on April 24 at 3:30 in the Keen Johnson Building. Senators will have a chance to learn about
the work of the standing committees and to meet with candidates for the Senate Chair.
Refreshments will be available and Senators are asked to RSVP to any member of the
Committee on Elections.

Committee on Faculty Rights and Responsibilities: Senator Guilfoil

At the last Senate meeting, Senator Guilfoil moved adoption of "Policies and
Procedures to Deal with Misconduct in Science" (see attached policies and procedures). That
motion was postponed to the next Senate meeting. Senator Guilfoil reemphasized the need
for such a policy. Senator Laird moved to withdraw his previous amendment to the policy
that called for replacement of the phrase "misconduct in science" with the phrase "academic
misconduct" whenever it appears in the document, except where it is in quotes. There being
no objections, Senator Laird's amendment was withdrawn. Senator Laird then requested that
the following statement be included in the minutes: "Science is a general academic concept
of all disciplines and consists of systemized knowledge derived from observational study and
experimentation." The intent of the suggestion is to be sure that everyone understands the
extent and inclusiveness of the proposed policy.

Senator Miller moved adoption of two amendments to the policy:

1. Strike from Section 3 the words "unless circumstances clearly
   indicate that a longer period is necessary." After brief
discussion, the Senate approved the amendment.

2. Substitute the following wording for Section 1. From: "Once
   the decision is made to conduct an investigation, the appointed
   committee members shall consist of the University Counsel, the
   accused individual's immediate supervisor, the appropriate dean,
   and three tenured faculty members who have the expertise to
deal with technical aspects of the activities in question. At least
two of the three faculty members must be from outside the
accused individual's department." To read: "Once the decision
is made to conduct an investigation, the appointed committee
members shall consist of a department chair, a dean, and three
tenured faculty members who have the expertise to deal with
technical aspects of the activities in question. The department
chair and the dean shall be from outside the accused individual's
department and college, respectively. One of the faculty
member's will be from the accused individual's department while
the other two will be from outside the accused individual's
department. The University Counsel shall act as an ex-officio
and non-voting member of the committee." After considerable
discussion, the Senate approved the amendment.
The policy, as amended, was approved.

Senator Guilfoil moved adoption of the following two recommendations:

1. A synopsis of this revised policy should be placed in the Faculty/Staff Handbook.
2. A copy of the complete policy should be placed in more locations than the Policy Manual [for Academic Affairs] in department chairs’ and deans’ offices (e.g., library/reference, faculty study). These new locations also need to be listed in the Faculty/Staff Handbook.

The recommendations were approved.

Report from Committee on Oversight of Student Evaluation of Faculty Instruction: Senator Sowders

Senator Sowders moved that the Committee on Oversight of Student Evaluation of Faculty Instruction be disbanded. The motion passed with more than two-thirds of those voting in favor.

Report from Special Committees

Report from the Editorial Advisory Committee: Senator Creek

Senator Creek moved that the following recommendations from the Editorial Advisory Committee concerning a faculty newsletter be approved:

1. Frequency and publication of the faculty newsletter: The frequency of the faculty newsletter will be eight times a year. The newsletter will be mailed with the monthly Faculty Senate minutes.

2. Selection of members of Editorial Advisory Committee: Five non-administrative faculty appointed by the Executive Committee for three-year terms; staggered for the initial appointment year.

3. Duties of Editorial Advisory Committee:
   a. To appoint the editor for a three-year term and to evaluate the editor’s performance according to the guidelines listed in item (c) below.
   b. To oversee the finances and resources of the faculty newsletter.
   c. To establish broad editorial guidelines for the newsletter to achieve
Eastern Kentucky University

Policies and Procedures to Deal with Scientific Misconduct in Science

Introduction

The principles that govern scientific research are well-established and have long been applied toward the discovery of new knowledge. High ethical standards based on these principles are a critical responsibility of faculties and administrators of academic institutions, and accuracy in the collection and reporting of data are essential to the scientific process. Dishonesty in these endeavors runs counter to the very nature of research which is the pursuit of the truth.

The scientific academic community is ultimately responsible to the public, and public trust in the scientific academic community is absolutely vital. It is in the best interests of both the public and academic institutions to prevent misconduct in research and to deal responsibly with instances where misconduct is alleged.

General Premises

1. This institution should accept as faculty members only those individuals whose career activities demonstrate the highest ethical standards. To this end, the credentials of all potential faculty must be thoroughly examined in order to verify all claimed accomplishments of a candidate.
2. Since research results should always be supported by verifiable evidence, faculty and staff should maintain sufficient written records or other documentation of their studies.
3. Faculty are responsible for the quality of all research reports based on their own efforts or on the collaborative work of students, technicians, or colleagues, especially those which bear their names. No faculty member should allow his or her name to be used on any research results for which that faculty member cannot assume full professional and ethical responsibility.

Definitions

1. "Misconduct" or "Misconduct in Science" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific academic community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgements of data.

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

3. "Investigation" means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.

Administrative Procedures

There are two separate phases involved with any misconduct charges: an inquiry and an investigation. An inquiry is the initial step after an allegation of misconduct is made. It is intended to identify groundless allegations, generally involves
fewer people, and is more informal than an investigation. An investigation, on the other hand, is conducted after an inquiry has clearly established that there are sufficient grounds for a full, thorough, and formal investigation.

Inquiry

Any employee of this University who has reason to suspect any other employee of scientific misconduct in science with regard to either the conduct or reporting of research has the responsibility of following up these suspicions via the appropriate channels.

1. Allegations of scientific misconduct in science are to be made only on the basis of substantial evidence as opposed to insignificant deviations from acceptable practices, technical violations of rules, simple carelessness, and minor infractions. It is the responsibility of any employee who becomes aware of genuine evidence to present this, in writing, to the department chair of the suspected individual—immediate supervisor of the individual believed to be engaged in misconduct. Such allegations are a very serious matter and all parties involved should take every possible measure to assure that the rights and reputations of all individuals named in such allegations as well as individuals who, in good faith, report the apparent misconduct are carefully protected.

2. An inquiry is initiated by the department chair immediate supervisor of the individual believed to be engaged in misconduct through a careful examination of the facts involved
in the charge, preferably allegations including an interviews
with the suspected individual all persons involved. If
misconduct in science is suspected, the immediate supervisor of
the individual in question must notify his or her immediate
supervisor who must inquire further and if all supervisors
agree, inform the activities in question suggest scientific
misconduct, the department chair must immediately notify the
Dean of the College who, in turn, must inquire further and, if
in agreement, inform the Associate Vice-President for Academic
Affairs and Research. A written report shall be prepared by
the respective chair and dean which states these supervisors
stating what evidence was reviewed, which summarizes
summarizing the interviews, and includes including in their
conclusions. The accused individual(s) shall be given a copy of
that report and may comment on the report. Those written
comments will be made part of the record.

3.4 If, after reviewing the written report, the Associate Vice-
President concludes that the possibility of scientifie
misconduct in science exists, he or she must immediately inform
the Vice-President for Academic Affairs and Research, who has
final responsibility for determining whether an investigation
is warranted. This determination must be made within 60
calendar days of the initiation of the inquiry unless
circumstances clearly indicate that a longer period is
necessary.

4.5 If the inquiry determines that if it is not necessary to
undertake an investigation, the written report which includes
the reasons for this decision and the findings of the inquiry will be filed in a secure manner in the office of the Associate Vice-President for Academic Affairs and Research for a period of three years following termination of the inquiry, and shall, upon request, be provided to authorized personnel of the external agency supporting the research.

5.4 If the Vice-President for Academic Affairs and Research determines that the possibility of scientific misconduct in science exists, he or she shall notify, in writing, the individual(s) accused of misconduct and immediately appoint an investigating committee. Should any Vice-President be suspected, the President will notify the accused and appoint a committee. It shall not take more than 10 days from the completion of the inquiry for this committee to begin its official investigation.

Investigation

1.7 Once the decision is made to conduct an investigation, the appointed committee members shall consist of the University Counsel, the suspected accused individual's department chair, immediate supervisor, the appropriate dean, and three tenured faculty members who have the expertise to deal with technical aspects of the activities in question. At least two of the three faculty members must be from outside the suspected accused individual's department. The Vice-President shall take every precaution not to appoint any committee member who has a real, or apparent, conflict of interest with the outcome of the
investigation. The accuser, and all others having a real or apparent conflict of interest, will not be appointed to the committee. The committee will elect its own chair and the chair shall conduct meetings of this committee as frequently as may be necessary in order to determine whether or not the activities in question represent scientific misconduct in science. All such meetings and the deliberations thereof shall be held in the strictest of confidence to protect the affected individual, or individuals. Those accused of misconduct shall be afforded an opportunity to appear before the committee to comment on allegations and/or findings of the committee. The committee should not, ordinarily, take more than 120 calendar days to complete its formal investigation, prepare a written report, and obtain comments from the individual subject(s) of the investigation. The Vice-President, based on the committee findings, shall then determine what actions are appropriate pursuant to provisions of the Faculty/Staff Handbook.

2.6. Any external agency supporting the research in question shall be promptly notified in writing if the inquiry determines that an investigation is warranted. The agency may also be given interim reports should circumstances warrant. In any event, the external funding agency will always be notified of the final outcome of a formal investigation.

3.4. If either the inquiry or the investigation determines the allegations to be unsubstantiated, the University will make a diligent effort to restore the reputation of those accused. Also, the University will make every possible effort to protect
the positions and reputations of those persons who, in good faith, made the original allegation.

**APPEAL PROCESS**

In the event of an official finding of "misconduct in science" by the investigating committee, the accused individual shall have an opportunity to appeal. A written appeal of the committee's decision may be made to the President of the University within 30 days of the finding and shall be restricted to the body of evidence already presented. The President will notify the appellant, in writing, within 30 days of his decision. The decision of the President in hearing the appeal will be final unless the committee recommends termination of an employee. In such cases, the President shall have the authority to reduce the recommended sanction and, if not, must refer the matter to the Board of Regents for further consideration.
TO: Faculty and Staff
FROM: Hanly Funderburk
SUBJECT: "Misconduct-in-Science" Policies and Procedures
DATE: December 15, 1989

Receiving national attention recently have been a number of instances of misconduct of research—including fraud—and in the reporting of research data. In that regard, and in keeping with new federal mandates, you will find attached Eastern Kentucky University's "Misconduct-in-Science" policies and procedures.

These policies and procedures, developed so Eastern will be in compliance with the recently issued regulations, were approved by the Graduate Council on December 6, 1989.

These are being distributed campus-wide so the entire University Community will be aware of these policies and procedures.

Attachments
Eastern Kentucky University
Policies and Procedures to Deal with Scientific Misconduct

Introduction

The principles that govern scientific research are well-established and have long been applied toward the discovery of new knowledge. High ethical standards based on these principles are a critical responsibility of faculties and administrators of academic institutions, and accuracy in the collection and reporting of data are essential to the scientific process. Dishonesty in these endeavors runs counter to the very nature of research which is the pursuit of truth.

The scientific community is ultimately responsible to the public, and public trust in the scientific community is absolutely vital. It is in the best interests of both the public and academic institutions to prevent misconduct in research and to deal responsibly with instances where misconduct is alleged.

General Premises

1. This institution should accept as faculty members only those individuals whose career activities demonstrate the highest ethical standards. To this end, the credentials of all potential faculty must be thoroughly examined in order to verify all claimed accomplishments of a candidate.

2. Since research results should always be supported by verifiable evidence, faculty and staff should maintain sufficient written records or other documentation of their studies.

3. Faculty are responsible for the quality of all research reports based on their own efforts or on the collaborative work of students, technicians, or colleagues, especially those which bear their names. No faculty member should allow his or her name to be used on any research results for which that faculty member cannot assume full professional and ethical responsibility.

Definitions

1. "Misconduct" or "Misconduct in Science" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgements of data.

2. "Inquiry" means information gathering and initial factfinding to determine whether an allegation or apparent instance of misconduct warrants an investigation.

3. "Investigation" means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.
Administrative Procedures

There are two separate phases involved with any misconduct charges: an inquiry and an investigation. An inquiry is the initial step after an allegation of misconduct is made. It is intended to identify groundless allegations, generally involves fewer people, and is more informal than an investigation. An investigation, on the other hand, is conducted after an inquiry has clearly established that there are sufficient grounds for a full, thorough, and formal investigation.

1. Any employee of this University who has reason to suspect any other employee of scientific misconduct with regard to either the conduct or reporting of research has the responsibility of following up these suspicions via the appropriate channels.

2. Allegations of scientific misconduct are to be made only on the basis of substantial evidence as opposed to insignificant deviations from acceptable practices, technical violations of rules, simple carelessness, and minor infractions. It is the responsibility of any employee who becomes aware of genuine evidence to present this, in writing, to the department chair of the suspected individual. Such allegations are a very serious matter and all parties involved should take every possible measure to assure that the rights and reputations of all individuals named in such allegations as well as individuals who, in good faith, report the apparent misconduct are carefully protected.

3. An inquiry is initiated by the department chair through a careful examination of the facts involved in the charges, preferably including an interview with the suspected individual. If the activities in question suggest scientific misconduct, the department chair must immediately notify the Dean of the College who, in turn, must inquire further and, if in agreement, inform the Associate Vice-President for Academic Affairs and Research. A written report shall be prepared by the respective chair and dean which states what evidence was reviewed, which summarizes interviews, and includes their conclusions. The accused individual(s) shall be given a copy of that report and may comment on the report. Those written comments will be made part of the record.

4. If, after reviewing the written report, the Associate Vice-President concludes that the possibility of scientific misconduct exists, he or she must immediately inform the Vice-President for Academic Affairs and Research, who has final responsibility for determining whether an investigation is warranted. This determination must be made within 60 calendar days of the initiation of the inquiry unless circumstances clearly indicate that a longer period is necessary.

5. If the inquiry determines that it is not necessary to undertake an investigation, the written report which includes the reasons for this decision and the findings of the inquiry will be filed in a secure manner in the office of the Associate Vice-President for Academic Affairs and Research for a period of three years following termination of the inquiry, and shall, upon request, be provided to authorized personnel of the external agency supporting the research.
6. If the Vice-President for Academic Affairs and Research determines that the possibility of scientific misconduct exists, he or she shall notify, in writing, the individual(s) accused of misconduct and immediately appoint an investigating committee. It shall not take more than 30 days from the completion of the inquiry for this committee to begin its official investigation.

7. Once the decision is made to conduct an investigation, the appointed committee members shall consist of the University Counsel, the suspected individual's department chair, the appropriate dean, and three tenured faculty members who have the expertise to deal with technical aspects of the activities in question. At least two of the three faculty members must be from outside the suspected individual's department. The Vice-President shall take every precaution not to appoint any committee member who has a real, or apparent, conflict of interest with the outcome of the investigation. The committee will elect its own chair and the chair shall conduct meetings of the committee as frequently as may be necessary in order to determine whether or not the activities in question represent scientific misconduct. All such meetings and the deliberations thereof shall be held in the strictest of confidence to protect the affected individual, or individuals. Those accused of misconduct shall be afforded an opportunity to appear before the committee to comment on allegations and/or findings of the committee. The committee should not, ordinarily, take more than 120 calendar days to complete its formal investigation, prepare a written report, and obtain comments from the individual subject(s) of the investigation. The Vice-President, based on the committee findings, shall then determine what actions are appropriate pursuant to provisions of the Faculty/Staff Handbook.

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9. If either the inquiry or the investigation determines the allegations to be unsubstantiated, the University will make a diligent effort to restore the reputation of those accused. Also, the University will make every possible effort to protect the positions and reputations of those persons who, in good faith, made the original allegation.

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