courses taken for zero credit and you can read the name of those courses but to put a certificate on a students transcript that implies academic content. He doesn't believe those two go together well.

Motion to divide the question, to approve all but the certificate; second by Senator Soneson. Motion passed with 3 opposed.

Senator Roth remarked that if these zero credit courses keep UNI competitive with what other schools are doing he supports it.

Senator Funderburk asked about the tracking mechanism, how do they keep track of students that attend these sessions.

Dean Moussavi replied that they take attendance.

Senator Funderburk continued, noting that there must be a faculty person or someone assigned to do that.

Dean Moussavi replied it's not necessarily faculty. Every session is different.

Laura Terlip, Communication Studies, noted that they do similar things in her department as part of their core and they just require outside activities and take role at those. If this is an extension of the Business core why can't they attached zero credit activities to a course such as a "Fundamentals of..." course that everyone has to take? Is it the transparency issue so it goes on students' transcripts?

Dean Moussavi responded that different students take different courses at different times. They want 15 hours with freshmen. If a freshman happens to not be taking the required course that this would be attached to they would be taking the lab before taking the class.

Dr. Terlip continued, asking what about transfer students, do they also have to do this or is it only freshmen?

Dean Moussavi responded that transfer students would want to do this.

Dr. Terlip reiterated that transfer students are not required to take this.

Dr. Corbin replied that transfer students would not take the first zero credit course.

Motion to approve the four zero credit courses from the CBA passed with 2 abstentions.

Chair Wurtz noted that the Senate will now look at approval of the certificate that CBA students that have completed all four zero credit courses would earn. They are only required to complete two zero credit courses, they can choose to do four.

Motion to approve the CBA Professional Skills Program Certificate by Senator Smith; second by Senator Hotek.

Senator Funderburk noted that he finds it problematic with the grief that the Senate gave a couple of other certificates that were academic based and now we're considering rewarding someone for showing up occasionally, not saying that students don't need these skills but it may appear to be a dual thing the Senate has going.

Dean Moussavi stated that it's honest to say that there's not sufficient academic content for this certificate but it is a certificate where the student engages in activities and the academic content is elevated as students take the junior and senior level courses because more advanced skills are involved. The scrutiny of the Senate should be on courses that are giving academic credit for suspect content. They are doing the opposite; giving no academic credit for courses that they suspect might not fly academically so they are helping the academic integrity of the institution rather than undermining it.

Senator Schumacher-Douglas asked about grading, if there's zero credit there's no grade? There can't be a grade awarded because there's zero credit.

Dean Moussavi replied that it's credit/no credit as that's the only way they do it on transcripts.

Senator Schumacher-Douglas continued, stating that she has serious reservations about this direction that we're taking as a university. In order to get the certificate students have to pass the zero credit courses. She can't articulate it well but she knows that there is a concern and she appreciates that the UCC has reviewed and approved it but as an academic institution she's concerned for every outside activity we have our students do we have to give acknowledgement and she's not sure that's the professionalism that we have expected of our students in the past. This may be the changing ways of our culture and society but she's concerned about it.

Associate Provost Kopper commented that there are guidelines relating to program certificates in policies approved by the Senate, "The purpose of a program certificate is to provide an alternative to programs which lead to a degree, a major or a

minor. The phrase program certificate will be used to certify that an individual has completed a program approved by the university...The purpose of a certificate is to provide an alternative to the more traditional minor. Certificates should provide a brief but coherent experience in a set of curricular offerings in an academic discipline or a combination of more than one discipline. Certificates should generally be shorter than minors in related areas. Certificates should involve only courses already in existence or proposed as part of a major or minor. No courses should be created solely for use as certificate requirements or options. New certificates or revisions of existing certificates should be proposed by a department or jointly by several departments in the regular curricular cycle. An academic office must be identified which will be responsible for maintaining and publicizing the program."

Vice Chair Mvuyekure stated that he appreciates the work that the UCC always does but he agrees with Senator's Funderburk and East in terms of fairness to other departments and offerings and second to the academic content of any certificate. To our knowledge all of them are based on academic content not zero credit.

Senator East noted that the alleged purpose of this is to provide students with a good experience and understanding skills that are necessary. This notion that we also need to give them a certificate so that someone will look at them and pat them on the head and say "wonderful for you" and hire them bothers him substantially when there is no academic credit. Years ago they taught a keyboarding class where students did not earn credit nor a certificate, and rightly so and they should not be giving a certificate for this. If students need it and want it they will take it, if they don't they won't. Let it stand on it's own.

Senator Lowell stated that she's concerned about the amount of hours that go into this, a total of 60 contact only hours, roughly the equivalent of one three-hour course. She does like the idea of it and believes all students at UNI could do with some kind of professional training like this. Could there be something other than a certificate that could go on students' transcripts to show they went through this program without calling it a certificate?

Dean Moussavi responded that in their deliberations they did understand that "Certificates" has a specific meaning on this campus and that meaning should be preserved. What's being suggested, if there's another alternative terminology that indicates that students have done the work and does not

interfere with the academic indication a certificate program would give that would be ideal. They don't mean to undermine academic integrity; if anything, they are sensitive to it, which is why they're not giving credit to this.

Chair Wurtz asked for a friendly amendment so that we are approving some form of notation on the transcript but not a certificate.

Senator East said that's not what this is about. This is about awarding a certificate and if they want to do something different let them suggest that next time.

Motion to approve the CBA Professional Skills Program Certificate failed.

Motion to approve the curriculum proposal of the College of Humanities and Fine Arts by Senator Funderburk; second by Senator Soneson.

Associate Provost Kopper noted that with Art there are some new courses, some dropped courses, changes in descriptions as well as changes in titles, descriptions and prerequisites related to a variety of courses. There is a dropped Masters degree program out of the APA recommendations. There is a restatement of emphasis and a restatement of major.

Shoshanna Coon, Chair of the Graduate College Curriculum Committee (GCCC), stated there were no remaining objections.

Senator Soneson reiterated that what they're saying is that there are no objections to anything from the graduate perspective.

Motion by Senator Smith to split the issue to look at that the curriculum proposal of the College of Humanities and Fine Arts by department; second by Senator Hotek.

Senator Soneson asked why, if there are no objections?

Senator Smith responded that we had done this with all the other colleges and that yes, there is controversy.

Motion passed with one opposition.

Motion to approve the curriculum proposal of the Department of Art by Senator East; second by Senator Bruess.

Senator Smith asked about the four new courses in graphic design. One of the issues that the APA got into heavily was the overlap of courses across campus in different departments and it appears that somewhat similar courses are offered in Industrial Technology and possibly Communication Studies. He would like to have some assurance that these new courses do not duplicate courses that are already being offered in other departments. His second concern has to do with the new Minor in Art History that replaces the Art History Emphasis, which the APA recommended for phase out due to low enrollment. Shouldn't that emphasis be dropped rather than being turned into a minor? With two graduates per year, why are we offering it and do we have the resources to offer it?

Jeff Byrd, Department Head, Art, stated that he's not familiar enough with the content courses in Communications Studies (ComStudies) or Industrial Technology but both department heads were consulted and had no objections.

Senator Smith interjected that the presumption is if they had felt there was overlap they would have objected.

Senator Funderburk noted that the emphasis before was within the Art area whereas this minor in Art History would mean that students from other majors could earn this.

Senator Smith stated his second concern about the Art History minor, which was originally listed as an emphasis within Art. Is the thrust by turning it into a minor to open it up across campus? Again, his concern is if we didn't have many students in the previous emphasis why should we expect to have more students in a minor? Shouldn't we be phasing this out rather than potentially institutionalizing it even more?

Dr. Byrd responded that in the case of the Art History courses all Art majors, studio, art education and art history are all required to take four courses in Art History. This really comes as a complete add-on as the courses are going to be taught regardless.

Dr. Coon noted that a program that's low enrolled as a major, yes, but an Art History minor should be much easier to obtain in addition to some other major. Art majors wouldn't be able to do it anyway as you can't minor in the same department you're majoring in. These would have to be people outside Art.

Senator Smith remarked that then by making it a minor you take it away from your existing majors. His concern is that the APA task force consistently had concerns about offering programs that force this university to offer low enrollment courses.

Dr. Byrd commented that the Art History courses are never low enrolled; they are quite full.

Senator Soneson concurred that it is hard to get students who are not Art majors in them. With an Art History minor it will be a lot easier for students wanting to take Art History courses but are not Art majors.

Senator East ask if that there are four new graphic design courses?

Dr. Byrd replied that previously these courses were taught under an umbrella titled course, "Undergraduate Studio." They thought it was a good idea to take them out and give them their own titles for the sake of clarity on transcripts as employers want to know more about specific skills students have.

Senator East asked if all the courses in Undergraduate Studio were graphic design courses?

Dr. Byrd responded that each section of Undergraduate Studio is for a different media area; Section 1 is for ceramics for example, Section 2 is drawing. There were usually two sections of Undergraduate Studio that were devoted to graphic design and it was this rotation of these four different courses that would fall under that category.

Eric Lange, Department Head, Theatre, spoke regarding the Art History minor. If it were implemented Theatre Design students would be a very strong group of students that would want to access those courses and they would find it beneficial to have this minor.

In response to Senator East's question about enrollment in those Graphic Design courses, Dr. Byrd stated that they are full every semester.

Senator East continued, noting that he curious as to why the Computer Science Department was not consulted on the first two Graphic Design courses, 600:181 Web and Interactive Design and 600:182 Motion Graphics because they have an existing course in web development and in the second course, presumably manipulating visual images, the digital representation of digital images which they also have a course in. He's concerned again as was noted in the APA process there were four areas with courses with graphic connotations, Computer Science, Industrial Technology, ComStudies and Art. All these departments are doing aspects of the same thing and there must be some substantial overlap. He's again surprised and disheartened that Computer

Science wasn't consulted with on Web Design when Computer Science has a course title Web Development.

Dr. Byrd responded that they didn't know Computer Science was teaching design. Their primary concerns are visual and they don't teach programming at all.

Senator East interrupted, noting that's not what the course description says. It talks about implementing the web pages and doing "e-commerce" on them, which seems considerably outside the area of artistic design.

Dr. Byrd noted that the term e-commerce is used in the design world as another signifier for advertising.

Senator Soneson noted which is design, which is business.

Senator East remarked that e-commerce has a number of meanings, one of which is the conducting of commerce over the Internet, which is not necessarily design.

Dr. Byrd added that sometimes it is.

Senator East stated that he teaches the web course in Computer Science and he struggles with design.

Chair Wurtz noted that she needs a motion to extend the ending time for this meeting.

Motion by Senator Funderburk to extend the meeting by ten minutes; second by Senator Roth. Motion passed.

Dr. Byrd remarked that construction is not a word that he believes is associated exclusively with computers, and that they don't do any coding at all, using entirely out of the box applications.

Senator East asked if they're still going to put it on a computer?

Dr. Byrd responded yes.

Senator East stated that that's constructing. People in Industrial Tech do that, people in ComStudies do that, people in Education do that.

Dr. Byrd replied that constructing is also something that they apply for any sort of building process. People in sculpture do construction, people in ceramics do construction, people in design do construction.

Senator East added that people in Computer Science construct web pages.

Motion to approve the curriculum proposal of the Department of Art passed with one opposed.

Motion to approve the curriculum proposal of the Department of Communication Sciences and Disorders by Senator Bruess; second by Senator Soneson.

Associate Provost Kopper noted that there is a change in prerequisites and a dropped program per APA recommendation, and there was no controversy.

Dr. Coon noted that there was no graduate impact at all.

Motion to approve the curriculum proposal of the Department of Communication Sciences and Disorders passed.

Motion to approve the curriculum proposal of the Department of Communication Studies by Bruess; second by Senator Soneson.

Associate Provost Kopper noted that there are new courses, changes in descriptions, title and prerequisites, a dropped program as a result of the APA recommendations, a variety of restatement of hours, restatement of majors and minors as well as restatement of a MA program. There are many different types of changes and no major controversies.

Senator Smith noted the APA recommended that the undergraduate joint major in Communication Studies, Theatre and Teaching be phased out and it is currently being restated. He would like an explanation as to why this program is not being phased out. Again, it's a low enrollment program.

John Fritch, Department Head, Communication Studies, responded that what they would like to do at this point is examine how that major looks. One of the recommendations was that the minor be restated. His concern is that if the major is dropped and they sustain or redesign the minor they actually have lower enrolled courses. They are currently going through a comprehensive review of the major and it will not look the same as it does currently. They will be cutting substantial numbers of hours out of that major. They're looking at combining some of the courses and to figure out ways to reduce the teaching load in that major. Their goal is to make not so much a speech/theatre major as much as something broader. Their goal

is to get rid of one major and come back with a completely different look for the major.

Dr. Lange agrees with Dr. Fritch that this re-examination also includes several faculty members working with the Board of Education and speaking with people who are currently working on the development of the Iowa Core Curriculum to make sure that the courses that are ultimately brought into this newly designed major will support the Iowa Core Curriculum and therefore make it a more necessary component of an education degree. In terms of making it have a broader appeal, they are looking at some of the methods course work within this major and recognizing that what's missing is the teaching of English as English teachers are often called upon to marshal their resources to do the speech programs or theatre programs. They're trying to build a system that would incorporate a more of a literacy proficiency that would include English, Theatre and Speech. By examining it from these two methods they really are looking at redefining what this major is and are in a position to feel like it's necessary to keep it on the books for now and its new form will make it more appealing to students.

Senator Smith noted that several of the concerns that were raised in the discussion on the task force was that the teaching endorsements that perspective teachers need in this area could potentially be satisfied by a well designed minor and by turning it into a major you make it so big and less attractive for potential students then it would be as a minor. Is there a danger that in their ambitions for the program that they will make it less marketable than more marketable for students?

Dr. Fritch responded that people who emphasize Communication Studies-Speech in the major have always found jobs. States such as Missouri and Kansas require every student in those high schools to take speech and those states are looking for majors, not just the endorsements. Iowa is somewhat behind this in terms of the teaching of speech.

Dr. Lange noted that he agrees with that. If they can structure this so that they actually reduce hours in this major and make sure that those hours are supporting what's going to be present in the Iowa Core Curriculum we can advertise this and make this a more attractive degree.

Senator East asked about the three new courses, where the resources come for them?

Dr. Fritch replied that these are courses that have largely been taught already in some form within the department. One is a graduate seminar, which was taught a "Seminar:" and their master

degree students going on to Ph.D. programs were being asked for it as UNI doesn't have this course. Another one is a core course that they're requiring ComStudies majors to take and which they've already hired the staffing for, and that person has been teaching this course since she's been here but as a special topics course.

Motion to approve the curriculum proposal of the Department of Communication Studies passed.

Motion to table the remainder of the College of Humanities and Fine Arts curriculum proposals by Senator Breitbach; second by Senator Hotek. Motion passed.

Motion by Senator East to adjourn; second by Senator Funderburk. Motion passed.

The meeting was adjourned at 5:10 P.M.

Respectfully submitted,

Dena Snowden
Faculty Senate Secretary

POLICY FOR RESPONDING TO ALLEGATIONS OF RESEARCH MISCONDUCT

Purpose:

To provide guidance in addressing research misconduct by faculty, staff, and students affiliated with UNI.

Policy Statements:

Background and Applicability

Research integrity is basic to the research enterprise. It is the responsibility of all scholars to model integrity in all of their research endeavors throughout their professional careers. Therefore, research misconduct is prohibited in all activities associated with the University of Northern Iowa. This policy statement provides an overview of the University of Northern Iowa policy in regard to research misconduct and the procedural processes involved in an allegation, inquiry, investigation, and determination. Additional details on this policy and the associated procedures will be maintained and updated as needed by the Research Integrity Officer (described below) and made available upon request.

This policy applies to anyone engaged in systematic research activities that are intended to produce generalizable or transferable results (typically indicated by the intent to disseminate results), including all faculty, staff, and students affiliated with the institution. This policy is not intended to apply to student class projects that are not designed for public dissemination, but it does apply to all culminating student research projects such as theses and dissertations.

When federal funding or an application for funding is involved, notification of the sponsor may be required, such as when a research misconduct allegation moves beyond an inquiry into a formal investigation by the institution, or in special circumstances at any point following an allegation.

Research misconduct means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data. Research misconduct is an intentional or knowing act of deception or a flagrant disregard of commonly accepted research or ethical practices. The kinds of research misconduct listed below are the most common, but are not necessarily exhaustive.

A. Fabrication

Fabrication is making up of data or results and/or recording or reporting them.

B. Falsification

Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

C. Plagiarism

Plagiarism is intentionally or knowingly representing the works of another as one's own.

Plagiarism includes both the theft or misappropriation of intellectual property and the substantial unattributed textual copying of another's work. The theft or misappropriation of intellectual property includes the unauthorized use of ideas or unique methods obtained by a privileged communication, such as a grant, manuscript review or intellectual property disclosure.

Substantial unattributed textual copying of another's work means the unattributed verbatim or nearly verbatim copying of sentences and paragraphs, which materially mislead the ordinary reader regarding the contributions of the author.

All employees or individuals associated with the University of Northern Iowa must report observed, suspected, or apparent research misconduct to the Research Integrity Officer ([add link to RI webpage](#)). If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may call the Research Integrity Officer to discuss the suspected misconduct informally.

Procedures:

Administrative Process and Responsibilities

The University's **Deciding Official** is the institutional official who oversees the process described in this policy and makes the final determination on allegations of research misconduct and any responsive institutional actions, except on those delegated to other institutional officials. The Deciding Official at the University of Northern Iowa is the Executive Vice President and Provost or the Provost's designee.

The **Research Integrity Officer** (RIO) is the institutional official responsible for assessing allegations of research misconduct and determining when such allegations warrant inquiries and for overseeing inquiries and investigations. The RIO is appointed by the Provost. The RIO will receive allegations and facilitate the inquiry, investigation, and administrative processes, and will attempt to ensure that appropriate documentation and communications take place.

Upon receiving an allegation of research misconduct, the Research Integrity Officer will immediately assess the allegation to determine whether there is sufficient evidence to warrant an inquiry, whether federal support or federal applications for funding are involved, and whether the allegation falls under the definition of research misconduct. If the allegation is not research misconduct as defined in this policy, the matter will be referred back to the individual faculty member, Department Head, Dean, or Divisional Vice President, as appropriate to the circumstances. If the allegation does involve research misconduct,

this policy will apply and the results of any inquiry, investigation, and recommendations will be provided to the Deciding Official, who will involve the senior university official or unit that oversees that individual, as appropriate. In the case of non-credit-bearing research misconduct however (e.g., student hourly employees), the allegation will be referred to the Dean of Students for inquiry and adjudication.

After determining that an allegation falls within the definition of research misconduct, the Research Integrity Officer shall have all original research records and materials relevant to the allegation immediately secured.

If the Research Integrity Officer determines that the allegation provides sufficient information to allow and warrant specific follow-up, s/he will initiate the inquiry process, including the appointment of an inquiry committee. The purpose of the inquiry is to make a preliminary evaluation of the available evidence and testimony of the respondent, complainant, and key witnesses to determine whether there is sufficient evidence of possible research misconduct to warrant an investigation. Upon completion of the inquiry, the Deciding Official will determine whether or not an investigation should be conducted. If so, an investigation committee will explore the allegations and the evidence in depth, and to determine specifically whether misconduct has been committed, by whom, and to what extent.

In the event the investigation determines that misconduct has occurred, the Deciding Official will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case. The Research Integrity Officer is responsible for the University's compliance with all notification requirements of funding or sponsoring agencies.

Each inquiry and investigation will be conducted in a manner that will provide fair treatment to the respondent(s), protection for the complainant, and confidentiality to the extent possible without compromising public health and safety, or the inquiry or investigation.

Further Information

For additional information on the policies and procedures pertaining to research integrity and misconduct, refer to *(add link here)*.

Office of Sponsored Programs approved:
Approved by Faculty Senate:
President's Cabinet approved:

THE UNIVERSITY OF NORTHERN IOWA

POLICY AND PROCEDURES FOR RESPONDING TO ALLEGATIONS OF RESEARCH MISCONDUCT

October 14, 2009

TABLE OF CONTENTS

I. Introduction-----	1
A. Background -----	1
B. Applicability and Definition of Research and Misconduct -----	1
C. Reporting and Coordination of Response -----	2
II. Rights, Roles, and Responsibilities-----	3
A. Research Integrity Officer -----	3
B. Complainant and Others -----	4
C. Respondent-----	5
D. Deciding Official -----	6
III. General Policies and Principles-----	6
A. Preliminary Assessment of Allegations -----	6
B. Confidentiality -----	6
C. Cooperation with Research Misconduct Proceedings -----	6
D. Allegations of Misconduct Against Persons Who Have Left the University -----	7
E. Interim Administrative Actions -----	7
IV. Conducting the Inquiry -----	7
A. Initiation and Purpose of the Inquiry -----	7
B. Notifications and Sequestration of the Research Records -----	7
C. Appointment of the Inquiry Committee-----	7
D. Inquiry Process -----	8
E. Inquiry Report -----	8
F. Inquiry Decision and Notification-----	9
V. Conducting the Investigation -----	9
A. Purpose of the Investigation -----	9
B. Notifications and Sequestration of the Research Records -----	9
C. Appointment of the Investigation Committee-----	10
D. Investigation Process-----	10
E. Investigation Report -----	11
F. Institutional Review and Decision -----	12
VI. Requirements for Reporting to the Sponsor if Research is Federally-Funded -----	12
A. Sponsor Notification and Record-Keeping -----	12
B. The Admission of Research Misconduct by a Respondent-----	12
C. Mandatory Reasons for Notifying the Sponsor During an Inquiry or Investigation-----	13
D. Sponsor Review of Investigation Report-----	13
VII. Institutional Administrative Actions-----	13
VIII. Record Retention -----	14
IX. Respondent's Right to Appeal -----	14
APPENDIX A: Definitions Used in this Policy -----	15
APPENDIX B: Summary of Time Frames -----	17

I. Introduction

A. Background

Research integrity is basic to the research enterprise. It is the responsibility of all scholars, as teachers and mentors, to model integrity in all of their research endeavors throughout their professional careers. Therefore, misconduct in research is a concern of the entire University community. Anyone in the University community who suspects that scholarly pursuits have been compromised by dishonesty or unprofessional conduct should communicate their concerns through appropriate channels. When an allegation of research misconduct is made, cooperation from all involved is required. It is necessary to have a policy which:

- (1) Provides clear procedures for addressing the misconduct;
- (2) Safeguards the rights of all involved;
- (3) Provides due process for a respondent; and
- (4) Protects a complainant who makes an allegation in good faith from retaliation.

Officials or representatives of the University should be vigilant for signs of research misconduct, even if concerns within the University community do not result in complaints by individuals. For example, the University may conduct its own inquiry based on concerns which come to the attention of university officials even in the absence of specific complaints.

The process for inquiry and investigation described in this policy is designed to produce as much as possible a complete and accurate record of information. After an inquiry or investigation, if an allegation of misconduct is unfounded, the University should make reasonable efforts to minimize any possible damage to the personal and professional reputation of the respondent.

This policy is consistent with regulations that have been published by various federal agencies as a result of a policy promulgated by the Office of Science and Technology Policy in 2000. The latter required that all federal agencies develop and implement a policy on research misconduct that included several basic tenets, such as a common definition for misconduct and the roles and responsibilities of recipients of funding in responding to allegations of misconduct. The most comprehensive of the federal agency policies is the one established by the U. S. Public Health Service (PHS), set forth in 42 CFR Part 93, entitled "Public Health Service Policies on Research Misconduct." Among other things, the PHS policy requires that institutions that receive PHS funding must themselves have a similar policy as well as maintain an active assurance with the PHS Office of Research Integrity (ORI) that they will comply with that policy. UNI has filed such an assurance with ORI, and much of the present policy is therefore based on PHS as well as other federal agency requirements.

This policy and associated procedures will normally be followed when an allegation of possible misconduct in research is received by an institutional official. Particular circumstances in an individual case may dictate variation from the normal procedure deemed in the best interest of the University of Northern Iowa (and any federal agency that may have potential funding involved). Any change from normal procedures also must provide fair treatment to the subject of the inquiry or investigation. Any significant variation should be approved in advance by the Executive Vice President and Provost of the University of Northern Iowa.

B. Applicability and Definition of Research and Misconduct

This policy applies only to intentional research misconduct associated with funded or unfunded Research that has occurred within the last 6 years by faculty, staff, and students associated with the University of Northern Iowa.

The standard that will typically be applied for whether or not a given activity constitutes Research is whether or not it involves the systematic collection and analysis of data that is intended for dissemination beyond the institution via print, internet, presentation, or any other public venue. Thus, most student research projects undertaken as coursework do not meet this definition, unless they also involve public dissemination. All thesis and dissertation projects, however, do meet the definition.

Research misconduct means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data. Research misconduct is an intentional or knowing act of deception or a flagrant disregard of commonly accepted research or ethical practices. The kinds of research misconduct listed below are the most common, but are not necessarily exhaustive.

Fabrication is making up of data or results and/or having them recorded or reported.

Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

Plagiarism is intentionally or knowingly representing the works of another as one's own. Plagiarism includes both the theft or misappropriation of intellectual property and the substantial unattributed textual copying of another's work.

The theft or misappropriation of intellectual property includes the unauthorized use of ideas or unique methods obtained by a privileged communication, such as a grant, manuscript review or intellectual property disclosure.

Substantial unattributed textual copying of another's work means the unattributed verbatim or nearly verbatim copying of sentences or paragraphs, which materially mislead the ordinary reader regarding the contributions of the author.

This policy and the associated procedures do not apply to authorship or collaboration disputes and apply only to research misconduct that occurred within six years of the date that the University or the sponsor received the allegation, subject to the subsequent use, health or safety of the public, and grandfather exceptions in 42 CFR § 93.105(b). This policy is not intended to apply to research endeavors involving honest errors.

C. Reporting and Coordination of Response

All employees or individuals associated with the University of Northern Iowa must report all observed, suspected, or apparent research misconduct by a UNI faculty, staff, or student to the Research Integrity Officer as soon as possible.

If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she should call the Research Integrity Officer to discuss it. The Research Integrity Officer will assess whether or not the circumstances described by the individual meet the definitions above. If it does not, s/he will refer the individual or allegation to other offices or officials with responsibility for resolving the problem, as appropriate. At any time, an employee, student or other individual associated with the University may have informal discussions and consultations about concerns of possible misconduct with the Research Integrity Officer and may be counseled about appropriate procedures for reporting

allegations. The University will make every effort to protect the privacy of individuals reporting possible misconduct (see section IIIB).

1. In the event of an allegation of misconduct about a *faculty member*, the following process will be followed:
 - a. If the conduct involves research, this policy will be used to inquire and investigate the matter, as appropriate, and any recommendations for action by the research misconduct committee will be made to the Deciding Official, who is the Executive Vice President and Provost.
 - b. If the conduct does not involve research, the matter will be referred as appropriate to the Department Head and Dean of the College to which that individual belongs.
2. In the event of an allegation of misconduct about a *staff member*, the same process will be followed as for a faculty member, except that any final reports and recommendations for action for research misconduct, or any referrals regarding possible non-research misconduct, will be made by the Research Integrity Officer and Deciding Official to the individual's Divisional Vice President.
3. In the event of an allegation of misconduct about a *student*, the following process will be followed:
 - a. If the conduct involves research that is part of a project or activity for which s/he is receiving academic credit, this policy will be used to inquire and investigate, as appropriate, and any recommendations for action by the research misconduct committee will be made to the Deciding Official, who is the Executive Vice President and Provost. In the case of undergraduate students, the Provost will then make any final decisions on any actions to be taken. In the case of graduate students, the Deciding Official will delegate final decision-making to the Graduate College Dean. Research misconduct by students covered by this policy will most commonly involve thesis or dissertation activities, or when a student is receiving credit for working on a faculty member's research project. These will not typically involve class projects (see 3c below).
 - b. If the conduct involves research that is not part of a project or activity for which s/he is receiving academic credit, the matter will be referred to the Dean of Students for inquiry and adjudication, as consistent with the Student Conduct Code administered by that office. The situation most commonly involved here is when a student is employed by a research unit or researcher on campus and is being paid for that work but does not receive academic credit. If the activity involves federal funding, the Research Integrity Officer will remain involved in the process and coordinate with the Dean of Students in the inquiry and investigation as appropriate. (For more information, see <http://www.uni.edu/president/policies/302.shtml>).
 - c. If the conduct does not involve research but does involve academic activities that occur in class or other credit-bearing circumstance, the matter will be referred to and/or handled by the individual faculty member most closely associated with the activity, and the Academic Ethics Policy (see <http://www.uni.edu/president/policies/301.shtml>) and Student Grievance Policies will apply (see <http://www.uni.edu/president/policies/1201.shtml> for graduate students and <http://www.uni.edu/president/policies/1202.shtml> for undergraduate students).

The process and procedures described below, including the role of the Deciding Official, only apply to the research misconduct allegations covered by this policy. All matters referred to other university units or officials as described above will be governed by the policies and procedures in place for those situations.

II. Rights, Roles, and Responsibilities

A. Research Integrity Officer

The Provost will appoint the Research Integrity Officer who will have primary responsibility for implementation of the procedures set forth in this document. The Research Integrity Officer will be an institutional official who is qualified to handle the procedural requirements involved and is aware of varied demands made on those who conduct research, those who are accused of misconduct, those who make good faith allegations of research misconduct, and those who may serve on inquiry and investigation committees.

The duties of the Research Integrity Officer related to research misconduct proceedings include:

- Consult informally with persons uncertain about whether to submit an allegation of research misconduct;
- Receive allegations of research misconduct;
- Assess each allegation of research misconduct to determine whether it falls within the definition of research and misconduct, and warrants an inquiry;
- As necessary, take interim action and notify the sponsor of special circumstances;
- Sequester research data and evidence pertinent to the allegation of research misconduct and maintain it securely in accordance with this policy and applicable law and regulations;
- Provide confidentiality to those involved in the research misconduct proceeding as required or allowed by federal regulation, other applicable law, and institutional policy;
- Notify the respondent and provide opportunities for him/her to review, comment, and respond to allegations, evidence, and committee reports;
- Inform respondents, complainants, and witnesses of the procedural steps in the research misconduct proceeding;
- Appoint the chairs and members of the inquiry and investigation committees, determine that those committees are properly staffed and that there is expertise appropriate to carry out an appropriate evaluation of the evidence;
- Inquire whether each person involved in handling an allegation of research misconduct has an unresolved personal, professional, or financial conflict of interest and take appropriate action, if necessary, including removal of any person(s) with such a conflict of interest, so that no person with such conflict is involved in the research misconduct proceeding;
- In cooperation with other institutional officials, take reasonable and practical steps to protect or restore the positions and reputation of good faith complainants, witnesses, and committee members.
- In cooperation with other institutional officials, take reasonable and practical steps to protect or restore the positions and reputation of respondents who have been the subject of a bad faith complaint or in cases where there is a finding of no misconduct.
- Keep the Deciding Official and others who need to know apprised of the progress of the review of the allegation of research misconduct.
- Notify and make reports to sponsor(s), as appropriate;
- Ensure that administrative actions taken by the institution and the sponsor are enforced and take appropriate action to notify other involved parties, such as sponsors, law enforcement agencies, professional societies, and licensing boards of those actions; and
- Maintain records of the research misconduct proceeding and make them available to the agency sponsor, as appropriate.

B. Complainant and Others

The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with an inquiry or investigation. The complainant may be interviewed at the inquiry stage and given the transcript or recording of the interview for correction. The complainant must be interviewed during an investigation, and be given the transcript or recording of the interview for correction.

The role of the Complainant is to raise the question of possible misconduct and to provide information when requested. It is the responsibility of the Research Integrity Officer to inquire into the matter, see if it is an easily resolvable misunderstanding or whether there is sufficient evidence of possible research misconduct to warrant an inquiry and/or investigation.

Once the allegation is made, the complainant should cooperate with the inquiry or investigation, but does not have to prove the case or provide the only source of expertise to counter the respondent's information or explanation.

The University shall use its best efforts to protect the rights of all parties involved, as appropriate, including persons who, in good faith (see definition of *good faith*), report perceived misconduct. An allegation may have been made in good faith even if the allegation is later proven untrue. The University will not tolerate retaliation against individuals making "good faith" allegations. The Research Integrity Officer will attempt to ensure that these persons who, under this policy, bring allegations of misconduct and those who cooperate in inquiries or investigations in good faith, will not be retaliated against in terms and conditions of their employment or other status at the University of Northern Iowa.

Institutional members should immediately report any alleged or apparent retaliation against complainants, witnesses or committee members to the Research Integrity Officer, who shall review the matter and, as necessary, make reasonable and practical efforts to counter potential or actual retaliation and protect and restore the position and reputation of the person against whom the retaliation is directed.

If relevant, the Deciding Official will evaluate and determine whether the complainant, witnesses, and/or committee members involved in a Research Misconduct process acted in good faith in regard to the allegations of research misconduct. If not, the Deciding Official will determine whether any administrative action should be taken against that individual.

C. Respondent

The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry and investigation. The respondent is entitled to:

- A good faith effort from the Research Integrity Officer to notify the respondent upon initiating an inquiry;
- An opportunity to comment on the inquiry report and have his/her comments attached to the report;
- Be notified of the outcome of the inquiry, and receive a copy of the inquiry report that includes a copy of, or refers to, the applicable federal agency regulations on research misconduct, and the institution's policies and procedures on research misconduct.
- Be notified in writing of the allegations to be investigated within a reasonable time after the determination that an investigation is warranted, but before the investigation begins and be notified in writing of any new allegations not addressed in the inquiry or in the initial notice of investigation, within a reasonable time after the determination to pursue those allegations.

- Be interviewed during the investigation, have the opportunity to correct the recording or transcript of the interview, and have the corrected recording or transcript included in the record of the investigation.
- Have the investigation committee interview any witness who is available and has been reasonably identified by the respondent as having information on relevant aspects of the investigation, have the recording or transcript provided to the witness for correction and have the corrected recording or transcript included in the record of investigation; and
- Receive a copy of the draft investigation report and, concurrently, a copy of or supervised access to the evidence on which the report is based, and be notified that any comments must be submitted within 30 days of the date on which the copy was received and that the comments will be considered by the institution and addressed in the final report.
- Have the opportunity to seek the advice of legal counsel or a non-lawyer personal advisor (who is not a principal or witness in the case, e.g., a United Faculty representative) and bring the counsel or personal advisor to interviews or meetings on the case. The counselor/advisor will not be an active participant in these interviews or meetings, but may listen and advise the respondent as needed.

The respondent should be given the opportunity to admit that research misconduct occurred and that he/she committed the research misconduct. With the advice of the Research Integrity Officer and institutional legal counsel, the Deciding Official may terminate the institution's review of an allegation that has been admitted if, as applicable, the institution's acceptance of the admission and any proposed settlement is approved by the sponsor.

Each inquiry and investigation will be conducted in a manner that will provide fair treatment to the respondent(s) and confidentiality to the extent possible without compromising public health and safety, or the inquiry or investigation.

As requested and as appropriate, the Research Integrity Officer and other institutional officials shall make reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct, but against whom there is a finding of no research misconduct. Depending on the particular circumstances, the Research Integrity Officer may facilitate the notification of those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in forums in which the allegation of research misconduct was previously publicized, and/or expunging references to the research misconduct allegation from the respondent's personnel file.

D. Deciding Official

The Executive Vice President and Provost for the University of Northern Iowa is the Deciding Official for purposes of this policy. The Deciding Official is the individual with final authority and responsibility for the policy and procedures described herein, unless delegated by the Deciding Official to another individual, as described in Section I-C. The Deciding Official will receive the inquiry and/or investigation report and any written comments made by the respondent and the complainant on the draft report. The Deciding Official will consult with the Research Integrity Officer or other appropriate officials and will determine whether to conduct an investigation, whether misconduct occurred, whether to impose sanctions, or whether to take other appropriate administrative actions. The Deciding Official will also be responsible, through the Research Integrity Officer, for making reports to sponsors, according to their requirements and federal regulations.

III. General Policies and Principles

A. Preliminary Assessment of Allegations

Upon receiving an allegation of research misconduct, the Research Integrity Officer will immediately assess the allegation to determine whether there is sufficient evidence or information to warrant an inquiry, whether federal support or federal applications for funding are involved, and whether the allegation falls under the definition of research and research misconduct.

If the Research Integrity Officer determines that the allegation does fall within the definition of misconduct, then the processes of *inquiry* and *investigation* will be explained to the complainant. If the complainant elects to pursue a formal allegation, then the complainant will be referred to the inquiry committee as soon as possible. Even if the complainant chooses not to make a formal allegation, if the Research Integrity Officer believes that there is sufficient basis to conduct an inquiry, the matter will be referred to the inquiry committee.

B. Confidentiality

The Research Integrity Officer shall, as required by PHS regulations at 42 CFR § 93.108, and except as otherwise required by federal or state law: (1) limit disclosure of the identity of respondents and complainants to those who need to know in order to carry out a thorough, competent, objective and fair research misconduct proceeding; and (2) limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The Research Integrity Officer should use written confidentiality agreements or other mechanisms to help ensure that the recipients of such information, records, or evidence do not make any further disclosure of identifying information.

The University of Northern Iowa will protect the privacy of those who report misconduct in good faith to the maximum extent possible. For example, if the complainant requests anonymity, the institution will make every effort to honor the request during the allegation assessment or inquiry within applicable policies, regulations, and state and local laws. The complainant will be advised that, if the matter is referred to an investigation committee and the complainant's testimony is required, anonymity may no longer be guaranteed. The University will undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations.

C. Cooperation with Research Misconduct Proceedings

All members and/or affiliates of the institution are expected to cooperate with the Research Integrity Officer and other institutional officials in the review of allegations and the conduct of inquiries and investigations. Institutional members, including respondents, have an obligation to provide evidence relevant to research misconduct allegations to the Research Integrity Officer or other institutional officials.

D. Allegations of Misconduct Against Persons Who Have Left the University

In the event that the subject of an allegation leaves the University, the inquiry and possible investigation will proceed, as appropriate. Ultimately, if it is determined that misconduct has occurred and the subject of the allegation is affiliated with another institution, then that institution will be notified of the finding.

E. Interim Administrative Actions

Throughout the research misconduct proceeding, the Research Integrity Officer will review the situation to determine if there is any threat of harm to public health, federal funds and equipment, or the integrity of the research process. In the event of such a threat, the Research Integrity Officer will, in consultation

with other institutional officials and the sponsor, take appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the research process and the handling of federal funds and equipment, reassignment of personnel and/or of the responsibility for the handling of federal funds and equipment, additional review of research data and results, or delaying publication.

IV. Conducting the Inquiry

A. Initiation and Purpose of the Inquiry

Following the preliminary assessment, if the Research Integrity Officer determines that the allegation provides sufficient information to allow specific follow-up, he or she will immediately initiate the inquiry process.

In initiating the inquiry, the Research Integrity Officer should identify clearly the original allegation and any related issues that should be evaluated. The purpose of the inquiry is to make a preliminary evaluation of the available evidence and testimony of the respondent, complainant, and key witnesses to determine whether there is sufficient evidence of possible research misconduct to warrant an investigation. The purpose of the inquiry is not to reach a final conclusion about whether misconduct definitely occurred or who is responsible. The findings of the inquiry must be set forth in an inquiry report.

B. Notifications and Sequestration of the Research Records

Upon initiating an inquiry, the Research Integrity Officer will notify the respondent in writing of the allegations that have been made, explain the inquiry process, and notify the respondent of his/her rights and responsibilities. Concurrent with or prior to notification to the respondent, the Research Integrity Officer shall have all original research records and materials relevant to the allegation immediately secured. If the research is funded by an external agency, the Research Integrity Officer may consult with that agency and/or its Office of Inspector General for advice and assistance in this regard. Research may proceed unless the Deciding Official determines it is not in the best interest of the respondent, complainant, funder, and/or institution for research activities to continue while an inquiry or investigation is under way.

C. Appointment of the Inquiry Committee

The Research Integrity Officer, in consultation with other institutional officials as appropriate, will appoint an inquiry committee consisting of five members (including committee chair) within ten working days of the initiation of the inquiry. In order to provide continuity of experience, the Research Integrity Officer may reappoint committee members who have served previously on an inquiry committee.

The inquiry committee should consist of individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary qualifications to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry. These individuals may be scientists, subject matter experts, administrators, lawyers, or other qualified persons, and they may be from inside or outside the University of Northern Iowa. If the respondent is a faculty member, a majority of the committee members will be UNI faculty members. The names of potential committee members will be sought periodically from the Faculty Senate (e.g, drawn from the Faculty Academic Misconduct Panel), the Professional and Scientific Council, the Merit Personnel Advisory Council, Student Government, and appropriate university officials.

The Research Integrity Officer will notify the respondent of the proposed committee membership within five working days. If the respondent submits a written objection to any appointed member of the inquiry committee based on bias or conflict of interest within five working days of receipt of the proposed committee membership, the Research Integrity Officer will determine whether to replace the challenged member with a qualified substitute.

D. Inquiry Process

The Research Integrity Officer will prepare a charge for the inquiry committee that describes the allegations and any related issues identified during the allegation assessment. The charge will state that the purpose of the inquiry is to make a preliminary evaluation of the evidence and testimony of the respondent, complainant, and key witnesses to determine whether there is sufficient evidence of possible research misconduct to warrant an investigation. The purpose is not to determine whether research misconduct definitely occurred or who is responsible.

At the committee's first meeting, the Research Integrity Officer will review the charge with the committee, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist the committee with organizing plans for the inquiry, and answer any questions raised by the committee. The Research Integrity Officer and institutional counsel will be present or available throughout the inquiry to advise the committee as needed.

If the research involves external support, the Research Integrity Officer will inform the inquiry committee that they are responsible for preparing or directing the preparation of a written report of the inquiry that meets the requirements of this policy and 42 CFR § 93.309(a) as applicable.

The inquiry committee will normally interview the complainant, the respondent and key witnesses as well as examining relevant research records and materials. Then the inquiry committee will evaluate the evidence and testimony obtained during the inquiry. After consultation with the Research Integrity Officer and institutional counsel, the committee members will decide whether there is sufficient evidence of possible research misconduct to recommend further investigation. The scope of the inquiry does not include deciding whether misconduct occurred or conducting exhaustive interviews and analyses.

The inquiry committee has completed its responsibility when the committee has concluded that the results of the inquiry have yielded sufficient information to determine whether the allegations are unsupported or whether there is sufficient evidence supporting the allegations to warrant a formal investigation. Upon completion, a written report will be submitted to the Deciding Official.

E. Inquiry Report

A written inquiry report must be prepared by the inquiry committee which includes the following components: (a) the name and title of the committee members and experts (if any); (b) the allegations; (c) the funding request or support, if any; (d) a summary of the inquiry process used; (e) a list of the research records reviewed; (f) summaries of any interviews; (g) a description of the evidence in sufficient detail to demonstrate whether an investigation is warranted or not; and (h) the committee's determination as to whether an investigation is recommended. Institutional counsel will review the report for legal sufficiency.

The Research Integrity Officer will provide the respondent with a copy of the draft inquiry report for comment and rebuttal and will provide the complainant, if he or she is identifiable, with portions of the draft inquiry report that address the complainant's role and opinions in the investigation. The Research

Integrity Officer may establish reasonable conditions for review to protect the confidentiality of the draft report.

Within fourteen calendar days of their receipt of the draft report, the complainant and the respondent will provide their comments, if any, to the inquiry committee. Any comments that the complainant or respondent submit on the draft report will become part of the final inquiry report and record. Based on the comments, the inquiry committee may revise the report as appropriate.

The inquiry committee will normally complete the inquiry and submit its report in writing to the Research Integrity Officer no more than fifty calendar days following its first meeting, unless the Research Integrity Officer approves an extension for good cause. If the Research Integrity Officer approves an extension, the reason for the extension will be entered into the records of the case and the report. The respondent will also be notified of the extension.

F. Inquiry Decision and Notification

The Research Integrity Officer will transmit the final inquiry report and any comments to the Deciding Official, who will make the determination of whether findings from the inquiry provide sufficient evidence of possible research misconduct to justify conducting an investigation. The inquiry is completed when the Deciding Official makes this determination, which will be made within ten working days of receipt of the inquiry report. Any extension of the period will be based on good cause and recorded in the inquiry file.

The Research Integrity Officer will then notify both the respondent and the complainant in writing of the Deciding Official's decision of whether to proceed to an investigation and will remind them of their obligation to cooperate in the event an investigation is opened. The Research Integrity Officer will also notify all appropriate institutional officials of the Deciding Official's decision.

If the research in question involves external support, within thirty calendar days of the Deciding Official's decision that an investigation is warranted, the Research Integrity Officer will provide the sponsor with the Deciding Official's written decision and a copy of the inquiry report, as required. The Research Integrity Officer must provide the following information to the sponsor upon request: (1) the institutional policies and procedures under which the inquiry was conducted; (2) a listing of the research records and evidence reviewed, transcripts or recordings of any interviews, and copies of all relevant documents; and (3) the allegations to be considered in the investigation.

If the Deciding Official decides that an investigation is not warranted, the Research Integrity Officer shall secure and maintain for seven years after the termination of the inquiry sufficiently detailed documentation of the inquiry to permit a later assessment by the sponsor or University of the reasons why an investigation was not conducted. These documents must be provided to the sponsor upon request.

V. Conducting the Investigation

A. Purpose of the Investigation

The investigation must begin within thirty calendar days after the determination by the Deciding Official that an investigation is warranted. The purpose of the investigation is to explore in detail the allegations, to examine the evidence in depth, and to determine specifically whether misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged misconduct involves clinical trials or potential harm to

human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation will be set forth in an investigation report.

B. Notifications and Sequestration of the Research Records

On or before the date on which the investigation begins, the Research Integrity Officer must: (1) notify the respondent in writing of the allegations to be investigated; and (2) in the case of externally-supported research, notify the sponsor of the decision to begin the investigation and provide the sponsor a copy of the inquiry report. The Research Integrity Officer must also give the respondent written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of the investigation.

The Research Integrity Officer will, prior to notifying respondent of the allegations, take reasonable and practical steps to obtain custody of and sequester in a secure manner all research records and evidence needed to conduct the research misconduct investigation that were not previously sequestered during the inquiry. Where the research records or evidence encompass scientific instruments shared by a number of users; custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. The need for additional sequestration of records for the investigation may occur for any number of reasons, including the institution's decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry.

C. Appointment of the Investigation Committee

The Research Integrity Officer, in consultation with other institutional officials as appropriate, will appoint an investigation committee and committee chair within ten working days of the notification to the respondent that an investigation is planned or as soon thereafter as practicable. The investigation committee should consist of at least three individuals (including the chair) who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary qualifications to evaluate the evidence and the issues related to the allegations. The investigation committee will interview the principals and key witnesses and conduct the investigation. These individuals may be scientists, administrators, subject matter experts, lawyers, or other qualified persons, and they may be from inside or outside the institution. To provide continuity of experience, the Research Integrity Officer may reappoint committee members who have served previously on an investigation committee.

Individuals who have served on the inquiry committee may not serve on the investigation committee relating to the same allegation/complaint, but may be interviewed as necessary by the investigation committee. If the respondent is a faculty member, a majority of the committee members will be UNI faculty members. The names of potential committee members will be sought periodically from the Faculty Senate (e.g, drawn from the Faculty Academic Misconduct Panel), the Professional and Scientific Council, the Merit Personnel Advisory Council, Student Government, and appropriate university officials.

The Research Integrity Officer will notify the respondent of the proposed committee membership within five working days. If the respondent submits a written objection to any appointed member of the investigation committee based on a bias or conflict of interest within five working days of receipt of the

proposed committee membership, the Research Integrity Officer will determine whether to replace the challenged member with a qualified substitute.

D. Investigation Process

The Research Integrity Officer will define the subject matter of the investigation in a written charge to the committee that describes the allegations and related issues that were identified during the inquiry, defines research misconduct, and identifies the name of the respondent. The charge will state that the committee is to evaluate the evidence and testimony of the respondent, complainant, and key witnesses to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, to what extent, who was responsible, and its seriousness.

The Research Integrity Officer will inform the committee that in order to determine that the respondent committed research misconduct, it must find that a preponderance of the evidence establishes that research misconduct, as defined in this policy, occurred. The Research Integrity Officer and institutional counsel will be present or available throughout the investigation to advise the committee as needed.

During the investigation, if additional information becomes available that substantially changes the subject matter of the investigation, or would suggest additional respondents, the committee will inform the Research Integrity Officer, who will determine whether it is necessary to notify the respondent of the new subject matter or to provide notice to additional respondents.

The Research Integrity Officer, with the assistance of institutional counsel, will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity of confidentiality and for developing a specific investigation plan. The investigation committee will be provided with a copy of these instructions and, where federal funding is involved, the applicable federal regulation(s).

The investigation will normally involve examination of all relevant documentation including, but not necessarily limited to, relevant research records, computer files, proposals, manuscripts, publications, correspondence, memoranda, and notes of telephone calls. Whenever possible, the committee should interview the complainant(s), the respondent(s), and other individuals, including experts, who might have information regarding aspects of the allegations. All interviews should be tape recorded or transcribed. Summaries, copies, or transcripts of the interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file.

E. Investigation Report

The investigation committee and the Research Integrity Officer are responsible for preparing a written draft report of the investigation that:

- Describes the general nature of the allegation of research misconduct, including identification of the respondent;
- Describes and documents any external support, including, for example, any grants that are involved, grant applications, contracts, and publications listing external support;
- Describes the specific allegations of research misconduct considered in the investigation;
- Includes the institutional policies and procedures under which the investigation was conducted (e.g., this policy), unless those policies and procedures were provided to the sponsor previously;

- Identifies and summarizes the research records and evidence reviewed and identifies any evidence taken into custody but not reviewed (and why the evidence was not reviewed); and
- Includes a statement of findings for each allegation of research misconduct identified during the investigation. Each statement of findings must: (1) identify whether the research misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (2) summarize the facts and the analysis that support the statement(s) of finding and consider the merits of any reasonable explanation by the respondent, including any effort by respondent to establish that he or she did not engage in research misconduct, e.g., because of honest error or a difference of opinion; (3) identify any relevant funding request or support; (4) identify any publications that need correction or retraction; (5) identify the person(s) responsible for the misconduct; and (6) make recommendations as to action that should be taken to address and/or remedy the misconduct and its impact.

The Research Integrity Officer will provide the respondent with a copy of the draft investigation report for comment and rebuttal. The respondent will be allowed thirty calendar days to review and comment on the draft report. The respondent's comments will be attached to the final report. The findings of the final report should take into account the respondent's comments in addition to all the other evidence, as appropriate.

The Research Integrity Officer will provide the complainant, if he or she is identifiable and has been involved in the investigation, with those portions of the draft investigation report that address the complainant's role and opinions in the investigation. The complainant will be allowed thirty calendar days to review and comment on the relevant portions of the draft report. The report should be modified, as appropriate, based on the complainant's comments.

The draft investigation report will be transmitted to the institutional counsel for review of its legal sufficiency. Comments should be incorporated into the report as appropriate.

In distributing the draft report, or portions thereof, to the respondent and complainant, the Research Integrity Officer will inform each recipient of the confidentiality under which the draft report is made available and may establish reasonable conditions to help ensure confidentiality. For example, the Research Integrity Officer may request that the recipient sign a confidentiality statement, or come to the Research Integrity Officer's office to review the report.

After comments have been received and any necessary changes have been made to the draft report, the investigation committee will transmit the final report with attachments, including any comments from the respondent and complainant, to the Deciding Official, through the Research Integrity Officer.

F. Institutional Review and Decision

Based on a preponderance of the evidence, the Deciding Official will make the final written determination that shall include – (1) whether the investigation report and its findings are accepted, and (2) institutional actions to be taken. In the case of federal funding, if this determination varies from that of the investigation committee, the Deciding Official will explain in detail the basis for rendering a decision different from that of the investigation committee in the institution's letter transmitting the report to the sponsor. The Deciding Official's explanation to the sponsor should not be inconsistent with the federal definition of research misconduct, and, in all cases, should be consistent with the institution's policies and procedures, and the evidence reviewed and analyzed by the investigation committee. The Deciding Official may also return the report to the investigation committee with a request for further fact-finding or

analysis. The Deciding Official's determination, together with the investigative committee's report, constitutes the final investigation report.

When a final decision on the case has been reached, the Research Integrity Officer will notify both the respondent and the complainant in writing of the final decision. In addition, the Deciding Official will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case. The Research Integrity Officer is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.

VI. Requirements for Reporting to the Sponsor if Research is Federally-Funded

A. Sponsor Notification and Record-Keeping

In the case of federally-funded research, unless an extension has been granted by the sponsor, or other agency-specific regulations apply, the Research Integrity Officer must submit the following to the sponsor within the 120-day period for completing the investigation: (1) a copy of the final investigation report with all attachments; (2) a statement of whether the institution accepts the findings of the investigation report; (3) a statement of whether the institution found research misconduct and, if so, who committed the misconduct; and (4) a description of any pending or completed administrative actions against the respondent.

The Research Integrity Officer must maintain and provide to the sponsor upon request "records of research misconduct proceedings", as that term is defined by regulation, specifically 42 CFR § 93.317 in the case of DHHS. Unless custody has been transferred to the sponsor, or the sponsor has advised in writing that the records no longer need to be retained, records of research misconduct proceedings must be maintained in a secure manner for 7 years after completion of the proceeding or the completion of any federal agency proceeding involving the research misconduct allegation. The Research Integrity Officer is also responsible for providing any information, documentation, research records, evidence or clarification requested by the sponsor to carry out its review of an allegation of research misconduct or of the institution's handling of such an allegation.

The Research Integrity Officer will notify the sponsor as required if there are plans to close a case involving federal funding at the inquiry, investigation, or appeal stage on the basis that respondent has admitted guilt, a settlement with the respondent has been reached, or for any other reason, except closing of a case at the inquiry stage on the basis that an investigation is not warranted.

If the institution determines that it will not be able to complete the investigation in 120 calendar days, the Research Integrity Officer will submit to the sponsor a written request for an extension. The request will explain the delay, report on the progress to date, estimate the date of completion of the report, and describe other necessary measures to be taken. If the request is granted, the Research Integrity Officer will file periodic progress reports as requested by the sponsor.

B. The Admission of Research Misconduct by a Respondent

When funding or applications for funding are involved and an admission of research misconduct is made, the Research Integrity Officer will contact the sponsor for consultation and advice as appropriate. Normally, the individual making the admission will be asked to sign a statement attesting to the occurrence and extent of misconduct. If the case involves PHS funds, the institution cannot accept an

admission of research misconduct as a basis for closing a case or not undertaking an investigation without prior approval from the Office of Research Integrity.

C. Mandatory Reasons for Notifying the Sponsor During An Inquiry or Investigation

The Research Integrity Officer shall, at any time during a research misconduct proceeding involving funded research, notify the sponsor immediately if he/she has reason to believe that any of the following conditions exist:

- Health or safety of the public is at risk including an immediate need to protect human or animal subjects;
- Federal resources or interests are threatened;
- Research activities should be suspended;
- There is a reasonable indication of a possible violation(s) of civil or criminal law;
- Federal action is required to protect the interests of those involved in the research misconduct proceedings;
- The research misconduct proceedings may be made public prematurely and federal action may be necessary to safeguard evidence and protect the rights of those involved; or
- The research community or public should be informed.

D. Sponsor Review of Investigation Report

After receipt of the final report and supporting materials from the Deciding Official, the sponsor (if any) may assess whether the investigation has been performed in a timely manner and with sufficient objectivity, thoroughness and competence. The sponsor may also request clarification or additional information and, if necessary, perform its own investigation. Although the University has primary responsibility to conduct an inquiry or investigation, federal sponsors reserve the right to perform their own investigation(s) at any time prior to, during, or following the University's investigation. In addition to any sanctions the University may decide to impose, the sponsor may impose sanctions of its own upon the respondent(s) or the University based on authorities it possesses or may possess.

VII. Institutional Administrative Actions

The University of Northern Iowa will take appropriate administrative actions against individuals when an allegation of misconduct has been admitted and/or substantiated.

If the Deciding Official determines that the alleged misconduct is admitted by the respondent and/or substantiated by the findings, he or she will decide on the appropriate actions to be taken, after consultation with the Research Integrity Officer. The actions may include:

- (1) withdrawal or correction of all pending or published abstracts and papers emanating from the research where research misconduct was found;
- (2) removal of the responsible person from the particular project, verbal warning, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction, and/or initiation of steps leading to possible rank reduction or termination of employment;
- (3) restitution of funds as appropriate.

The termination of the respondent's institutional employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not necessarily preclude or terminate the misconduct procedures.

If the respondent, without admitting to misconduct, elects to resign his or her position prior to the initiation of an inquiry, but after the allegation has been reported, or during an inquiry or investigation, the inquiry or investigation will proceed, as appropriate. If the respondent refuses to participate in the process after resignation, the committee will use its best efforts to reach a conclusion concerning the allegations, noting in its report the respondent's failure to cooperate or participate, and its effect on the committee's review of the evidence.

VIII. Record Retention

After completion of a case and all ensuing related actions, the Research Integrity Officer will prepare a complete file, including the records of any inquiry and/or investigation and copies of all documents and other materials furnished to the Research Integrity Officer or committees. The Research Integrity Officer will keep the file for 7 years after completion of the case. External sponsors, if any, will be given access to the relevant records upon request.

IX. Respondent's Right to Appeal

A respondent who has been disciplined has the right to appeal or grieve that administrative action. The University of Northern Iowa has established grievance procedures for faculty, staff, and students. The grievance procedures will vary for faculty, Merit-System employees, Professional and Scientific staff, graduate students, and undergraduate students. A respondent who wishes to appeal the administrative action should select the appropriate grievance procedure and observe the requirements specified for the applicable grievance procedure. The respondent also has the right to appeal to their respective Appeals body for a review of the procedures implemented that led to a determination of misconduct and/or the sanction(s) applied. The respondent may not appeal the substance of the determinations, but may argue that the procedures used to make the determinations were not consistent with the published policies and procedures for doing so.

Within fifteen class days of being notified of a final decision by the appropriate Appeals Board, the grievant may subsequently appeal the decision of the Board to the President or his designee, on the grounds that the stated grievance procedures were not followed. An appeal is initiated by filing a written statement with the Office of the President of the university which clearly outlines the claimed violations of procedure and indicates how the procedural violation prejudiced the decision of the Board. The President or her/his designee will examine the transcript of the Board proceedings and all exhibits entered as evidence to make a decision. A decision must be made and communicated within ten working days of the receipt of the appeal. The President or designee may either remand the case back to the Board with direction to reconsider the case in the light of the specified procedural problems or uphold the Board's decision as procedurally sound. The substance of the Appeals Board's decision is not appealable.

Grievance Procedures

For Faculty, see http://www.uni.edu/unitedfaculty/grievance/uf_grievance_procedures.htm

Or <http://www.uni.edu/vpaa/09-11facultycontract/11.shtml>

For Professional and Scientific staff, see <http://www.vpaf.uni.edu/hrs/ps/handbook/j/grievances.htm>

For Merit System employees, see <http://www.uni.edu/president/policies/1203.shtml>

For Graduate Students, see <http://www.uni.edu/president/policies/1201.shtml>

For Undergraduate Students, see <http://www.uni.edu/president/policies/1202.shtml>

Other Related Policies

For information on student academic ethics overall, see <http://www.uni.edu/president/policies/301.shtml>

For information on nonacademic student conduct overall, see

<http://www.uni.edu/president/policies/302.shtml>

For information on faculty academic ethics overall, see <http://www.uni.edu/president/policies/610.shtml>

APPENDIX A: DEFINITIONS USED IN THIS POLICY

Allegation means any written or oral statement or other indication of possible research misconduct made to an institutional official.

Complainant means a person who makes an allegation of research misconduct.

Conflict of Interest means the real or apparent interference of one person's interests with the interests of another person or organization, where potential bias may occur due to prior or existing personal or professional relationships.

Deciding Official means the institutional official who oversees the process described in this policy and makes the final determination on allegations of research misconduct and any responsive institutional actions, except on those delegated to other institutional officials as described in Section I-C. The Deciding Official at the University of Northern Iowa is the Executive Vice President and Provost or the Provost's designee.

DHHS means the United States Department of Health and Human Services.

Evidence means any document, tangible item, or testimony offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact.

Good faith as applied to a complainant or witness, means having a belief in the truth of one's allegation or testimony that a reasonable person in the complainant's or witness's position could have based on the information known to the complainant or witness at the time. An allegation or cooperation with a research misconduct proceeding is not in good faith if it is made with knowing or reckless disregard for information that would negate the allegation or testimony. Good faith as applied to a committee member means cooperating with the purpose of helping an institution meet its responsibilities under 42 CFR Part 93. A committee member does not act in good faith if his/her acts or omissions on the committee are dishonest or influenced by personal, professional, or financial conflicts of interest with those involved in the research misconduct proceeding.

Inquiry means gathering information and initial fact-finding to determine whether an allegation or apparent instance of research misconduct warrants an investigation.

Institutional Member means a person who is employed by, is an agent of, or is affiliated by contract or agreement with the University of Northern Iowa. Institutional members may include, but are not limited to, officials, tenured and untenured faculty, teaching and support staff, researchers, research coordinators, clinical technicians, postdoctoral and other fellows, students, volunteers, agents, and contractors, subcontractors, and sub awardees, and their employees.

Institutional Official means an individual authorized to act for the institution and obligate the institution to meet its responsibilities as outlined in federal regulations and University policy.

Investigation means the formal examination and evaluation of relevant facts to determine if misconduct has occurred and, if so, to determine the responsible person and the seriousness of the misconduct.

ORI means the Office of Research Integrity, the office within the U.S. Department of Health and Human Services (DHHS) that is responsible for addressing research misconduct and research integrity issues related to PHS supported activities.

PHS means the U.S. Public Health Service, an operating component of the DHHS, and includes the following Operating Divisions: Agency for Healthcare Research and Quality, Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention, Food and Drug Administration, Health Resources and Services Administration, Indian Health Service, National Institutes of Health, and the Substance Abuse and Mental Health Services Administration, and the offices of the Regional Health Administrators.

PHS regulation means the Public Health Service regulation establishing standards for institutional inquiries and investigations into allegations of research misconduct, which is set forth at 42 CFR Part 93, entitled "Public Health Service Policies on Research Misconduct.

Records of research misconduct proceedings means: (1) the research records and evidence secured for the research misconduct proceedings pursuant to this policy and 42 CFR §§ 93.305, 93.307(b), and 93.310(d), except to the extent the Research Integrity Officer determines and documents that those records are not relevant to the proceeding or that the records duplicate other records that have been retained; (2) the documentation of the determination of irrelevant or duplicate records; (3) the inquiry report and final documents (not drafts) produced in the course of preparing that report, including the documentation of any decision not to investigate, as required by 42 CFR § 93.309(c); (4) the investigation report and all records (other than drafts of the report) in support of the report, including the recordings of transcripts of each interview conducted; and (5) the complete record of any appeal within the institution from the finding of research misconduct.

Research Integrity Officer means the institutional official responsible for assessing allegations of research misconduct and determining when such allegations warrant inquiries and for overseeing inquiries and investigations.

Research misconduct proceeding means any actions related to alleged research misconduct that is within 42 CFR Part 93, including but not limited to, allegation assessments, inquiries, investigations, sponsor oversight reviews, hearings and administrative appeals.

Research Record means the record of data or results that embody the facts resulting from research work, including but not limited to both physical and electronic research proposals, laboratory records, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, and any documents and materials provided to an institutional official by a respondent in the course of the research misconduct proceeding.

Respondent means the person against whom an allegation of research misconduct is directed or the person whose actions are the subject of the inquiry or investigation. There can be more than one respondent in any inquiry or investigation.

Retaliation means an adverse action taken against a complainant, witness or committee member by the Respondent or this institution or one of its institutional members in response to (1) a good faith allegation of research misconduct; or (2) good faith cooperation with a research misconduct proceeding.

APPENDIX B: SUMMARY OF TIME FRAMES

APPLICABILITY

Section IB. Policy applies only to misconduct that has occurred within **6 years** of the date the University or sponsor received the allegation, except as provided for in 42 CFR 93.105(b).

INQUIRY

Section IIC. and Section IVB. RIO will notify respondent upon initiating an inquiry. **Concurrent or prior to that**, the RIO will secure research records.

Section IVC. Inquiry committee must be appointed within **10 working days** of initiation of inquiry.

Section IVC. RIO will notify respondent of inquiry committee membership within **5 working days** and respondent must make any objections in writing within **5 working days** of receipt of the information.

Section IVE. Respondent and complainant must provide any comments they may have on the draft inquiry report in writing to the inquiry committee within **14 calendar days**.

Section IVE. Inquiry committee will normally complete the inquiry and submit its report in writing to the RIO within **50 calendar days** following its first meeting, unless the RIO grants an extension.

Section IVF. Deciding Official must make final decision about whether or not to proceed to investigation within **10 working days** of receiving the inquiry report.

PROCEEDING TO INVESTIGATION

Section IVF. If external funding is involved and a decision has been made to proceed to investigation, the RIO will notify the sponsor within **30 calendar days** of the decision to proceed, including any required documentation.

Section VA. Investigation must begin within **30 calendar days** of decision to proceed.

Section VB (and Section IIC). RIO will notify respondent and sponsor of decision to proceed to investigation and any new allegations **on or before the date** that the investigation begins.

INVESTIGATION

Section VC. RIO will appoint investigation committee within **10 working days** of notifying respondent of decision to investigate, or as soon thereafter as practicable.

Section VC. RIO will notify respondent of investigation committee membership within **5 working days** and respondent must make any objections in writing within **5 working days** of receipt of the information.

Section VE (and Section IIC). Respondent and complainant must provide any comments they may have on the draft investigation report in writing to the RIO within **30 calendar days**.

Section VIA. Investigation will normally be completed and the RIO submit the report in writing to the sponsor within **120 calendar days**. If more than 120 days is needed, RIO will request in writing an extension from the sponsor (if applicable).

RECORD KEEPING

Section IVF. RIO will keep records of inquiry for 7 years after decision not to proceed to investigation.

Section VIA and Section VIII. RIO will maintain records of research misconduct proceedings for 7 years after completion of University or federal investigation proceedings, unless sponsor approves or custody has been transferred to the sponsor.

OTHER

Section VIC. RIO must notify sponsor immediately in special circumstances (see list in section VIC).