

**JOURNAL OF THE FACULTY SENATE**  
 The University of Oklahoma (Norman campus)  
 Regular session - October 8, 1990 - 3:30 p.m.  
 Conoco Auditorium, Neustadt Wing, Bizzell Memorial Library

The Faculty Senate was called to order by Professor Roger R. Rideout, Chair.

**PRESENT:** Ahern, Christian, Cross, Curtis, Fife, Gabert, Gilje, Goodey, Harm, Harper, Havener, Hill, Hilliard, James, Johnson, Kiacz, Kidd, Knapp, Kuriger, Kutner, Levy, Livesey, Mouser, D. Nelson, J. Nelson, O'Halloran, Paolino, Petry, Rideout, St. John, Sankowski, Schnell, J. Smith, P. Smith, Stoltenberg, Striz, Vehik, Vestal, Weaver-Meyers, Wedel, White, Zaman

Provost's office representative: Wadlow  
 PSA representatives: Barth, Bloomgarden, Spencer  
 UOSA representatives: Nida

**ABSENT:** Blick, Breipohl, Foote, Gudmundson, Hopkins, Jaffe, Michaelson, Salisbury, Sullivan, Swoyer

TABLE OF CONTENTS

Announcements:

- Fall General Faculty Meeting.....2
- Proposed tuition and fee reduction policies.....2
- Mid-semester grades.....2

Disposition by the Administration of Senate actions:

- General ledger system.....2
- Remarks by Employee Executive Council Chair.....3
- Remarks by UOSA President.....3

Senate Chair's Report:

- Faculty salaries.....3
- Vice President for Student Affairs position.....4
- Meeting with HSC Faculty Senate.....4
- Solicitation of issues for the Senate to address.....4

Focus on Excellence: Counseling Psychology.....4

- Election, councils/committees/boards.....5
- Issue for Discussion: National Research and Education Network.....6
- Ethics in research policy.....7
- Search committee, VPRA/Graduate Dean.....8
- Faculty Senate/UOSA resolution on final examinations.....8
- Communicable disease policy.....10
- Paid leave and long-term disability policy.....10
- Resolution on racial harassment.....10

**APPROVAL OF JOURNAL**

The Senate Journal for the regular session of September 10, 1990, was approved. In last month's condensed version, under the Focus on Excellence, the third sentence should read: "The University hired ..." (instead of gained). [Clarification: While the University hired 21 females and 13 minorities for this Fall, there was a net increase of approximately 8 females and 8 minorities.]

**ANNOUNCEMENTS**

Prof. Larry Michaelsen (Management) was elected to complete the 1989-92 term of Prof. Marilyn Flowers in the Faculty Senate, representing the College of Business Administration.

The Chair introduced the representatives to the Faculty Senate from the Student Association and the Professional Staff Association.

The Fall General Faculty meeting will be held Thursday, November 1, at 3:30 p.m. in the Conoco Auditorium (Neustadt Wing of Bizzell Library). [Note: the agenda for this meeting omitted the time.] President Van Horn will be the guest speaker.

After reviewing a tuition and fee reduction proposal submitted by the Employee Executive Council, President Van Horn recommended the following changes to State Regents and University policy (drafts of the proposed policies are available from the Senate office):

Beginning this fall, 100 percent of the health, facility, and activity fees will be waived for full-time, continuous faculty and staff enrolled in course work.

Contingent on approval by the University of Oklahoma and State Regents, the faculty/staff fee waiver would increase from 50 to 75 percent. [Note that the agenda for this meeting incorrectly read 70%.] Dependent children or spouses of faculty and staff would receive a 25 percent fee waiver after the employee has completed one year of service. [This recommendation will have to be coordinated with other institutions and be approved by the State Regents.]

The results of the Senate survey on mid-semester grades (see 3/90 Senate Journal, page 5), summarized by Prof. Andy Magid, past Senate Chair, are attached as Appendix I. A copy was sent to Prof. Paul Bell, Acting Registrar, so that necessary changes can be made for Fall 1990.

**DISPOSITION BY THE ADMINISTRATION OF SENATE ACTIONS**

In a memo dated September 14, 1990, President Van Horn said the University needed the new accounting software, and it has been purchased (see 4/90 Senate Journal, page 7). Colonel Allen Moore, the new Director of Computing and Telecommunications Policy, will work with relevant groups within the University to prepare a policy that will address the concerns of the Senate. Prof. Rideout noted that the University spent \$400,000 on the new software package.

**REMARKS BY MS. JANE WEBER, EMPLOYEE EXECUTIVE COUNCIL CHAIR**

Ms. Weber commented that the University requires students, faculty, and staff. The job of the staff is to assist faculty and students. While the roles are different, they frequently are inter-meshed. There will be issues where the faculty and staff have common concern. She said in those instances the faculty and staff should be as supportive as possible, recognizing that the needs of the two groups may differ somewhat. In the final analysis, both are after the same goal: to make this a better university and better place to work. Ms. Weber said the staff looks forward to working with and cooperating with the faculty in the months ahead.

Prof. Rideout asked whether the EEC had reviewed the proposed paid leave and long-term disability policy. Ms. Weber responded that the EEC would discuss the policy at its October 17 meeting.

**REMARKS BY MR. CRAIG ADKINS, UOSA PRESIDENT**

Mr. Adkins reported on the issues that students will be working on this year: the relationship between teaching and research, academic policies (e.g. final examinations), the add-drop policy (in particular, refunds to students), academic support services (specifically, academic advising), graduate stipends, and tuition. The students hope to work with the State Regents to develop a tuition plan for the next few years. The students plan to continue their efforts to create a beneficial multi-cultural campus community. Mr. Adkins remarked that Student Congress would try to have a liaison at the Faculty Senate meetings. He said he looked forward to a positive working relationship with the faculty.

Prof. Rideout commented that student representatives are not always in attendance at council and committee meetings. Mr. Adkins explained that new members will be given an orientation, committee chairs will be asked to notify him when students are not attending, and the students will be asked to report to UOSA on what is occurring at the council and committee meetings to encourage them to attend.

**SENATE CHAIR'S REPORT, presented by Prof. Roger Rideout, Chair.**

"In our continued effort to remind our administration of the discrepancies that exist between our desired image as an institution and the practical realities, the Senate Executive Committee completed a small study comparing OU faculty salary averages by rank with our counterparts at six of the regional institutions. We selected ten departments and simply compiled the number of faculty at specific ranks and the salary each was paid. Then we compared that to OU. While some departments fared well, others did not.

"At the Executive Committee meeting last Friday with President Van Horn we presented this report and, I am happy to say, he was impressed at the findings and seemed genuinely concerned that the discrepancies were as large as they were. He asked that we add Oklahoma State University to the list and send a final report to him. We hope to have a final draft available at the November Senate meeting. President Van Horn seemed to be impressed with the fact that we were not competitive in most of those departments with what is being paid at the regional institutions.

"Also at that meeting President Van Horn stated his intent to keep the Student Affairs position at the Vice Presidential level. Several faculty have written urging him to reconsider that position and perhaps assign it to an alternative level, but he said no and that he would begin a national search soon to replace Vice President Anona Adair.

"The Senate Executive Committee met with the Executive Committee from the Health Sciences Center Faculty Senate. Among several topics, we discussed the allocation of Section 13 money for projects on the HSC campus, such as the Family Practice Center. The HSC committee suggested that is not the highest priority at the HSC and that a research tower and a faculty/student activities center precede the Family Practice Center. As you know, substantial portions of Section 13 money have been re-allocated from the Norman campus for the last three years. It looks as if that will continue. Also, the HSC Faculty Affairs Committee is working with our Faculty Welfare Committee to develop a child care center program. Right now both committees are trying to find a private provider or at least develop a policy by which a provider could offer services on our campus and theirs, rather than have our University assume control of that."

Prof. Johnson asked for additional information about the split of Section 13 money between the two campuses. Prof. Rideout answered that last year the President indicated that the Section 13 money would have a major impact on the HSC campus and that the money was needed to finish the Family Practice Center. Prof. Rideout said he believes this is partly motivated by the legislature's concern about producing enough general practitioners for the rural areas of the state and the Family Practice Center being viewed as a very positive thing for the University to do.

Answering a question from Prof. St. John, Prof. Rideout reiterated that the President believed the Vice President for Student Affairs position should remain at that level.

Prof. Rideout reminded the Senators that in recent years the Senate had held discussion sessions to identify issues for the Senate to address during the year. He suggested that this year the Senators poll their constituents for ideas and submit the suggestions to the Senate office.

Prof. Rideout reminded the group to notify the Senate office whenever they experience any computer delays.

**FOCUS ON EXCELLENCE: Counseling Psychology**, presented by Prof. Jay Smith, Senate Chair-Elect.

"You will recall that most of this year's Focus on Excellence segments will highlight academic programs at the University which have been identified by departments and colleges in their Strategies for Excellence plans as being exceptional. Thus what will be reported is the accomplishments of groups of faculty working together to form areas of study and research which result in the best possible education for the students of the University.

"This month I am especially pleased to highlight the truly outstanding, nationally recognized work of a group of faculty within my own department-- the faculty of the graduate academic programs in counseling psychology.

"The counseling psychology program in the Department of Educational Psychology at the University of Oklahoma has been in existence since 1966. The program subscribes to the scientist-professional model of training in counseling psychology, and the program meets the requirements for admission to the licensure examination in Oklahoma as well as most other states. Graduates of the program have taken positions in educational settings, mental health agencies, hospital settings and private practice. Of special note is that the counseling psychology program received full approval and full accreditation by the American Psychological Association in 1988. Receiving APA accreditation is not an insignificant accomplishment. The University of Oklahoma counseling psychology program is one of fewer than fifty fully-accredited programs nationwide and the only one in the State of Oklahoma.

"Consistent with APA criteria, required course work includes a variety of core courses reflecting scientific and professional ethics and standards, biological bases of behavior, cognitive-affective bases of behavior, social bases of behavior, and individual differences. In addition, students are required to show proficiency through course work and general examinations, in research, supervised practice, and counseling as a specialty. The preparation for professional practice is intended to provide a firm foundation in counseling psychology with an additional focus on marriage and the family. This objective is addressed via course work on counseling theories and techniques, assessment, career and vocational issues, and practica. The marriage and family emphasis is reflected in required course work examining marital and family counseling and therapy, interventions with children, divorce counseling, and counseling with parents. Over the course of practica training, the student is encouraged to develop a personalized approach to counseling and therapy based upon an increasing awareness of professional strengths and weaknesses and an understanding of counseling theory and research.

"The theoretical orientations of the faculty are eclectic, including social learning, cognitive-behavioral, developmental, systems, and psychodynamic. The faculty of the counseling psychology program, who are themselves involved in research and who are prolific contributors to both the professional and scholarly literature in the field, believe that it is important for counseling psychologists not only to be good consumers of research reports, but also to become familiar and proficient with the research process. Thus students begin their involvement in the research process upon entry into the program and continue until completion of the degree and, I might add, evidence indicates beyond the degree.

"Faculty responsible for the master's program in community counseling and the Ph.D. program in counseling psychology and the subjects of this Focus on Excellence are Professors Jody Newman, James Pappas, Wayne Rowe, Avraham Scherman, Albert Smouse and the able coordinator of the academic program area, Cal Stoltenberg (a member of this Faculty Senate)."

#### **ELECTION, COUNCILS/COMMITTEES/BOARDS**

The Senate approved the following Committee on Committees' nominations to fill vacancies on University and Campus Councils, Committees and Boards.

Athletics Council (2:1):  
to replace Doug Lilly, 1990-93 term  
Henry Eisenhart (HPER)  
Judith Lewis (History)

Budget Council (1:1)  
to replace Melvin Platt, 1989-92 term  
Leon Zelby (EECS)

Campus Tenure Committee (2:1)  
to replace Sean Daniel, 1989-92 term  
Kevin Grasse (Mathematics)  
John Seaberg (Educ. Leadership)

Continuing Education and Public Service Council (1:1)  
to replace C. Kenneth Meyer, 1988-91 term  
James Forgotson (Geology & Geophysics)

Research Council (1:1)  
to replace Michael Buckley, 1989-91 term, "other" category  
Beverly Joyce (Univ. Libraries)

#### **ISSUE FOR DISCUSSION: National Research and Education Network**

Prof. Weaver-Meyers summarized an article about the National Research Education Network (see Appendix II). One component of the NREN is publishing scholarly information in an electronic format instead of in hard form. She commented that publishers have a stranglehold on information, and the prices of scholarly publications keep rising. Publishing electronically would make knowledge more rapid and accessible than in printed format and would reduce publishing costs. She explained that this would not eliminate the refereeing process.

She proposed that (1) faculty who are currently responsible for publishing or editing scholarly journals consider publishing in electronic format, (2) faculty urge their national professional societies to publish in electronic formats, (3) faculty reconsider the idea of whether they want to sign over copyright to publishers, (4) administrators and others involved in tenure and promotion decisions consider alternate formats, such as electronic form.

Prof. Livesey asked how accessible NREN is to someone who publishes in Arabic text. Prof. Weaver-Meyers answered that NREN is still in the formulation stage, but that it does have specialized characters. She said that individual should encourage NREN to include Arabic. Prof. Livesey noted that if this technology is not available to a scholar and he has to use traditional methods, that would drive up the cost for that person. Prof. Weaver-Meyers agreed that there are some problems with NREN because of freedom of information issues. Information that is technology-based requires someone to pay for computers and long distance networking charges. However, with the current information explosion, no library can afford to buy all the resources that faculty need.

Prof. Schnell pointed out that the proposal in this article would make the university more involved. He said the faculty would want to think hard about that. Prof. Weaver-Meyers said she believed what the author was proposing as one strategy to gain control from the publishers was to have the University share copyright. Right now the copyright often is turned over to the publisher.

Prof. Rideout said he could not see any advantage unless costs were reduced and more articles were available. He asked how articles would be accessed. Prof. Weaver-Meyers answered that the article could be sent from some source or it could be printed locally. Mr. Spencer asked what would make this less monopolistic than print publishing. Prof. Weaver-Meyers said that because it is an easy, inexpensive way to produce the information, it would not be necessary to have large publishing companies. Prof. Fife questioned whether publishing could be done in both electronic and hard formats. Prof. Weaver-Meyers said that for convenience publishing could be done electronically and then the materials archived in print form.

### **ETHICS IN RESEARCH POLICY**

Background information: The original document was developed because of a federal requirement to have such a policy in place by December 31, 1989. The OU Regents approved the original policy in December 1989 as an interim statement. The Research Council made some slight changes in the wording and content and approved the May 1990 draft being presented to the Senate (see Appendix III). The Senate Executive Committee recommended endorsement. Prof. Darryl McCullough (Mathematics), current Chair of the Research Council, was present to answer questions.

Prof. Rideout read some proposed clarifications submitted by Prof. Kuriger: In paragraph III.C.5. the "Respondent" should be defined; in paragraph III.C.10. the Investigating Committee, not the Provost, should determine the sanctions; and in paragraph III.D.1. the committee, not the Provost, should decide whether or not the allegations were made in good faith. There was some discussion as to whether III.C.3. (the committee may recommend sanctions) should read "...will recommend sanctions" and whether the Provost would have to follow the recommendations. Prof. Wedel asked whether it was implied that the Regents would make the final decision to terminate employment. Prof. Rideout said he believed that was provided for in the sentence "University procedures would be invoked." Prof. Kutner said he believed the Provost should review the sanctions recommended by the committee, but that the Provost should not have the power to propose sanctions not recommended by the committee. He noted that there are other sanctions besides dismissal and that the subject should be informed when an administrator intends to impose such sanctions. Prof. Rideout said that is addressed elsewhere in the policy. Prof. Kuriger read a letter of one of his colleagues urging that more checks and balances be incorporated.

Prof. Rideout explained that an ethics in research policy needs to be in place because of federal requirements. The Provost added that federal regulations mandate such a policy in order to be eligible for federal grants. Prof. Rideout questioned whether any ethics issue had ever been raised on this campus. Prof. Ahern inquired about the previous policy. Prof. McCullough said this was just a revision of the makeshift policy. Provost Wadlow explained that the makeshift policy was based on policies of other research universities. Prof. Rideout said he would check the revised version against the previous one. Prof. Christian said he would like more information about the origin of the December 1989 version. Prof. Pat Smith asked about the rationale for having an external person on the Investigating Committee (III.C.2.), given the sensitive nature of the charges. Prof. Rideout said he would pass these comments on to the administration.

**SEARCH COMMITTEE, VICE PROVOST FOR RESEARCH ADMINISTRATION AND DEAN OF THE GRADUATE COLLEGE**

As stated in Prof. Rideout's October 1 memo to the Senators, several faculty had reminded the Chair that they had been given insufficient time to submit nominees for the search committee for the Norman campus Vice Provost for Research Administration and Dean of the Graduate College. At this meeting nominations were taken from the floor, and eleven faculty were nominated in addition to the original ten from last month's meeting.

Voting by secret ballot, the Senate elected the faculty below. A three-way tie resulted in 12 nominees rather than the 10 requested by the Provost. However, as the Provost mentioned in her memo of August 30, more than five faculty appointments may be needed to ensure a faculty majority on the committee.

Joseph Bastian (Zoology)  
 Lynn Devenport (Psychology)  
 Michael Engel (Geology & Geophysics)  
 Eugene Enrico (Music)  
 Joakim Laguros (CEES)  
 Darryl McCullough (Mathematics)  
 Robert Petry (Physics & Astronomy)  
 Gregory Reinhart (Chemistry & Biochemistry)  
 Patricia Schwagmeyer (Psychology)  
 Daniel Snell (History)  
 Joseph Suflita (Botany & Microbiology)  
 Gordon Uno (Botany & Microbiology)

**FACULTY SENATE/UOSA RESOLUTION ON FINAL EXAMINATIONS**

At last month's meeting Prof. Rideout explained that the following resolution on final examinations was developed because of some student initiatives:

1. A student will not be expected to take more than two examinations in one day. In cases of a student having three or more examinations scheduled for the same day, departments must offer make-up examinations to bring the student's number of examinations down to two in the following order:
  - a. If a student has three or more examinations on the same day, the department(s) not giving the student's first two finals must give make-up examinations;
  - b. In the event of a conflict arising from the scheduling of two or more uniform final examinations at the same time, the student will attend the examination for the class that met first during the week, according to the student's class schedule;
  - c. The student must give notice to the instructor or department of the third and subsequent final exams scheduled within a single day. Such notification must be given to the specific instructor or department before the end of the twelfth week of classes.



2. The specific final exam make-up time will be established on the Sunday of exam week from 3-5 p.m. The location for the make-up exam will be determined by the faculty member in consultation with the student.
3. In an effort to assure proper time for study and academic preparation,
  - a. No examinations will be allowed during the last week of classes;
  - b. All projects and papers must be assigned by the beginning of the tenth week of classes.

An examination is defined as any measurement which accounts for 5% or more of the student's final grade.

The "last week of classes" is defined as the last four days before Help Day.

Projects and papers are defined as those assignments that require extensive lab work and/or writing time and account for 5% or more of the final grade.

Prof. Kuriger commented that in paragraph 1. and 1.a., "department" should be changed to "course instructor." Prof. Rideout said that should not be changed because departmental exams are given. Prof. Kuriger also suggested that in paragraph 2., the student and instructor be allowed to determine the make-up time and if no agreement is reached, then it can be held Sunday from 3-5 p.m. The Senate agreed to that change. Prof. Kuriger suggested that paragraph 3.a. allow laboratory and evening course examinations to be held during the last week of classes, as currently provided. That seemed to have Senate approval.

Prof. Havener suggested that the word "measurement" in the footnote be clarified. Several members said they were confused by 3. Prof. Havener suggested that 3.a. be modified to indicate that papers, projects, etc. assigned prior to the beginning of the tenth week could be due during the last week of classes, but that no specific examinations would be allowed then. Prof. Rideout said the joint committee would work out the language. Prof. Mouser asked whether the resolution would come back to the Faculty Senate for a vote. Prof. Rideout answered that the Senate would vote on it next month.

Prof. Vehik commented that the final exam schedule is published in the class schedule book, so students should be able to avoid enrolling in classes where they would have three exams in one day. Prof. Rideout noted that freshmen usually have no choice, some courses have only one meeting time, and students should base their enrollment on the classes they need, not on the finals schedule. He said he did not believe the three finals in one day situation pertained to many students.

Prof. Kuriger mentioned the need for this kind of policy to clarify who has to give a make-up in the case of three finals. Prof. Christian asked who was on the joint committee. Prof. Rideout said he and Prof. Paul Bell (Interim Registrar) had worked with Craig Adkins (UOSA President) and the Student Association.

### COMMUNICABLE DISEASE POLICY

The Senate will discuss the proposed policy at the November meeting. (A copy of the document is available from the Senate office.)

### PAID LEAVE AND LONG-TERM DISABILITY POLICY

Prof. Rideout announced that the Faculty Welfare Committee Chair, Prof. Vehik, had prepared an analysis of the proposed policy, which was distributed at the meeting. (A copy of the analysis is available from the Senate office.) He explained that the Executive Committee had discussed those issues with the Provost, who conveyed the concerns to the President. Subsequently, the President said the policy would be revised to assure that the faculty would not lose any benefits. The Senate should receive a revised version before the next meeting.

### RESOLUTION ON RACIAL HARASSMENT

Prof. Rideout commented that because of some racial incidents on campus in recent weeks, the Executive Committee asked Prof. Hill to draft a statement to reaffirm the faculty's position on racial tolerance. After a brief discussion, the Senate unanimously approved the following resolution:

Whereas, the faculty remains firm in its commitment to a belief in equality of all races; and

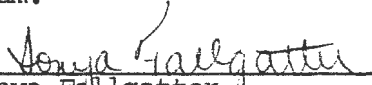
Whereas, the faculty reaffirms its sincere belief that the existence of a hostile racial environment is incompatible with the pursuit of knowledge and its transmission to the students body; and

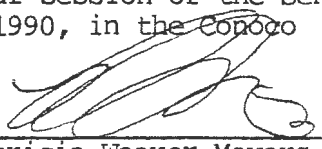
Whereas, the faculty is continually working to create an environment that is open to diverse thought and perspectives;

Be It Resolved that the Faculty Senate strongly urges the administration of the University of Oklahoma to enforce existing policies and initiate appropriate new policies to correct past occurrences and to prevent future acts of invidious racial intolerance in the University community.

### ADJOURNMENT

The meeting adjourned at 4:55 p.m. The next regular session of the Senate will be held at 3:30 p.m. on Monday, November 12, 1990, in the Conoco Auditorium.

  
Sonya Fallgatter  
Administrative Coordinator

  
Patricia Weaver-Meyers  
Secretary

## FACULTY SENATE SURVEY ON MID-TERM GRADES

September 2, 1990

Andy R. Magid

In April, 1990, the Faculty Senate sent a survey on mid-term (see attached) to all Norman Campus Faculty (approximately 700). There were 244 responses, including one completely blank, and several with one or more questions with no response or no usable response. (For example, "too much" is not a usable response to question 5). The survey results are as follows:

Number of responses by question:

Question	Responses
1	235
2	234
3	234
4	236
5	235
6	239

Preferences:

Preference	Number
Continue	86
Discontinue	99
No preference	54

Among those who taught at least one class in Spring 1990 for which mid-term grades were prepared, the choices were:

Preference	Number
Continue	77
Discontinue	83
No Preference	48

Other data from the forms reveal:

Respondents prepared mid-term grades for 15,130 students (SumsSt) (Parenthetical expressions are keys to attached data summary); of which 2,521 were deficient (SumDef); and of these 290 came to see their instructors to discuss the deficiency (SumDisc). Respondents spent 219 hours (Sumtime) preparing mid-term grades beyond their normal evaluation activity. 16.66 % of the evaluated students were deficient (Def/St) and 11.49 % of them came to talk to their instructors about it (Disc/Def). The respondents spent 0.9 minutes per student (Time/St) preparing midterm grades.

The attached data summary also gives the corresponding numbers for respondents expressing preferences (Pref) 1 = Continue, 2 = Discontinue, and 3 = No Preference, and among those, for the respondents who taught at least one class for which mid-term grades were prepared.



The University of Oklahoma

FACULTY SENATE  
900 Asp Avenue, Room 406  
Norman, Oklahoma 73019  
(405) 325-6789

FACULTY SENATE SURVEY ON MID-TERM GRADES  
April 1990

The Faculty Senate must decide in the Fall of 1990 whether to recommend making the mid-term grade experiment permanent. To assess the impact of mid-term grade reports on faculty, we ask that you complete the survey and return it to the Faculty Senate office (406 OMU) by May 10.

Please answer for Spring semester 1990 only.

Thank you.

*Andy Magid*  
Andy Magid, Chair  
Norman Campus Faculty Senate

\*\*\*\*\*

1. How many courses did you prepare mid-term grades for: \_\_\_\_\_
2. About how many students did you compute mid-term grades for: \_\_\_\_\_
3. About how many students did you assign mid-term grades indicating deficiencies: \_\_\_\_\_
4. About how many students came to talk to you as a direct result of their mid-term grades: \_\_\_\_\_
5. About how much additional time did computing and recording mid-term grades take (beyond your normal evaluation actions): \_\_\_\_\_
6. Please indicate your preference on continuing mid-term grades:  
Continue       Discontinue       No preference

Please send any additional comments in a separate memo to the Faculty Senate.

Courses	Pref	Courses	Pref	Courses	Pref	Courses	Pref
1		2		3		4	
Count	239	Count	86	Count	99	Count	54
SumsSt	15130	SumsSt	5620	SumsSt	7086	SumsSt	2305
SumDef	2521	SumDef	914	SumDef	1272	SumDef	307
SumDisc	290	SumDisc	167	SumDisc	58	SumDisc	54
SumTime	219	SumTime	60	SumTime	123	SumTime	35
Def/St	16.66%	Def/St	16.25%	Def/St	17.95%	Def/St	13.32%
Disc/Def	11.49%	Disc/Def	18.28%	Disc/Def	4.56%	Disc/Def	17.43%
Time/St	0.9	Time/St	0.6	Time/St	1.0	Time/St	0.9
At Least		Courses	Pref	Courses	Pref	Courses	Pref
		1	1	1	2	1	3
		Count	77	Count	83	Count	48
		SumsSt	5258	SumsSt	5944	SumsSt	2140
		SumDef	839	SumDef	1029	SumDef	295
		SumDisc	152	SumDisc	51	SumDisc	53
		SumTime	52	SumTime	107	SumTime	32
		Def/St	15.95%	Def/St	17.31%	Def/St	13.79%
		Disc/Def	18.13%	Disc/Def	4.96%	Disc/Def	17.80%
		Time/St	0.6	Time/St	1.1	Time/St	0.9



A BIMONTHLY NEWSLETTER OF RESEARCH LIBRARY ISSUES AND ACTIONS

CURRENT ISSUES

# SCHOLARLY PUBLISHING IN THE NREN

by Ann Okerson, Director, ARL Office of Scientific and Academic Publishing

*Editor's note: The following is the text of a speech delivered by Okerson at the recent Coalition for Networked Information meeting.*

In initiating the National Research and Education Network, the U. S. is investing — gambling — heavily in the future of the nation. The Network is a tangible expression of the government's philosophy that innovation and national distribution of knowledge are essential for the success of our society in the next century: for personal standards of living, national advancement, expansion and competition internationally. The NREN purposefully and knowingly gives great gifts directly to two segments:

- to the computer and telecommunications industry, and
- to innovative, bright people engaged in research, those visionary and willing to try new ideas and to find new and valuable uses for a system we can imagine at this time only as through a glass darkly.

Massive government support challenges us to be creative in planning for the national distribution and availability of information. In light of the primary emphasis on information transfer, **publishing** (which word derives from the notion of "making public") **ought to be the most important activity developed on the network.** Our greatest incentive is the opportunity to create. Our greatest disincentive, possibly, is the lack of publishing structure — or much of any structure — in the network environment. It is a vacuum. Today's paper publishers barely have expertise in electronic publishing, let alone publishing in a network. Thus, we start with nothing. We risk wasting a grand opportunity if we are held captive by existing traditions.

It is critical that in starting virtually "from scratch" with a brand new "making public" vehicle, we are unfettered by old modes of viewing and doing publishing: by existing notions of publishing offices; marginal cost structure of publishing; the idea of "circulation"; indexing and abstracting; "monographs" and "serials"; advertising; ownership; possibly even profits. We have the opportunity to begin with a blank page — even that notion needs a new metaphor.

Leaving this larger picture and turning specifically to the current academic situation, I will sketch, with a wide brush, the main incentives for the educational community to actively create and support a scholarly publishing component within the NREN, a way to begin, what might be the new system's fundamental principles, and some key influence that needs to be wielded in order to achieve success.

In using the term "scholarly publishing," I am embellishing a definition from Karen Hunter's article in a recent *Library Acquisitions: Practice & Theory*, "...books and journals which communicate mainly among researchers. These are largely dependent on the university environment for content and almost exclusively on research libraries and researchers for income." Even a simplified description of the current scholarly publishing scene shows significant trends that jeopardize the scholarly process and access to research results. Call the situation, if you will, double jeopardy, or double incentive.

### Incentive #1: Who owns whom

Prices for scholarly publishing, like virtually every aspect of the research function, increase at higher than the CPI rate — on the average about

July 4, 1990

Gordon & Breach Suit Dismissed 4

Legislative Activity Report 5

Federal Information and Electronic Communication 6

twice the CPI. Exacerbating the situation, various financial forecasters predict that a handful of corporations will dominate the communications industry. West Germany's Bertelsman owns RCA records and the Doubleday and Bantam book publishers; Rupert Murdoch purchased Triangle Publications and 20th Century Fox film. Closer to the library world, Reed owns Bowker, Butterworth, and K. G.

Saur. According to a recent *Wall Street Journal* (4/30/90), Elsevier and Wolters Kluwer, "Dutch Masters in the art of earning big profits from obscure publications," are working to buy up more of them, as well as thinking about owning each the other. Wolters Kluwer has just purchased Lippincott at a price which leaves the industry amazed (*Publishers' Weekly*, 6/1/90). Robert Maxwell owns U. S. Macmillan, and his stated goal is a series of publishing monopolies (*Global Business*, Sp. 1988). The Bass brothers purchased UMI. The need to return profits to corporate shareholders, the debts incurred in corporate buyouts and takeovers, plus the control exercised by monolithic ownership combine to push prices as high as those in control will push them.

There are indeed many publishers producing affordable, quality information — however, the trend is toward a handful of corporations with a powerful presence in the publishing arena, so that in one example cited in Chuck Hamaker's 1988 *Library Acquisitions: Practice & Theory* article (Vol. 12, p. 212), 20% of subscriptions and comparatively few publishers accounted for 72% of research library serials expenditures. There is growing tension between those whose ideals are information being as free as the air we breathe and those whose success depends on profitably selling such information. Those views appear increasingly irreconcilable.

## Incentive #2: Who owns what

Copyright enforcement is a vigorous agenda item for publishers. Indeed, a great deal of the copyright crusade

is NOT being mounted for money. In the case of scholarly journals, where article reproduction profits are comparatively trivial, the fight in today's paper arena is to establish the principles governing tomorrow's electronic arena. In today's tomorrow, the International Federation of Reproduction Rights Organisations (IFRRO) proposes in the "Report of the IFRRO Working Group on Electro-

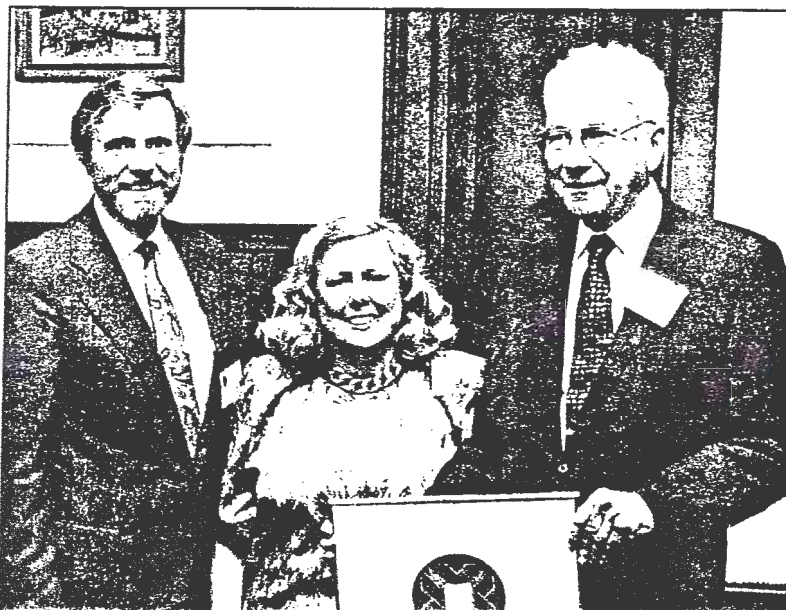
copying" that the definition of electrocopying include storage, display, manipulation, dissemination, and reproduction — as rich a charging scenario as one could imagine. Not only would one pay by the drink but one would be charged for walking up to the bar and leaning on it.

The reason that publishers might expect to be successful in charging to the fullest extent is the matured practice for authors of scholarly articles to assign copyright to the publisher as part of the publication process. Thus, reports of work created largely in universities and laboratories and paid for — and value-added — largely at public expense become the property of organizations which own the

rights for at least a lifetime. The fight against privatization of public information is being fought by librarians vigorously promoting public access to government information. By analogy, it is one the academic community unthinkingly gave away, to a great extent, years ago.

## Summary of the present system

- Prices are escalating beyond affordability as publishers maintain high margins on comparatively low volumes. Publicly supported research is becoming difficult for the public to own and thus to read.
- Foreign competition is beginning to dominate the marketplace in many scholarly disciplines, causing domestic price increases to seem even more fierce, as the U.S. dollar becomes more equal to other currencies.
- Institutions turn hopefully to document delivery and inter-institutional lending and look ultimately to



### BARSCHALL HONORED BY ARL

Dr. Henry Barschall, professor emeritus at the University of Wisconsin, was honored for his work in analyzing the cost-effectiveness of scientific journals at the ARL meeting in New Orleans. Pictured above are (left to right) Duane E. Webster, ARL Executive Director, Susan K. Nutter (North Carolina State University), Chair, ARL Collection Development Committee, and Dr. Barschall at the ARL reception hosted by Tulane University.

(photo by Jerry Ward, Tulane University)

electronic access. Relief, however, is not in sight because ALL delivery delays, copyright restrictions, diverse and unpredictable costs, and evolving pay-for-use strategies undo the benefits of non-purchase and of cancellation.

• One might add that the comparatively low level of r & d in the publishing industry is dangerous. Journals used to be the first place research was reported; now the reporting mechanisms are perceived to be slow, encouraging scholars to learn about newest research results through alternative means.

Ownership is a key to solutions. As everyone who has been a tenant knows, owners and landlords exercise controls and rights that tenants cannot have. Libraries, in exchanging and sharing bibliographic records, have been notably successful, efficient, and cheap — because they own the records, which are shared largely through broad networks. It is difficult to control something in which one has no ownership, yet logic suggests that America's scholars and institutions of higher education, as producers, arbiters, and ultimate consumers of scholarly material, are entitled to ownership benefits. It is such empowering and ownership that this Coalition must actively pursue in order to re-channel scholarly publishing into more appropriate directions. The Network offers the means.

### What CNI must do to effectively build scholarly publishing into the Network

The Coalition must demonstrate commitment by creating under its auspices a Corporation for Networked Scholarly Publishing. Its role will be to develop a new type of publishing expertise, to promote projects, to formulate publishing policies, to negotiate entree to the network, and to coordinate transition from the present multiplicity of networks into unity. Initially, its leadership might come from institutions already leading with book and journal-like projects: Case Western, Johns Hopkins, CLC, and Virginia Tech. It might include universities with strong university presses and existing publishing capabilities. The Corporation's specific long-term chores would be to:

1. Draft a broad statement of principles guiding scholarly publishing in the network, including commitment to quick and wide availability, affordable user costs, comprehensive directories, and friendly access for all members of the educational community.

2. Advise on commercialization. Presently, network development is a heavily subsidized activity: subsidized by

government, its agencies, the universities, and private industry to some extent. Although capital costs appear to be being met via special funds, there is a question of whether that will continue. Eventual "commercialization" is implicit in current legislation. The term suggests different things to different players. At the least, commercialization implies handoff of the network infrastructure to commercial telecommunication carriers. A subgroup might properly propose what sort and how many those carriers might be, how they ought to structure line and service charges, and how they could be monitored or advised. It must advise on commercial and society publishing on the Network.


3. Identify issues and formulate guidelines for network publishing in two areas:

- intellectual, including: "fair use," "honest" use, classified information, integrity, and privacy. The guidelines

must balance such matters as openness versus competition, particularly from other countries; and national knowledge versus the national security.

- economic, including: full or partial cost recovery; collecting and distributing revenues; and marketing by profit-seeking companies on the network. Such positions must balance cheap fees which encourage use versus charging enough to keep the network and the contributing institutions or nodes financially healthy and able to mount new ventures.

4. Develop ownership and copyright policies. Ownership is precious and the stakes, if viewed as subscription and book prices universities are now paying — with the consequent impediments to access — are high. (According to the *ARL Statistics 1988/89*, ARL libraries spent \$250,000,000 in 1988/89 on serial subscriptions alone, equivalent to the total lifetime program cost of a major



THE ASSOCIATION OF RESEARCH LIBRARIES  
AT THE 116TH MEMBERSHIP MEETING  
IN NEW ORLEANS, MAY 9, 1990

HONORS

**Dr. Henry H. Barschall**

and acknowledges his contributions to research libraries and the scholarly academic community, specifically for his work in analyzing the cost-effectiveness of scientific journals.

In his study of over 200 physics titles published in the learned society journals *Bulletin of the American Physical Society* and *Physical Review*, he calculated the cost per citation for a core collection of physics journals. Additionally, he incorporated citation data to give the academic community a cost-effectiveness measure for the journals examined. Finally, he used the combined data to identify causal factors in the current information crisis in scientific publishing and to recommend solutions.

Dr. Barschall's work is a model in performing detailed journal pricing studies, in extending such studies beyond price data to include impact factors, and in the thoughtfulness he brings to bear on matters of concern to the academic enterprise. For such efforts, for the awareness he has created within the scientific community about the library information crisis, and for the personal risks he has taken in pursuit of access to scientific information, the ARL community extends its deepest appreciation.

President ARL      Executive Director ARL

Chair, Committee on  
Collection Development

Chair for Office of Scientific  
and Academic Publishing

NASA planetary exploration, such as the current Magellan mission on its way to map Venus.) In this light, several institutions are reviewing options for ownership of scholarly work.

Some proposals are that (1) universities claim some joint ownership with scholars: allowing them financial remuneration/royalties but prohibiting copyright giveaway to a third party; (2) universities set policies requesting faculty submit publications FIRST to a selection of cost-effective sources, which would include the appropriate network node if/when available; (3) in the copyright statement on an article, universities and authors might give unlimited copying to libraries and scholars. Already publication done by federal government employees as part of their work is not subject to copyright, even where only one of several authors is a government employee. (Publishers say that author ownership retention would endanger scholarly publishing as we know it. It would be fairer to say that there are a number of pressures that do so — and guide the search for a better distribution mechanism.)

One highly appropriate way for the Coalition to work on ownership issues is representation in national associations such as AAU and NASULGC, as well as arranging meetings with some of key university stakeholders in intellectual property policymaking. A few such institutions are Harvard, Stanford, Minnesota, Cornell, Penn, Wisconsin, California and the Research Triangle universities.

5. *Review academic incentives.* I term faculty/researchers' principal incentives as "cultural." The book or journal article does far more than describe research results. It validates the researcher's work and acknowledges the contribution to society. At the most, distributing the researcher's work publicly secures a place in history via naming a theory, winning a major prize, or naming a social or natural phenomenon. Write-up brings local recognition in the form of tenure and promotion and broader recognition in the form of public appearances, grants, and other funding.

A history of having published "great" scholarly work circulated to the "right" people gives today's leading journals and publishing imprints a role greater than that of a stack of printed paper; they become a sacrament, the vessel from which blessings flow. Most of today's electronic publishing projects are secondary to a printed version, co-exist with a printed version, or stop from time to time to produce a paper version. There is a lot of glitter, but not much glamour, associated with the amber screen. There is hardly any history and thus very little recognition associated with the electronic journal.

Two suggestions for the Coalition in tackling this most fundamental change:

- With some of the key players, such as the AAU, NASULGC, or interested universities, establish criteria for acceptability, integrity, and standards for academic publishing in electronic form. It needs only a handful of

major universities to head in this direction, a few of you to set matters in motion on your campus. Ideally, CN<sup>2</sup> should sponsor an invitational meeting of targeted scholars and administrators to begin this work.

- Promote and market electronic counterparts — projects with integrity, unassailable review practices, and top-flight editors. Universities might give release time or other incentives for faculty starting such projects. They certainly will have to provide funding for developing networked "publishing." Projects need not be brand new; they might be journals already published by university presses seeking entree into the electronic future; they might be presently published for universities or societies by outside firms. Acceptability will come quickly if first-rate scholars and institutions give such projects their imprimatur — and if work so published achieves publicity, readership and tangible rewards. Indeed, one of the greatest incentives for scholars to publish on their network is the potential **comprehensive access to a community of researchers** — the possibility of **immediate, wide readership throughout the country.**

**The Coalition cannot resolve such matters in isolation.** It needs the views and expertise of scholars, administrators, and university legal counsel. Hearings around the country are one appropriate means of obtaining broadest possible participation. **The Coalition can not resolve such matters for all time.** Unfortunately, there are few precedents for a future in which we must remain open and flexible in a kind of "create-as-we-go" environment. Such free-spiritedness in itself is alien to the legal system and to society's and individuals' needs for bounds and definitions.

In its active support for scholarly publishing on the network, this Coalition parallels, complements, and enormously strengthens the efforts of ARL. We have committed staff; you offer coverage, influence, and many ideas. There is every reason to start now, and I suggest that a joint venture in this endeavor will reap rich results.

<sup>1</sup>See "Copyright Law of the United States of America; contained in Title 17 of the United States Code," Article 105, "Subject matter of copyright: United States Government Works."

<sup>2</sup>An excellent presentation on the social and reward elements of scholarly publishing, using an extended religious metaphor, was given by Frederick Bowes, III, of Maxwell Macmillan, at the AAP/PSP session on Friday, February 9, 1990 entitled, "Journals Publishing in the 90s."

## GORDON & BREACH SUIT DISMISSED

In Frankfurt, West Germany, the Trial Court has entirely dismissed the Gordon & Breach lawsuit. The dismissal represents a very favorable development for the American Institute of Physics, the American Physical Society, and Dr. Henry Barschall, with positive implications for the American Mathematical Society. The written ruling, with rationale for the dismissal, is expected in several weeks. Cases are still pending in Switzerland and France.



University of Oklahoma Research Council revised draft (May 1990) of the document dated 8 December 1989.

## ETHICS IN RESEARCH

### I. Introduction

Research and other scholarly activity at the University of Oklahoma must be above reproach. Each member of the University community has a responsibility to maintain integrity and ethical standards in his activities and those of his colleagues. Misconduct during the course of research undermines scholarly enterprise and erodes public trust in the University community. The University of Oklahoma must promote scholarly practices but also develop policies and procedures for handling allegations or other evidence of unethical conduct.

The policies and procedures outlined below apply to faculty, staff, students, and employees. They are not intended to address all issues of an ethical nature. For example, discrimination and affirmative action conflicts are covered by other institutional policies.

### II. Definition of Unethical Scholarly Conduct

Unethical Scholarly Conduct is any act of deception whereby one's work or the work of others is misrepresented. Other terms, such as research fraud are here subsumed within the term "Unethical Scholarly Conduct" as defined hereafter. Unethical Scholarly Conduct will be used to encompass scientific as well as other types of professional misconduct; it is distinguished from honest error and ambiguities of interpretation that are inherent in the scholarly process. Unethical Scholarly Conduct involves significant and intentional breaches of integrity which may take numerous forms such as, but not limited to those outlined below:

- A. Falsification of data ranging from fabrication to deceptive selected reporting of findings, omission of conflicting data or other improper manipulation of data.
- B. Plagiarism and other improper assignment of credit, such as claiming the work of others as one's own; presentation of the same material as original in more than one publication; inclusion of individuals as authors who have not made a definite contribution; or submission of multi-authored publications without the concurrence of all authors.
- C. Improper use of information gained by privileged access, such as through review of manuscripts or proposals, service on peer review panels, editorial boards or policy boards of research funding organizations.

- D. Material failure to comply with federal, state, or institutional rules governing research, including, but not limited to, serious or substantial violations in the use of funds, care of animals, protection of human subjects, use of investigational drugs, recombinant products, new devices, or radioactive, biological and/or chemical materials.
- E. Inappropriate behavior related to misconduct, including ill-founded accusations of misconduct; failure to report known or suspected misconduct; withholding or destruction of information relevant to a claim of misconduct; or retaliation against persons involved in the allegation or investigation of misconduct.

### III. Process for Handling Allegations of Unethical Scholarly Conduct

#### A. Initiation of an allegation of misconduct:

Initial allegations or evidence may be reported to any faculty member or administrator, who must then report the allegation to the Provost or a designee (hereinafter referred to as "Provost") on the campus where the misconduct allegedly occurred. The designee in most situations would be the Vice Provost for Research Administration. If the person to whom the report would normally be given is involved in some way in the misconduct, the next higher academic officer should be informed.

The Provost shall informally review allegations of Unethical Scholarly Conduct, confer with the dean of the college in which the allegation is purported to have occurred, and consult Legal Counsel to determine whether the claim warrants further action. When appropriate, the program director or department chair shall be notified. The Provost will counsel the individual(s) making the allegation as to the policies and procedures to be used. If the reporting individual(s) choose(s) not to make a formal allegation but the Provost believes an inquiry is warranted, an inquiry shall be initiated. The Institution will pursue an allegation of misconduct to its conclusion, even if the person against whom the allegation is made (hereinafter referred to as the "Subject") leaves or has left the Institution before the case is resolved.

#### B. Inquiry:

1. The first step of the review process shall be an expeditious inquiry to determine whether an allegation deserves a formal investigation. If required, an Inquiry Committee composed of no fewer than three tenured faculty shall be appointed by the Provost within fifteen days after receipt

- of an allegation. These faculty should have no real or apparent conflict of interest, should have appropriate expertise for evaluating the case, and should not have an appointment in the department of either the individual(s) making the allegation or the Respondent.
2. The Provost shall notify the Subject, in writing, of the allegation and the examination procedures. Consideration should be given to the appropriate time for informing the program director or department chair. The Subject will be informed of the proposed composition of the Inquiry Committee to identify in advance any bias or conflict of interest.
  3. Where the individual(s) making the allegation seek(s) anonymity, the Inquiry Committee shall operate in such a way as to maintain that confidentiality to the degree compatible with accomplishing the fact-finding purpose of the inquiry. Such anonymity cannot, however, be assured. Further, this anonymity may be neither desirable nor appropriate where individual(s)' testimony is important to the substantiation of the allegations.
  4. Information, expert opinions, records, and other pertinent data may be requested by the Committee. All the involved individuals are obliged to cooperate with the Inquiry Committee by supplying requested documents and information that are pertinent to the case. Uncooperative behavior may result in immediate implementation of institutional sanctions or formal action by an Investigating Committee.
  5. All material will be considered confidential and shared only on a need-to-know basis. The Provost and the members of the Inquiry Committee are responsible for the security of relevant documents.
  6. All individuals may have the assistance of personal legal counsel at their expense during both the inquiry and investigative phases; however, principals are expected to speak for themselves at the interviews.
  7. The review by the Inquiry Committee should be completed and a report submitted within sixty (60) calendar days of its initiation. A written report shall be promptly prepared and sent to the Provost. The report shall describe the evidence that was reviewed, summarize relevant interviews, and detail the conclusions of the Committee. If this deadline cannot be met, a request for extension with justification and a report of progress to date, together with the anticipated time frame for report completion, should be filed with the Provost.
  8. The written report of the Inquiry Committee will be conveyed to the Provost, who shall give a copy of the written report to the Subject. The report will be edited appropriately to maintain anonymity of the accuser, if so desired (see III.B.3). The Subject shall be given the opportunity (ten working days) to comment in writing upon the findings and recommendations of the Committee. These comments may be made part of the record.
  9. If, after reviewing the outcome of an inquiry the Provost determines that a formal investigation is unwarranted, all involved individuals shall be notified, including the chair of the Subjects department. Reasonable efforts shall be made to restore the reputation(s) of person(s) alleged to have engaged in misconduct. The Committee may recommend sanctions against the individual(s) making the allegations, if they acted irresponsibly.
  10. Records of the inquiry are confidential and are to be passed on to an Investigating Committee only if formal review is initiated. If a formal review is not initiated, the records shall be kept by the Provost for at least three years and then destroyed.
  11. If the inquiry provides evidence which suggests that a formal investigation is needed, the Provost shall initiate that action within fifteen (15) calendar days by appointing a Committee of Investigation. Notification of this action may include the Director of the Office of Scientific Integrity and the funding source and is expected to occur within twenty-four hours of the decision to convene a formal investigation. Under certain circumstances, the Institution may be expected to notify the sponsoring agency or funding source at an earlier point. Factors used in determining the timing of such notification include the seriousness of the alleged misconduct, the presence of an immediate health hazard, consideration of the interests of the funding agency, the scientific community, the public, and the individual who is the subject of the inquiry or investigation and his associates.
- C. Investigation:
1. The Provost shall notify the Subject, in writing, that there will be an investigation, and of the procedures to be used during the investigation. The Subject will be informed of the proposed membership of the Investigating Committee so that he may identify any bias or conflict of interest.
  2. The Provost shall appoint an Investigating Committee composed of no fewer than three senior faculty. These faculty

- should have no real or apparent conflict of interest, should have appropriate expertise for evaluating the case, and should not have an appointment in the departments of either the individual(s) making the allegation or the Subject. At least one member should not be associated with the Institution.
3. The purpose of the Investigating Committee is to further explore the allegation to determine whether there has been serious misconduct, and, if so, to what extent. The investigation normally will include examination of all documentation, including but not necessarily limited to, relevant research data and proposals, publications, correspondence and memoranda of telephone calls. Interviews should be conducted of all individuals involved including the Subject and the individual(s) making the allegation, as well as other individuals who might have information regarding key aspects of the allegation. The Subject shall be given the opportunity to address the allegations and the evidence during his interview. Complete summaries of all interviews shall be prepared, provided to the interviewed party for comment or revision, and included in the investigatory file. The Committee may request the involvement of outside experts. The investigation must be sufficiently thorough to permit the Committee to reach a firm conclusion about the validity of the allegation(s) and the scope of the wrongdoing. In the course of an investigation, additional information may emerge that could justify justify broadening the scope beyond the initial allegation. Should this occur, the Subject is to be informed, in writing, of any significant new directions in the investigation. In addition to making a judgment on the veracity of the charges, the Investigating Committee may recommend to the Provost appropriate sanctions.
  4. As the Institution is responsible for protecting the health and safety of research subjects, patients, students, and staff, and overseeing Federal funds as well as the best interests of the public, interim administrative action prior to conclusion of either the inquiry or the investigation may be indicated. Such action may range from restriction of some activities to full suspension of the Subject. Notification of external sponsors and the Office of Scientific Integrity, if appropriate, may be initiated by the Provost.
  5. All individuals involved in the investigation are obligated to cooperate by producing additional pertinent data in a timely fashion for the investigation. Copies of all materials obtained by the Committee shall be provided to the Respondent and to other concerned individuals as judged appropriate by the Committee.
  6. The Committee proceedings are confidential and will be closed. A tape recording of proceedings may be made.
  7. After the investigation has been completed, the Investigating Committee shall deliberate, and prepare its findings and recommendations.
  8. All significant developments during the formal investigation, as well as the interim and final findings and recommendations of the Committee will be reported by the Provost to the research sponsor and the Office of Scientific Integrity, if appropriate.
  9. Every effort should be made to complete the investigation within one hundred twenty (120) calendar days; however, it is acknowledged that in some cases this deadline may be difficult to meet. In such cases, the Investigating Committee shall compile a progress report, identify reasons for the delay, and within the 120-day time period, request an extension from the Provost. The Provost shall convey to the funding or other relevant agency such information as may be required, at intervals as specified by the agency.
  10. Upon completion of the investigation, the Committee shall submit a full report to the Provost which details their findings, recommendations and the documentation. This report shall be sent to the Subject by the Provost. The Subject shall be given twenty working days to comment in writing on the findings and recommendations of the Committee. Based on all the information received, the Provost shall then make the decision regarding sanctions and shall inform the Subject in writing of the actions and the appeal process. If the sanctions involve recommendation for termination of employment, University procedures will be invoked.
  11. When appropriate, and in all cases where PHS funds are involved, the Provost will submit the final report to the Director of the Office of Scientific Integrity and the funding agency. The final report must describe the policies and procedures under which the investigation was conducted, how and from whom relevant information was obtained, the findings, and the basis for the findings. It must include the actual text or accurate summary of the views of any individual(s) found to have engaged in misconduct, and a description of any sanctions taken by the University. The Provost shall be responsible for maintaining all the documentation, interview summaries, interim and final reports, tapes, transcripts of tapes, Respondent's comments and all other information relevant to the investigation.

D. Resolution:

1. Absence of Unethical Scholarly Conduct

All research sponsors and others initially informed of the investigation shall be notified by the Provost in writing that allegations of misconduct were not substantiated. If the allegations are deemed to have not been made in good faith, appropriate disciplinary action should be taken against the individual(s) making the charges. If the allegations, however incorrect, are deemed to have been made in good faith, no disciplinary measures will be instituted and efforts should be made to prevent retaliatory actions. In reporting the findings of "no misconduct", the Institution should be guided by whether public announcements will be beneficial in restoring any affected reputation(s) or conversely, do further damage to the subjects' reputation. Usually, such decisions should rest with the person who was wrongfully accused. Diligent, appropriate efforts should be undertaken to restore the reputation of the exonerated person while protecting the positions and reputations of those persons who, in good faith, made the allegations.

2. Findings of Unethical Scholarly Conduct

The Institution shall take action appropriate for the seriousness of the misconduct, including but not limited to the following:

a. Notification: Consideration should be given to formal notification of the following, among other appropriate entities:

- sponsoring agencies, funding sources
- co-authors, co-investigators, collaborators
- Department, School, or Institution
- editors of journals in which fraudulent research may have been published
- editors of additional journals or publications, other institutions, sponsoring agencies, or funding sources with which the individual has been affiliated
- State professional licensing boards
- professional societies

b. Institutional Disciplinary Action: Disciplinary action may include but not be limited to the following:

- removal from particular projects
- special monitoring of future work
- letter of reprimand
- probation for a specified period with conditions specified
- suspension of rights and responsibilities for a specified period, with or without salary
- termination of employment

3. Appeal

Individuals may appeal the judgment of the Investigating Committee and/or the sanction(s). A written statement of the grounds for the appeal must be submitted to the President of the University within thirty days of written notification of the results of the investigation. Grounds for appeal include, but are not limited to:

- a. evidence which was not available to be considered earlier
- b. sanctions not in keeping with the findings
- c. conflict of interest not previously known among those involved in the investigation
- d. other lapses in due process

Upon receipt of a written appeal, the President will evaluate the evidence and determine whether to reopen the investigation. The Presidents' decision will be binding on all parties and will be conveyed to all involved in a timely fashion. In case of termination of employment, the decision may be appealed according to University regulations.