TO: Members of the Senate
FROM: Secretary of the Senate
SUBJECT: Senate Meeting on March 3, 2016
DATE: February 19, 2016

The March meeting of the University Senate will be held on Thursday, March 3, 2016, at 4:05 p.m. in Education, Room 113.

AGENDA

1) Announcements

2) Minutes of the previous two meetings and business arising from the minutes

3) Question period

CONSENT CALENDAR:

4) Annual report of the Senate Student Academic Standards Committee, Marci Mack, Chair, Student Academic Standards Committee (attachment #1)

5) Annual report of the Senate Administrative Procedures Committee, Marci Mack, Chair, Administrative Procedures Committee (attachment #2)

6) Annual report of the Senate Academic Policies & Admissions Committee, Janet Jedlicka, Chair, Academic Policies & Admissions Committee (attachment #3)

BUSINESS CALENDAR:

7) Curriculum Committee report, Roxanne Hurley, Chair, University Curriculum Committee (handout at meeting)

8) Nominations for Senate Committees, Kathy Smart, Chair, Senate Committee on Committees (attachment #4)

9) Proposed changes to the Senate Library Committee Charge (attachment #5)

10) Proposed changes to the Misconduct in Scholarship (Creative Activity) Policy, Senate Conflict of Interest/Scientific Misconduct Committee (attachment #6)
TO: University Senate
FROM: Marci Mack, Chair, Student Academic Standards Committee
DATE: March 3, 2016
RE: 2014-15 Annual Student Academic Standards Committee Report to Senate

The Student Academic Standards Committee, an appeals board, meets upon demand. The Committee functions within the guidelines approved by the Senate on February 3, 1983, as revised in April, 1985, and again as revised on March 4, 1999. A summary of the year's Probation/Suspension/Dismissal, Reinstatement, Academic Grievance and exceptions to admission standards activities is indicated below.

Because of the confidential nature of the information about the students, the Committee keeps no written minutes other than a statement about the action taken with respect to each student seeking reinstatement. When a grade grievance is the issue before the Committee, minutes are kept of the entire proceedings.

The Committee meets as needed, with the greatest demand usually occurring at a time immediately preceding the beginning of a term.

Fall 2014-Spring/Summer 2015, members held 7 meetings between the dates of December 18, 2014 and September 6, 2015.

Membership:

Spring, 2014
Andrew Quinn
Doug Munski
Tim Proscott
Sarah Edwards
Michael Flynn
Vikki McCleary
Alan Oberg - student member
Sean McClain - student member
Michael Mann - VPAA designee
Suzanne Anderson - ex-officio
non-voting chair

Fall, 2014 & Spring, 2015
Tim Prescott
Janna Schill
Michael Flynn
Vikki McCleary
Sherrie Fleshman
Kim Kenville
Michael Mann - VPAA designee
McKenzie Darling - student member
vacant - student member
Suzanne Anderson - ex-officio
non-voting chair

STUDENT ACADEMIC STANDARDS COMMITTEE SUMMARY REPORT FOR 2014-15

A. Students suspended:

1. Suspended after Spring Semester 2015 (1530) 210
2. Suspended after Summer Session 2015 (1540) 31
3. Suspended after Fall Semester 2014 (1510) 170
Total suspended for year 411

B. Students dismissed:

1. Dismissed after Spring Semester 2015 (1530) 17
2. Dismissed after Summer Session 2015 (1540) 4
3. Dismissed after Fall Semester 2014 (1510) 14
Total dismissed for year 35
C. Students reinstated by Deans

1. Reinstated Spring Semester 2015 (1530) 87
2. Reinstated Summer Session 2015 (1540) 27
3. Reinstated Fall Semester 2014 (1510) 151
   Total reinstatements by Dean for the year 265

D. Requests for Reinstatement by Committee

1. Approved 8
2. Denied 5
3. No Action 0

E. Personal Appeals of Denied Reinstatements

1. Approved 0
2. Denied 0

F. Academic Grievance Reviews 2

G. Students Admitted for Spring Semester 2015 (1530)

Freshmen:

1. Admitted as Exceptions 0
2. Admitted as Exemptions (not meeting HS core) 1
3. Denied 4

Transfers (with fewer than 24 transferable credits):

1. Admitted as Exceptions 0
2. Admitted as Exemptions (not meeting HS core) 0
3. Denied 0

H. Students Admitted for Fall Semester 2014 (1510)

Freshman:

1. Admitted as Exceptions 9
2. Admitted as Exemptions (not meeting HS core) 18
3. Denied 39

Transfer (with fewer than 24 transferable credits):

1. Admitted as Exceptions 0
2. Admitted as Exemptions (not meeting HS core) 0
3. Denied 1
TO: University Senate
FROM: Marci Mack, Chair, Administrative Procedures Committee
DATE: March 3, 2016
RE: 2014-15 Annual Administrative Procedures Committee Report to University Senate

I. The Administrative Procedures Committee met on 9 occasions to review student petitions for deviations from university-wide academic requirements and policies related to registration deadlines, grade changes, and all other administrative procedures not reserved to the jurisdiction of the Deans, except for general education requirements. The summary table below reports the activity of the committee from March 27, 2014 through March 5, 2015.

II. Membership:

<table>
<thead>
<tr>
<th>Spring 2014</th>
<th>Fall 2014 and Spring 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim Schroeder</td>
<td>Ken Ruit</td>
</tr>
<tr>
<td>Daniel Malott</td>
<td>Doug Munsiki</td>
</tr>
<tr>
<td>Ken Ruit</td>
<td>Kimberly Porter</td>
</tr>
<tr>
<td>Doug Munsiki</td>
<td>Victor Lieberman</td>
</tr>
<tr>
<td>Robert Hill, Dean</td>
<td>Sarah Mosher</td>
</tr>
<tr>
<td>Gwen Halaas, Dean</td>
<td>Bruce Smith, Dean</td>
</tr>
<tr>
<td>Jake Miller, Student</td>
<td>Robert Hill, Dean</td>
</tr>
<tr>
<td>Suzanne Anderson, ex officio, non-voting chair</td>
<td>Suzanne Anderson, ex officio, non-voting chair</td>
</tr>
<tr>
<td>Marci Mack, recorder</td>
<td>Marci Mack, recorder</td>
</tr>
</tbody>
</table>

III. ADMINISTRATIVE PROCEDURES COMMITTEE REPORT FOR 2014-15

A. Petitions by type:

<table>
<thead>
<tr>
<th></th>
<th>Approved</th>
<th>Denied</th>
<th>Tabled</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Drops after deadline</td>
<td>39</td>
<td>22</td>
<td>3</td>
<td>64</td>
</tr>
<tr>
<td>2. Grade changes</td>
<td>268</td>
<td>6</td>
<td>4</td>
<td>278</td>
</tr>
<tr>
<td>3. Change to/from S/U</td>
<td>7</td>
<td>4</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>4. Change to/from Credit to Audit</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>5. Remove &quot;W&quot; from record</td>
<td>6</td>
<td>10</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>6. Withdraw after deadline</td>
<td>8</td>
<td>20</td>
<td>0</td>
<td>28</td>
</tr>
<tr>
<td>7. Accept transfer credit</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8. Grade Forgiveness</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>9. Repeat 1 course with another</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10. Change number of credits after deadline</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>11. Accept credits from 2-yr. college to satisfy 60-credit requirement from 4-yr. institution</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>12. Change registration</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>13. Change credits after deadline</td>
<td>16</td>
<td>0</td>
<td>0</td>
<td>16</td>
</tr>
</tbody>
</table>

340 63 7 410
B. Personal re-considerations after denials: 4 Approved, 3 Denied

C. Referred for additional information: 12

IV. A. Spring 2015 (1530) grade changes approved administratively by the Office of the Registrar for the Administrative Procedures Committee.

<table>
<thead>
<tr>
<th>Department</th>
<th>Number</th>
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</thead>
<tbody>
<tr>
<td>College of Arts and Sciences</td>
<td>45</td>
</tr>
<tr>
<td>School of Engineering and Mines</td>
<td>9</td>
</tr>
<tr>
<td>School of Law</td>
<td>1</td>
</tr>
<tr>
<td>College of Nursing</td>
<td>7</td>
</tr>
<tr>
<td>College of Business &amp; Public Administration</td>
<td>12</td>
</tr>
<tr>
<td>Graduate School</td>
<td>3</td>
</tr>
<tr>
<td>School of Medicine</td>
<td>6</td>
</tr>
<tr>
<td>Center for Aerospace Sciences</td>
<td>10</td>
</tr>
<tr>
<td>College of Education and Human Development</td>
<td>3</td>
</tr>
<tr>
<td>Military Science</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>96</strong></td>
</tr>
</tbody>
</table>

B. Fall 2014 (1510) grade changes approved administratively by the Office of the Registrar for the Administrative Procedures Committee.

<table>
<thead>
<tr>
<th>Department</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>College of Arts and Sciences</td>
<td>9</td>
</tr>
<tr>
<td>School of Engineering and Mines</td>
<td>2</td>
</tr>
<tr>
<td>School of Law</td>
<td>0</td>
</tr>
<tr>
<td>College of Nursing</td>
<td>5</td>
</tr>
<tr>
<td>College of Business &amp; Public Administration</td>
<td>6</td>
</tr>
<tr>
<td>Graduate School</td>
<td>5</td>
</tr>
<tr>
<td>School of Medicine</td>
<td>0</td>
</tr>
<tr>
<td>Center for Aerospace Sciences</td>
<td>13</td>
</tr>
<tr>
<td>College of Education &amp; Human Development</td>
<td>0</td>
</tr>
<tr>
<td>Other (Military Science, Honors)</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>41</strong></td>
</tr>
</tbody>
</table>

C. Summer 2014 (1440) grade changes approved administratively by the Office of the Registrar for the Administrative Procedures Committee.

<table>
<thead>
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<th>Department</th>
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<tbody>
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</tr>
<tr>
<td>School of Engineering and Mines</td>
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</tr>
<tr>
<td>School of Law</td>
<td>0</td>
</tr>
<tr>
<td>College of Nursing</td>
<td>1</td>
</tr>
<tr>
<td>College of Business &amp; Public Administration</td>
<td>12</td>
</tr>
<tr>
<td>Graduate School</td>
<td>3</td>
</tr>
<tr>
<td>School of Medicine</td>
<td>6</td>
</tr>
<tr>
<td>Center for Aerospace Sciences</td>
<td>9</td>
</tr>
<tr>
<td>College of Education &amp; Human Development</td>
<td>8</td>
</tr>
<tr>
<td>Other (Military Science, Honors)</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>107</strong></td>
</tr>
</tbody>
</table>
D. **Spring 2014 (1430) grade changes approved administratively by the Office of the Registrar for the Administrative Procedures Committee.**

<table>
<thead>
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<th>Department</th>
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<tbody>
<tr>
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<tr>
<td>School of Engineering &amp; Mines</td>
<td>4</td>
</tr>
<tr>
<td>School of Law</td>
<td>1</td>
</tr>
<tr>
<td>College of Nursing</td>
<td>0</td>
</tr>
<tr>
<td>College of Business &amp; Public Administration</td>
<td>6</td>
</tr>
<tr>
<td>Graduate School</td>
<td>0</td>
</tr>
<tr>
<td>School of Medicine</td>
<td>1</td>
</tr>
<tr>
<td>Center for Aerospace Sciences</td>
<td>4</td>
</tr>
<tr>
<td>College of Education &amp; Human Development</td>
<td>4</td>
</tr>
<tr>
<td>Other (Military Science, Honors)</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>28</strong></td>
</tr>
</tbody>
</table>
To: Lori Hofland, Administrative Assistant, Office of the Registrar

From: Janet Jedlicka, Chair, Academic Policies and Admissions Committee, 2015-2016


Date: January 14, 2016

The following issues were discussed and voted upon during the 2014-2015 academic year:

**Cooperative Education Policy**
Approval of a new policy regarding Cooperative Education reporting guidelines as provided by the student financial aid office. The updated policy brought UND into compliance with federal financial aid.

**Changing the Current Definitions**

Freshman: 0-23 credits completed
Sophomore 24-59 credits completed

The rationale is that 24 credits signals needing only 12 credits per semester for the first year, and yet this rate is not adequate for a 4-year graduation. The thought was a change to something like 0-29 and 30-59 credits completed.

Follow up with other groups took place and the decision was made to table this due to NDUS and State Auditors discussion regarding proof of posted graduation date as it relates to AA/AS 60 credits to earn a degree and due to residency for tuition purposes requirements

**Minimum Undergraduate Degree Credits**
The committee reviewed a proposal for changing the minimum credit hours for a UND Undergraduate Degree as requested by the University senate. Discussion regarding program impacts and being able to cover content in addition to program accreditation were raised during the discussion. Questions concerning notification to the Higher Learning Commission were also discussed. More than just APAC members need to be at the table for discussion. Does the removal of credits come out of Essential Studies; they need to be at the table in this discussion. Matthew Cavalli, chair of the APAC committee for 2014/2015 responded to the university senate that there were significant concerns related to this proposals and that it would need to have various stake holders at the table. Dr. Cavalli’s response was sent in August 2014 and the discussion was tabled at that point.

**Good Academic Standing Policy**
Committee discussed the policy of applicants must be in good standing. Look to modify the policy of those applicants academically suspended from a former institution (could be 5 years or more) but, are currently enrolled at another institution in good academic standing.
Recommendation: Students in good academic standing may apply for admission after completing 24 credits from a regionally accredited institution that they are currently attending. Students who have less than two full time semesters or less than 24 credits and who are not in good academic standing at their current institution can petition the eligibility for admission after four years of not attending an institution.

APAC would like to have the recommended modifications to the good standing policy taken to SASC to see if they would be willing to include these appeals as part of their review process in making admission decisions. If they agree then the approved policy by APAC would need to go to Senate for approval.

**Academic Honors Calculation Policy**

The policy was discussed regarding how academic honors were calculated. Currently the policy states that and honors GPA is based only on UND course work, and not Cum GPA. The committee determined that the current policy was reflective of the students work at UND and voted to maintain the policy of only using UND Credits.

Issue forwarded to the 2015-2016 academic year and discussed in fall 2015:

**Applicants Must Submit All Transcripts Policy**

A discussion surrounding Study Abroad credits related to the policy took place. It was decided that the Committee needed to collect more data.

**Student Senate Resolution** to decrease the credit hours required for graduation from 125 to 120. The committee has been gathering data from other institutions and stakeholders, this information will be reviewed at the February 1, 2016 meeting.
### 1. Academic Policies & Admissions Committee

**Term Expires:** Elect 2 until 2019

<table>
<thead>
<tr>
<th>COMMITTEE</th>
<th>CONTINUING MEMBERS</th>
<th>TERM EXPIRES</th>
<th>NOMINEES</th>
<th>TERM EXPIRES</th>
<th>VOTE</th>
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<tbody>
<tr>
<td></td>
<td>T. Prescott (A&amp;S)</td>
<td>2017</td>
<td>James Csaler (JDO)</td>
<td>2019</td>
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<tr>
<td></td>
<td>S. Mosher (A&amp;S)</td>
<td>2017</td>
<td>Renee Mabey (MED)</td>
<td>2019</td>
<td></td>
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<td></td>
<td>A. Badashah (A&amp;S)</td>
<td>2018</td>
<td>Yeo Howe Lim (CEM)</td>
<td>2016</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Hans Broedel (AS)</td>
<td>2019</td>
<td></td>
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<td></td>
<td></td>
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<td>Cal Xia Yang (CEM)</td>
<td>2019</td>
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<td></td>
<td></td>
<td></td>
<td>Slavka Antorova (AS)</td>
<td>2019</td>
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### 2. Administrative Procedures

**Term Expires:** Elect 2 until 2018

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<th>COMMITTEE</th>
<th>CONTINUING MEMBERS</th>
<th>TERM EXPIRES</th>
<th>NOMINEES</th>
<th>TERM EXPIRES</th>
<th>VOTE</th>
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<tr>
<td></td>
<td>K. Porter (A&amp;S)</td>
<td>2017</td>
<td>Paul Drechsel (JDO)</td>
<td>2016</td>
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<td></td>
<td>A. Quinn (NUR)</td>
<td>2017</td>
<td>Peter Schumacher (JDO)</td>
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<td></td>
<td>J. Schill (MED)</td>
<td>2017</td>
<td>Kanishka Marasingha (AS)</td>
<td>2016</td>
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<td></td>
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<td></td>
<td>Emily Cherry (AS)</td>
<td>2016</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Douglas Hong (AS)</td>
<td>2016</td>
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</table>

### 3. Budget, Restructuring and Reallocation

**Term Expires:** Elect 3 until 2020 (1 JDO, 1 CEM, 1 EHD)

<table>
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<tr>
<th>COMMITTEE</th>
<th>CONTINUING MEMBERS</th>
<th>TERM EXPIRES</th>
<th>NOMINEES</th>
<th>TERM EXPIRES</th>
<th>VOTE</th>
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<tbody>
<tr>
<td></td>
<td>M. Askim-Lovsoth (BPA)</td>
<td>2017</td>
<td>Kim Kervilo (JDO)</td>
<td>2020</td>
<td></td>
</tr>
<tr>
<td></td>
<td>T. Heitkamp (NUR)</td>
<td>2017</td>
<td>Terra Jorgenson (JDO)</td>
<td>2020</td>
<td></td>
</tr>
<tr>
<td></td>
<td>B. Myers (LAW)</td>
<td>2017</td>
<td>Philip Gerla (CEM)</td>
<td>2020</td>
<td></td>
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<tr>
<td></td>
<td>M. Gjellstad (A&amp;S)</td>
<td>2018</td>
<td>Kathy Smart (EHD)</td>
<td>2020</td>
<td></td>
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<tr>
<td></td>
<td>R. Zerr (A&amp;S)</td>
<td>2016</td>
<td></td>
<td>2020</td>
<td></td>
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<td></td>
<td>J. Shabb (MED)</td>
<td>2018</td>
<td></td>
<td>2020</td>
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</tr>
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</table>

### 4. Compensation

**Term Expires:** Elect 3: 1 Tenured until 2017; 1 Tenure-Track & 1 Tenured until 2019

<table>
<thead>
<tr>
<th>COMMITTEE</th>
<th>CONTINUING MEMBERS</th>
<th>TERM EXPIRES</th>
<th>NOMINEES</th>
<th>TERM EXPIRES</th>
<th>VOTE</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>D. Lawrence (A&amp;S) (T)</td>
<td>2017</td>
<td>Jin Lui (JDO) (T)</td>
<td>2017</td>
<td></td>
</tr>
<tr>
<td></td>
<td>G. Onchswal (EHD) (T)</td>
<td>2017</td>
<td>Melanie Sage (CNPD) (TT)</td>
<td>2017</td>
<td></td>
</tr>
<tr>
<td></td>
<td>to replace David Whalen (T)</td>
<td>2017</td>
<td>David Flynn (BPA) (T)</td>
<td>2017</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S. Robinson (A&amp;S) (NT)</td>
<td>2018</td>
<td>Richard Wise (AS) (T)</td>
<td>2019</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Iraj Marnaghari (CEM) (T)</td>
<td>2019</td>
<td></td>
</tr>
</tbody>
</table>

### 5. Conflict of Interest/Scientific Misconduct

**Term Expires:** Elect 4 until 2019 (1 JDO, 1 CEM, 1 EHD, 1 A&S-humanities/life arts)

<table>
<thead>
<tr>
<th>COMMITTEE</th>
<th>CONTINUING MEMBERS</th>
<th>TERM EXPIRES</th>
<th>NOMINEES</th>
<th>TERM EXPIRES</th>
<th>VOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A. Bradley (A&amp;S-soc. science)</td>
<td>2017</td>
<td>Paul Hardersen (JDO)</td>
<td>2019</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. Kohn (A&amp;S-soc. science)</td>
<td>2017</td>
<td>Debra Maury (AS-humanities)</td>
<td>2019</td>
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</tr>
<tr>
<td></td>
<td>E. Murphy (MED)</td>
<td>2017</td>
<td>Marcus Weaver-Hightower (EHD)</td>
<td>2019</td>
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<tr>
<td></td>
<td>S. Harken (LIB)</td>
<td>2018</td>
<td>Iraj Marnaghari (CEM)</td>
<td>2019</td>
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</tr>
<tr>
<td></td>
<td>T. Clement (BPA)</td>
<td>2018</td>
<td>Leslie Martin (JDO)</td>
<td>2019</td>
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<tr>
<td></td>
<td>T. Everson (NUR)</td>
<td>2018</td>
<td></td>
<td>2019</td>
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### 6. Curriculum

**Term Expires:** Elect 2 until 2019 (1 EHD & 1 NUR)

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<th>CONTINUING MEMBERS</th>
<th>TERM EXPIRES</th>
<th>NOMINEES</th>
<th>TERM EXPIRES</th>
<th>VOTE</th>
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<tbody>
<tr>
<td></td>
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SENATE LIBRARY COMMITTEE

Purpose: To provide guidance and oversight by serving in an advisory capacity to the Dean of Libraries and Information Resources regarding library policies and planning and to report to appropriate bodies on library matters.

Membership: Dean of Libraries or designee (one, non-voting, advisory)
Faculty (nine)
Professional librarian (one)
Students (two: one undergraduate, one graduate)

Terms: Dean of Libraries – concurrent with office
Faculty – three years
Professional librarian – three years
Students – one year

Selection: Dean of Libraries – ex-officio
Faculty – at least one member representing each college or school, approximately one-third elected by University Senate in April and assuming responsibilities May 1
Professional librarian—appointed by the Committee on Committees, in consultation with the Dean of Libraries
Undergraduate student – elected by the Student Government in April and assuming responsibilities May 1
Graduate student – appointed by the Dean of the School of Graduate Studies in consultation with the Graduate Studies Committee and the Graduate Student Association in April and assuming responsibilities May 1

Functions and Responsibilities: Acting on its own volition, upon the request of the Senate and/or others, the Committee shall assume the following responsibilities:
1. Participate, through the Dean of Libraries and Information Resources or persons designated by the Dean, in the formulation of broad policies relative to collections and services as well as in long-range planning.
2. Advise the Dean in matters of administration and problem solving.
3. Represent concerns of the University community to the Dean.
4. Report on library matters to the University Senate and other appropriate offices.

Report to Senate: Prepare an annual report which addresses each function and responsibility and submit it to the Senate secretary two weeks before the December Senate meeting.

Source of Information: University Senate Minutes – November 3, 1966
University Senate Minutes – March 5, 1981
University Senate Minutes – March 4, 1999
University Senate Minutes – November 7, 2013
POLICY STATEMENT

1. INTRODUCTION

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

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

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

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

REASON FOR POLICY

2. ETHICAL STANDARDS

The primary way to encourage appropriate conduct in scholarship at the University is for the University Community to promote and maintain a climate consistent with ethical standards. To reduce the likelihood of misconduct and promote high quality in scholarship, the University Community should promote and facilitate the following:
2.1. Commitment to Intellectual Honesty
This commitment to intellectual honesty is evidenced by adherence to standards of the discipline and the University including but not limited to, submission of work to peer review; avoidance of conflicts of interest fraud, and bias; scholarly exchange of ideas and data; and self-regulation.

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

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

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

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

CONTENTS
Policy Statement .................................................................................................................. 1
Reason for Policy ................................................................................................................ 1
Guiding Principles .............................................................................................................. 1
Scope of Policy .................................................................................................................. 2
Related Information .......................................................................................................... 3
Contacts ............................................................................................................................. 3
Definitions .......................................................................................................................... 3
General Provisions ............................................................................................................ 5
Procedures .......................................................................................................................... 6
Responsibilities .................................................................................................................. 13
Notifications ....................................................................................................................... 13
Revision Record ................................................................................................................ 13
RELATED INFORMATION

| NSF Responsible Conduct of Research (RCR) | http://www.nsf.gov/bfa/dias/policy/rcr.jsp |
| SBHE Officer and Employee Code of Conduct | http://ndus.edu/makers/procedures/sbhe/default.asp?PID=215&SID=4 |
| UND Conflict of Interest Policy | http://und.edu/research/_files/docs/policy/1-8-conflict-of-interest-policy.pdf |

NIH and NSF are examples, but each agency may have its own Policy.

CONTACTS

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

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<th>Subject</th>
<th>Contact</th>
<th>Telephone</th>
<th>E-Mail / Web Address</th>
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<tr>
<td>Policy and Procedure Content Clarification</td>
<td>Research Development &amp; Compliance</td>
<td>777-4278</td>
<td><a href="http://und.edu/research/resources/index/">http://und.edu/research/resources/index/</a></td>
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DEFINITIONS

Allegation

Allegation: any statement, describing possible Misconduct in scholarship, made to an institutional official.

Committee of Investigation (Col)

The Col: three member panel who gather and examine evidence during the Investigation.

Complainant

Complainant: individual(s) who brings an Allegation of Misconduct in scholarship.

Counsel

Counsel: a Support Person who is either an attorney or otherwise has legal training.

Days

Days: all references to Days mean business days.

Disposition

Disposition: the final decision of the VPAA resolving the Allegation of Misconduct in Scholarship.

Falsification of Data

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

Fabrication of Data

Fabrication: making up data or results and recording or reporting them.
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<th><strong>Improprieties of Authorship</strong></th>
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<td>Improprieties of authorship: the improper assignment of credit, such as: excluding other authors; inclusion of individuals as authors who have not made a definite contribution to the work; or submission of multi-authored publications without the knowledge of all authors.</td>
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<th><strong>Inquiry</strong></th>
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<td>Inquiry: information gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct in scholarship warrants an investigation.</td>
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<th><strong>Inquirer</strong></th>
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<td>Inquirer: person performing an inquiry.</td>
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<td>Institutional Charge: the formal charges of misconduct arising from the Inquiry.</td>
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<td>Integrity Officer: person responsible to ensure compliance with this policy.</td>
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<tr>
<td>Investigation: the formal examination and evaluation of all relevant facts to determine if misconduct in scholarship has occurred.</td>
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</tbody>
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<table>
<thead>
<tr>
<th><strong>Misappropriation of Intellectual Property</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Misappropriation of intellectual property: the unauthorized possession or use of proprietary information however obtained.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Misconduct in Scholarship</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Misconduct in Scholarship: any form of behavior which entails scholarship fraud, scientific misconduct, negligence, misrepresentation, or an act of deception. Misconduct in Scholarship is distinguished from honest error and from ambiguities of interpretation that are inherent in the Scholarship.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Office of Research Integrity</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Research Integrity: the federal agency organized under the U.S. Department of Health and Human Services, the Office of the Secretary of Health and Human Services and the Office of Public Health and Science.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Plagiarism</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Plagiarism: the misappropriation of the work of another or one's own work and its misrepresentation as one's own original work. Plagiarism does NOT require intent i.e., lack of awareness does not excuse responsibility for upholding these standards.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Respondent</strong></th>
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<tbody>
<tr>
<td>Respondent: the person against whom an allegation of misconduct is made.</td>
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<table>
<thead>
<tr>
<th><strong>Scholarship</strong></th>
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<tbody>
<tr>
<td>Scholarship: all creative activity that supports the intellectual endeavors of the University.</td>
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<tr>
<th><strong>Support Person</strong></th>
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<tbody>
<tr>
<td>Support Person: may accompany a Complainant or Respondent to the interview, but cannot be an individual who can potentially be called as a witness during the course of an Inquiry or Investigation. A Support Person may also be Counsel.</td>
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<thead>
<tr>
<th><strong>University Community</strong></th>
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</thead>
<tbody>
<tr>
<td>University Community: all faculty, staff, administrators, and students, both full and part time, who are affiliated with the University of North Dakota, and involved in Scholarship.</td>
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<tr>
<th><strong>VPAA</strong></th>
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<tr>
<td>VPAA: the Vice President for Academic Affairs or a designee.</td>
</tr>
</tbody>
</table>
GENERAL PROVISIONS

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

   1.1. The process must avoid damage to Scholarship.

   1.2. The University will provide leadership in the pursuit and resolution of all charges.

   1.3. Process will be provided to all parties under UND and State Board of Higher Education (SBHE/Board) policies and procedures. All parties will be fairly treated and their reputations guarded by providing confidentiality to the extent possible under UND and SBHE policies and procedures, applicable state and federal requirements, and the North Dakota Open Records Act.

   1.4. Conflicts of interest will be avoided.

   1.5. Allegations will be resolved as expeditiously as possible.

   1.6. The University will document its actions at each stage of the process.

   1.7. The University will pursue Allegations within the scope of this Policy without regard to whether related civil or criminal proceedings have been initiated. The University may, at its option, suspend the Inquiry/Investigation temporarily, but is not under obligation to do so, as the standards of the University may differ from those of the courts.

   1.8. To the extent feasible and reasonable, the University will pursue the Allegation of Misconduct in Scholarship to its conclusion, even if the Respondent leaves or has left the University before the matter is resolved.

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

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

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

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

PROCEDURES FOR DEALING WITH ALLEGATIONS OF MISCONDUCT IN SCHOLARSHIP

1. Pre-Inquiry Review

1.1. Initial review by the Integrity Officer

1.1.1. Upon receipt by the Integrity Officer of an Allegation of Misconduct in Scholarship, the Integrity Officer will conduct a pre-inquiry review of the Allegation within 20 days to determine whether:

1.1.1.1. the Allegation is within the purview of this Policy;

1.1.1.2. other policies and procedures, such as those relevant to employment grievances, should be invoked;

1.1.1.3. the Allegation is outside the purview of the University;

1.1.1.4. the Allegation is clearly without substance.

1.1.2. If an Inquiry is determined to be unwarranted, the Integrity Officer shall prepare an internal memorandum-for-file including a statement of the Allegation and the rationale for not conducting an Inquiry. After the resolution of the Allegation of Misconduct in Scholarship this memorandum shall be kept secure pursuant to the University's records retention schedule. A copy shall be given to the VPAA, VPR, Respondent, and Complainant.

1.1.3. If an Inquiry is determined to be warranted, the Inquiry process will be initiated.

1.2. Notification of Respondent

Within 5 Days of the determination that an Inquiry is warranted, the Integrity Officer, shall:

1.2.1. notify (Notification #1) the Respondent, the VPAA, VPR, University’s Office of General Counsel and appropriate Dean(s) of the Allegation;

1.2.2. notify all parties of the procedures that will be used to examine the Allegation;

1.2.3. appoint an Inquirer, who must be a tenured faculty member at the rank of associate or full professor, is without conflict of interest, and has appropriate expertise to evaluate the information relative to the case; and

1.2.4. notify all parties of the proposed Inquirer and ask all parties to identify any real or potential conflict of interest between the proposed Inquirer and the parties involved in the Allegation.

1.3. Precautionary Actions. As the University is responsible for protecting the health and safety of Scholarship subjects, students, and staff, interim administrative action prior to conclusion of the Inquiry and, if necessary, the Investigation may be indicated. Such action ranging from slight restrictions through complete suspension of the Respondent or the Respondent’s Scholarship and notification of external sponsors, if indicated, will be initiated by the VPR in collaboration with the VPAA. Sanctions that prevent the Respondent from fulfilling his/her obligations as an employee of the University shall not be imposed during the Inquiry or Investigation phases unless
it is necessary to prevent harm to the Respondent or to others. Factors to be considered in
determining the timing of such actions include the following:

1.3.1. There is an immediate health hazard involved;

1.3.2. There is an immediate need to protect federal or state funds or equipment;

1.3.3. There is an immediate need to protect the interests of the Complainant or Respondent as
well as co-investigators and associates, if any;

1.3.4. It is probable that the Allegation will be reported publicly;

1.3.5. There is reasonable indication of possible criminal violation.

2. Inquiry Phase

2.1. Purpose

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

2.2. Process and Structure

2.2.1. The Integrity Officer will provide the Inquirer and the Respondent with copies of all
relevant documents. During the Inquiry, the Integrity Officer and the Inquirer will be
responsible for maintaining the confidentiality of the information obtained and the
security of relevant documents. After the resolution of the Allegation of Misconduct in
Scholarship, originals of all documents and related communications are to be securely
maintained in the Office of the VPRED pursuant to the University’s records retention
schedule.

2.2.2. Responsibilities of the Inquirer:

2.2.2.1. Records of the Inquiry are to be stored securely throughout the Inquiry and, at
the end of the Inquiry, transferred to the Integrity Officer.

2.2.2.2. If there is a need for interviews, the interviews must be recorded and, upon
request, made available to involved parties after the completion of the
Disposition Phase.

2.2.2.3. Information, expert opinions, records, and other pertinent data may be requested
by the Inquirer. All involved individuals are expected to cooperate with the
Inquirer by supplying such requested documents and information.

2.2.2.4. The Inquiry phase will be completed within 40 Days of its initiation. If the
Inquirer determines that circumstances clearly warrant an extension of time, a
request for such an extension must be forwarded to the Integrity Officer. If the
Integrity Officer grants the request, the Inquirer will notify all relevant parties of
the extension, including the VPAA, and VPRED. The record of the Inquiry will
include the rationale for exceeding the 40 Day period.

2.2.2.5 As the Inquiry is intended to be expeditious, individuals are expected to speak
for themselves, but may be accompanied by an Advisor. If any individual
chooses to bring Counsel, the University’s Office of General Counsel must be
notified in advance and must be present during the meeting.
2.3. Findings

2.3.1. The completion of an Inquiry is marked by a determination of whether or not an Investigation is warranted. The report of the Inquirer will be conveyed in writing to the Integrity Officer who will be responsible for communicating the findings to the Respondent and Complainant within 5 Days of receipt of the report in writing, by certified mail, return receipt requested. The same report will be sent to the VPAA, VPRED, Office of General Counsel, and appropriate Dean(s). The report of the Inquirer shall specify the information that was reviewed, summarize relevant interviews, and include the conclusions of the Inquiry. The Inquirer will make a recommendation to the Integrity Officer as to whether an Investigation is warranted. The Inquirer shall not recommend that an Investigation occur unless he/she concludes, based on the sufficient information for each Allegation, that the Allegation justifies an Investigation. The Respondent shall be given the opportunity to comment in writing (Notification #2) upon the findings and recommendations of the Inquirer. If the Respondent chooses to comment, such comments shall be forwarded to the Integrity Officer as soon as possible but no later than 15 Days from the date of notification of the findings by the Integrity Officer. The Respondent’s comments will become part of the Inquiry record. Within 15 days of receiving the comments from the Respondent, the Integrity Officer will determine whether to proceed with an Investigation.

2.3.2. If the Integrity Officer determines that the Allegation was frivolous, malicious, unjustified, or clearly mistaken, and therefore, that an Investigation is unnecessary the Integrity Officer shall prepare an internal memorandum-for-file including a statement of the Allegation and the rationale for not conducting an Inquiry. After the resolution of the Allegation of Misconduct in Scholarship this memorandum shall be kept secure pursuant to the University’s records retention schedule. A copy shall be given to the VPAA, VPRED, the Respondent, and the Complainant.

2.3.3. If the Integrity Officer determines that an Investigation should be conducted, the Integrity Officer (after notification to the appropriate Dean(s), the VPAA, VPRED and University’s Office of General Counsel), will initiate the Investigation phase. The Integrity Officer must notify any sponsoring agency or funding source, including the Office of Research Integrity, if appropriate, at a time prior to the initiation of an Investigation.

2.4. Issues Unrelated to the Inquiry

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

3. Investigative Phase

3.1. Purpose

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

3.2. Process and Structure
3.2.1. After making a decision to proceed with an Investigation, the Integrity Officer will consult with the Chair of the University Senate to appoint a Committee of Investigation (CoI). No member of the CoI may have a conflict of interest. At least two members must be tenured faculty at the rank of associate or full professor and have appropriate expertise for evaluating the information relative to the case. However, if the Respondent is someone other than a faculty member of the University, one of these two members of the CoI must have a position with the University similar to that of the Respondent. The third member may be appointed from outside the University of North Dakota community if, in the judgment of the Integrity Officer, the circumstances justify such an appointment. Otherwise, the third member shall be appointed from within the University and must meet the same requirements as those listed for the first two members. The Inquirer may not serve on the CoI. Appointment of a CoI should be made within 20 Days following the decision by the Integrity Officer to proceed with an Investigation.

3.2.2. Before the CoI is convened, the Integrity Officer shall notify (Notification #3) all parties in writing of the Institutional Charge and of the procedures that will be used in the Investigation. Further, the parties will be informed of the proposed membership of the CoI for the purpose of identifying, in advance, any conflicts of interest.

3.2.3. At its first meeting, the CoI will elect a chairperson to handle procedural and administrative matters. All CoI members will be voting members.

3.2.4. Copies of all pertinent documents in the possession of the Integrity Officer will be provided by the Integrity Officer to the CoI and the Respondent in advance of scheduled meetings. The CoI proceedings must be recorded and, upon request, made available to the involved parties, but only after the completion of the Disposition phase.

3.2.5. Every effort shall be made to complete the Investigation within 80 Days. If the CoI determines that circumstances clearly warrant an extension of time, a request for such an extension must be forwarded to the Integrity Officer. If the Integrity Officer grants the request, the CoI will notify all relevant parties of the extension. The record of the Inquiry will include the rationale for exceeding the 80 Day period, along with the length of the extension.

3.2.6. The Integrity Officer shall convey to any affected funding agency such information about the Investigation as may be required by the funding agency, and shall keep the funding agency up to date at intervals as required by the agency.

3.2.7. Individuals involved may have one Support Person accompany them to the meeting with the CoI. The Support Person may not present to the CoI. If the Support Person is Counsel, the individual must notify the Integrity Officer in advance. The Integrity Officer shall notify the University’s Office of General Counsel who must be present during the meeting.

3.2.8. The Investigation will include examination of all relevant documentation and information the CoI feels pertains to the issue. The CoI will make every attempt to interview all individuals involved, as well as other individuals who might have information regarding key aspects of the Allegations. Complete summaries of recorded interviews will be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file. The CoI may request the involvement of outside experts. The Investigation must be sufficiently thorough to permit the CoI to reach a decision about the validity of the Allegation and the scope of the wrongdoing or to be sure that further investigation is not likely to alter an inconclusive result.

3.2.9. All parties in the Investigation will cooperate by producing any additional data requested. Copies of all materials secured by the CoI shall be provided to the Respondent.
3.2.10. The Respondent shall have an opportunity to address the charges and information in detail during his/her interview and in writing at the end of the process.

3.2.11. After all information has been received and the fact-finding interviews have been completed, the CoI shall deliberate and prepare its findings. The CoI finds Misconduct in Scholarship if a majority of its members conclude beyond a reasonable doubt that the Allegation has been substantiated. A minority report may be written.

3.2.12. All significant developments during the Investigation, will be reported by the Integrity Officer to any affected funding agency, sponsor, or UND official, if appropriate.

3.3. Findings

3.3.1. Upon completion of the Investigation, the CoI will submit a draft report to the Respondent by certified mail, return receipt requested. The Respondent shall be given the opportunity to comment in writing (Memo #4) upon the findings and recommendations of the CoI. If the Respondent chooses to comment, such comments shall be forwarded as soon as possible but no later than 20 Days from the date of receipt of the draft report. The Respondent's comments will be taken into consideration when completing the final report. The CoI will then submit the final report to the Integrity Officer who shall in turn transmit it to the VPAA and VPRED.

3.3.2. The final CoI report must be in writing and include:

3.3.2.1. Allegations. Describe the nature of the initial Allegations of Misconduct in Scholarship;

3.3.2.2. Federal or state support. Describe and document federal or state support including, for example, any grant numbers, grant applications, contracts, and publications listing federal or state support;

3.3.2.3. Institutional charge. Describe the specific instances of Misconduct in Scholarship that were considered in the Investigation;

3.3.2.4. Policies and procedures. The institutional policies and procedures under which the Investigation was conducted shall be included;

3.3.2.5. Sources of information. Identify and summarize the sources of information received whether or not reviewed;

3.3.2.6. Statement of findings. For each separate Allegation of Misconduct in Scholarship identified during the Investigation, provide a finding as to whether Misconduct in Scholarship did or did not occur. For each instance of Misconduct in Scholarship that did occur:

3.3.2.6.1. Identify the person(s) responsible;

3.3.2.6.2. Identify the nature of the misconduct;

3.3.2.6.3. Summarize the facts and the analysis of information which support the conclusion of the CoI, considering the merits of any reasonable explanations by the Respondent or other individuals who provided information;

3.3.2.6.4. Identify the specific federal or state support;

3.3.2.6.5. Identify whether any publications need to be corrected or retracted; and
3.3.2.6. List any current support or known applications or proposals for support that the Respondent has pending with all federal or state agencies.

3.3.2.7. Comments. Include and respond to comments made by the Respondent and Complainant on the draft investigation report.

3.3.3. Upon request, the CoI will maintain and provide to the Office of Research Integrity (or other federal or state agencies) all relevant sources of information and records of the institution's Misconduct in Scholarship proceeding, including results of all interviews and the transcripts of recordings of such interviews.

3.3.4. After the resolution of the Allegation of Misconduct, all records will be maintained in the office of the VPRED by the Integrity Officer pursuant to the University's records retention schedule.

3.4. Issues Unrelated to the Investigation

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

4. Disposition Phase

4.1. The VPAA shall consider the recommendations of the CoI and shall be responsible for determining and implementing any sanctions. The evaluation has two possible designated outcomes:

4.1.1. If no Misconduct in Scholarship is found

4.1.2. Within 10 Days of receipt of the CoI report, the VPAA shall furnish the report to the Respondent with the VPAA's decision. The VPAA shall inform the Respondent, Complainant, and the appropriate Dean that Allegations of Misconduct in Scholarship were not supported. The VPAA, through the Integrity Officer, shall inform all federal or state agencies, sponsors, or other external entities initially informed of the Investigation, that the Allegations of Misconduct in Scholarship were not supported. In determining whether to publicize the findings of no Misconduct in Scholarship, the University will be guided by whether public announcements will be harmful or beneficial in restoring any reputation(s) that may have been damaged. The Respondent's wishes will be taken into consideration when making publicity decisions. If the Allegations are deemed to have been maliciously motivated, the Inquirer or CoI will report those findings to the VPAA and a decision will be made whether to treat that finding as an Allegation of Misconduct in Scholarship against the Complainant.

4.2. If Misconduct in Scholarship is Found

4.2.1. Within 10 Days of receipt of the report from the CoI, the VPAA shall notify the Respondent and the President, in writing, of the recommended responses, if any. A copy of the report will accompany the VPAA's decision.

4.2.2. The University must respond in ways that are appropriate to the seriousness of the Misconduct in Scholarship, including, but not limited to, one or more of the following:

4.2.2.1. Non-sanction

4.2.2.1.1. Letter of reprimand in file.
4.2.2.2. **Sanction**

4.2.2.2.1. Removal from particular project.

4.2.2.2.2. Special monitoring of future work.

4.2.2.2.3. Probation for a specified period with conditions.

4.2.2.2.4. Suspension of rights and responsibilities for a specified period, with or without salary.

4.2.2.2.5. Financial restitution.

4.2.2.2.6. Termination of employment/enrollment.

4.2.3. If the sanctions involve a recommendation for termination of employment, the Respondent may use any applicable termination procedures.

4.2.4. The VPAA, through the Integrity Officer, is responsible for notification of all federal or state agencies, sponsors or other entities initially informed of the Investigation's outcome. Consideration should be given to formal notification of:

4.2.4.1. Sponsoring agencies, funding sources.

4.2.4.2. Co-authors, co-investigators, collaborators, departments.

4.2.4.3. Editors of journals in which fraudulent Scholarship was published.

4.2.4.4. State professional licensing boards.

4.2.4.5. Editors of journals or other publications, other institutions, sponsoring agencies, and funding sources with which the individual has been affiliated.

4.2.4.6. Professional societies.

4.3. **Appeal**

4.3.1. Respondents who are members of the faculty of the University may appeal the sanctions to the Standing Committee on Faculty Rights (SCoFR).

4.3.1.1. Under section 605.3(9) of the State Board of Higher Education (SBHE) Policies "If the administration determines that the conduct of a faculty member . . . provides reasonable cause for imposition of a sanction, the administration shall inform the faculty member in writing of the sanction and the reasons for the sanction." A faculty member may appeal to the SCoFR "[i]f the sanction is imposed without a [SCoFR] hearing . . ." The faculty member may request a SCoFR review by following the SBHE policy and the University Implementation, both of which are found in the University's Faculty Handbook.

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

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

RESPONSIBILITIES

<table>
<thead>
<tr>
<th>Individual</th>
<th>Report Allegations of Misconduct in Scholarship to the Integrity Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Integrity Officer</td>
<td>Collect, Advise, Investigate, and Monitor Allegations of Misconduct in Scholarship</td>
</tr>
<tr>
<td>VPAA</td>
<td>Determine and Implement any Sanctions</td>
</tr>
<tr>
<td>VPRED</td>
<td>Record Retention</td>
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NOTIFICATIONS

<table>
<thead>
<tr>
<th>Notification 1</th>
<th>Notification of Inquiry into Professional Misconduct</th>
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<tbody>
<tr>
<td>Notification 2</td>
<td>Inquiry into Professional Misconduct</td>
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<tr>
<td>Notification 3</td>
<td>Notification of Investigation into Professional Misconduct</td>
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<tr>
<td>Notification 4</td>
<td>Investigation into Professional Misconduct</td>
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REVISION RECORD

<table>
<thead>
<tr>
<th>12/7/2015- Policy Implementation</th>
<th>Signed by President Robert O. Kelley</th>
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Notification #1

Sent Certified Mail
Return Receipt Requested

To: ____________________, Respondent(s)

Cc: ____________________, Complainant

____________________, proposed Inquirer

From: ____________________, Integrity Officer

Date: ________________

Re: Notification of Inquiry into Professional Misconduct

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

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

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

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

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

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

Thank you for your attention to this matter.
Notification #2

Sent Certified Mail
Return Receipt Requested

To: _________________________, Respondent

From: _________________________, Integrity Officer

Date: ________________________

Re: Inquiry into Professional Misconduct

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

Thank you for your attention to this matter.

Enclosure
Notification #3

Sent Certified Mail
Return Receipt Requested

To: ___________________________, Respondent

Cc: ___________________________, Complainant

______________________________, Dean

______________________________, VPAA

______________________________, VPRED

______________________________, Office of General Counsel

______________________________, proposed Committee of Investigation

From: ___________________________, Integrity Officer

Date: __________________________

Re: Notification of Investigation into Professional Misconduct

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

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

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

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

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

Thank you for your attention to this matter.
Notification #4

Sent Certified Mail
Return Receipt Requested

To: ___________________________, Respondent

From: ________________________, Chair, Committee of Investigation

Date: ________________

Re: Investigation into Professional Misconduct

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

Thank you for your attention to this matter.

Enclosure