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Minutes, Arts & Sciences Faculty Meeting, Thursday, Oct. 27, 2011

Arts & Sciences Faculty
Rollins College

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Approved Minutes
Arts & Sciences Faculty Meeting
Thursday, October 27, 2011
12:30 – 1:50 pm

In attendance: Barry Allen, Joshua Almond, Mark Anderson, Pedro Bernal, Gay Biery-Hamilton, William Boles, Dexter Boniface, Carol Bresnahan, Julian Chambliss, Martha Cheng, Daniel Chong, Edward Cohen, Gloria Cook, Daniel Crozier, Alice Davidson, Joan Davison, Nancy Decker, Hoyt Edge, D. Larry Eng-Wilmot, Richard Foglesong, Christopher Fuse, Laurel Goj, Eileen Gregory, Michael Gunter, Dana Hargrove, Fiona Harper, Karen Hater, John Houston, Jill Jones, Sarah Ashley Kistler, Stephen Klemann, Philip Kozel, Harry Kypraios, Carol Lauer, Barry Levis, Jana Mathews, Dorothy Mays, Ruth Mesavage, Susan Montgomery, Robert Moore, Thomas Moore, Anne Murdaugh, Ryan Musgrave-Bonomo, David Noe, Alan Nordstrom, Kathryn Norsworthy, Twila Papay, Kenneth Pestka, Jennifer Queen, Paul Reich, Dawn Roe, Marie Ruiz, Emily Russell, Judy Schmalstig, Rachel Simmons, John Sinclair, Joseph Siry, James Small, Robert Smither, Cynthia Snyder, Michelle Stecker, William Svitavsky, Eren Tatari, Lisa Tillmann, Robert Vander Poppen, Richard Vitray, Susan Walsh, Jonathan F. Walz, Jay Yellen, Wenxian Zhang.

I. Call to Order. Jill calls the meeting to order at 12:37pm.

II. Approval of the minutes from the 9/22/11 faculty meeting. The approval of the minutes is postponed until the next meeting.

III. Committee Reports

Academic Affairs Committee (AAC). Gloria Cook reports that AAC is in continuous conversation with registration staff discussing the Banner system. The committee's concerns include, first, the fact that students are not getting courses they need for their major and general education requirements; second, the inability of the system to recognize and give priority to majors and minors in upper-level classes; and, third, students do not fully understand the course registration system. Robin Mateo came to the AAC meeting and guaranteed that Banner does recognize majors and minors and seniors; however, they noted that Rollins must also leave enough course spaces for the entering freshman to choose from. Furthermore, they reported

that students do not understand and follow the guidelines. For example, students do not declare their majors and therefore the system cannot recognize their major. Robin did send an email out that included the registration dates and explained the wait-list system. AAC recommends that additional measures be taken to be student-friendly while insisting on the need for students to be accountable.

Professional Standards Committee (PSC). Joan Davison issues a reminder that Critchfield and other research grants will be reviewed in the spring. For recent grant recipients, grant reports must be submitted to Karla Knight by Dec. 15 to guarantee eligibility for future grants.

Finance and Services (F&S). Joe Siry reports that the F&S committee is discussing student retention and the campus master plan. Furthermore, F&S is working on the merit pay suggestions from the Executive Committee.

Student Life. Jenny Queen reports that the Cornell Campus Center renovations are moving forward. Alice Davidson is the faculty representative on the renovation committee. Rollins' food service is changing its hours and menu in response to student life requests. SL also discussed the campus posting policy (currently housed on the HR website). OSIL is editing the policy and proposed that it apply only to off-campus groups. OSIL will work with the on-campus groups to address ways to get their messages out there in an effective and responsible manner. At the next meeting the committee will be discussing Mapworks with Meghan Harte and Trish Moser. RCC faculty and peer mentors are welcome to this meeting whether they have positive or negative feedback on Mapworks. Mapworks is a new program that is being implemented through RCC.

Executive Committee. Jill Jones notes that faculty members met with members of the Board of Trustees. She notes that there was not a quorum at the last all-faculty meeting. The next all-faculty meeting is Tuesday at noon. Jill encourages faculty to attend. Mike Gunter asks who called the all-faculty meeting and notes that it sends a bad message in terms of faculty priorities, since it disrupts our teaching, to hold the meeting during regular class time. Jill responds that this was a decision of the Executive Council. Jenny notes that the 12:00pm time was the only other option besides 4:00pm on Friday and the latter time did not achieve quorum. Harry Kypraios asks if we can take a closer look at what this new vision of the college will mean for us, particularly if we could have until the next Board meeting in the spring to

evaluate it. Jill states that she is happy to request that President Duncan communicate his vision for the future. Laurel Goj asks if all voting members know they are voting members at the all-faculty meeting. She states that many voting members do not seem to know they have voting privileges. Jill states that President Duncan is in charge of the all-faculty meeting; she will communicate this to him.

IV. Old Business

A. Shall we approve attached proposal (see below for a copy of the proposal) issued from SLC “Attendance Policy to be Considered by A&S Faculty”? Joe Siry moves that we un-table the motion to consider the policy. The motion is seconded. The motion passes. Jenny Queen reviews the rationale for the proposed attendance policy for A&S students. She notes that the proposal is supported by the Office of Multicultural Affairs and Rollins’ athletics. The policy is minimalist and consistent with policies at our peer and aspirant schools. The Student Life committee endorses this policy. Student representatives address the faculty. Undergraduate student, Daniel Berlinger from the Office of Multicultural Affairs notes that this is something that has plagued him during his college career because he has had to sacrifice religious observances in order to attend class. He believes that it is consistent with the mission of the college to promote dialogue among religions and be religiously connected. Kathleen Palasz, a junior on the women’s lacrosse team, states that in the term “student-athlete,” student comes first. She notes that the policy allows a more cooperative relationship and reinforces the unified concept of the student-athlete. She states that athletes know their role as team members and as students first. However, students sometimes have to schedule games with zero down time, showing up at the start of the game, with additional expense to Rollins. She believes that the policy under consideration upholds standards and does not undermine them. Student-athletes understand their responsibilities. This policy will create a more cohesive experience for student-athletes. Jill Jones asks is there any discussion. Joan Davison asks for clarification on one aspect of the policy, namely what constitutes “college business.” She asks if a sorority meeting scheduled during normal class time is college business. She states that she wants to be certain that this would not be an excused absence under this new policy. Jenny responds that any attempt to specify college business was too

unwieldy. Under the policy, the onus is on the student to demonstrate that the conflict constitutes official college business. She states that the policy protects both students and faculty. Rick Vitray asks who decides if there is a conflict between a student and a faculty member. Dean Karen Hater states that typically such issues go to the subcommittee of the AAC which handles student academic appeals. Barry Levis asks if the policy also covers the College for Professional Studies (CPS). Jenny states that she does not know and that the CPS does not have a student life committee. Dan Chong states that the new attendance policy would not require faculty to give excused absences, but would merely prevent faculty from failing students due only to excessive absences for religious holidays or college business. Josh Almond asks how faculty can communicate with athletic coaches. He notes that the athletic schedule for women's lacrosse generated many class conflicts for Tuesday-Thursday schedules. Joan Davison responds that the athletic department has created a scheduling sheet which must get submitted to the Athletic Director. However, she notes that post-season play can be unpredictable. She continues that most of the sports are in the Sunshine State Conference with shorter trips. Lacrosse is one of the sports which is not a conference sport. Rollins does not schedule the Sunshine State Conference games. She notes that Rollins' coaches push for minimal class conflicts. She believes that the Athletic department is very well intentioned in this regard. Rick Vitray motions to call to question. The motion is seconded. The question is called. The motion passes unopposed. Kathryn Norsworthy asks that the faculty thank the students for their participation.

B. Shall we approve the attached proposal issued from SLC, "Posthumous Degree Policy"? Jill moves this item to the bottom of the agenda because of time-sensitive issues under new business. The proposal will be considered at the next faculty meeting.

VI. New Business

A. Introduce Amendment to the Bylaws to extend the Tenure clock for Science Faculty hired in 2012 (PSC). The amendment would be to Article VIII, section 1 which currently states, "No tenure-track appointment may last beyond seven consecutive years without the faculty being granted tenure." *Proposed Amendment: "Science Division and Psychology faculty who begin the tenure track in fall, 2012 (assuming the Bush renovation takes*

place on schedule) and who require specialized laboratory facilities in the Bush Science Center to conduct their research, may, at the time they submit their materials for their mid-course evaluation, declare that they wish a one-year extension of the tenure clock. That extension will convert their fifth year on the tenure track to a non-counting year, allowing them to take the fourth year course release currently offered to tenure-track faculty. This provision expires automatically once these faculty have been accommodated as described.” The motion requires a 2/3 vote. Joan Davison explains the rationale of the policy. According to the college attorney, to provide an accommodation to the tenure clock requires changing the bylaws. PSC recommends that faculty make a decision as to whether to exercise an extension of the tenure clock at their mid-term evaluation. Jenny Queen moves to consider the policy. The motion is seconded. Judy Schmalstig asks whether or not we already have something like this specified in the bylaws. Joan responds that this provision has never been put into the bylaws. She notes that although Rollins’ childcare and adopted child leave programs provide up to a two-year leave, this policy only exists on the HR website; however, it is not in the bylaws. Therefore we will probably need to make other changes to the bylaws to reflect these policies as well. Eileen Gregory states that she agrees with this policy. However, she does not have faith in the timetable of the Bush renovation. Joan states that if we need to make additional adjustments in the future, we can do so in the future. Rick Vitray states that he totally supports the spirit of the policy. He thinks that we should make a broader change to the bylaws that states that the 7-year window is the *ordinary* practice. Joan states that PSC desired to have a policy that is inelastic because, in the past, tenure clocks were sometimes changed without properly following school policies. She continues that the onus is on the science faculty to terminate any faculty rather than extend them. Josh Almond questions if this is realistic. Joan states that the rationale for this policy is that affected departments need this to do competitive hiring. Pedro Bernal states that the science departments need a policy that will allay concerns of prospective faculty. Steve Klemann asks if it makes more sense to push back the mid-course rather than the tenure decision. Eileen disagrees; she believes the request should be made at mid-course, not prior to it. Joe Siry calls to question and is seconded. The question is called. The motion requires a 2/3 vote. The motion passes unopposed.

B. Shall we approve the “Policy on Research and Scholarly Misconduct” (see below for a copy of the approved policy as amended) issued from PSC? Joan Davison explains the rationale of the policy. She states that Devon

Massot in Rollins' grants office brought this issue to PSC. Devon found that Rollins is not in legal compliance for federal grants. Therefore a template was passed to ensure compliance. Yet Joan notes the template is not very faculty-friendly. PSC thus worked rapidly to craft a more faculty-friendly policy. The policy was then forwarded to the faculty. Since then one additional change was made. The word "reckless" was dropped as a friendly amendment. Carol Lauer states that she worries that the one thing that is not contained in the policy is the definition of "research and scholarly work." For example, faculty might copy something for a class presentation but we would not think of this as plagiarism. Carol Bresnahan states that we should clarify what constitutes scholarly work. It should be clear that scholarly work is work intended for publication, for example. Steve Klemann suggests that we could link this to department standards of scholarly and research activity. Ed Cohen asks if this document is currently in the faculty handbook. Joan replies that the template policy is in the handbook. Ed Cohen asks how it got there. Joan states that it was put there to be in compliance with federal law. It was administratively approved and placed in the handbook. The reason for this is that you must have a policy to be in compliance. Josh Almond, on PSC last year, states that Devon expressed concern that we could jeopardize future grants. Carol Bresnahan states that her previous institution, the College of New Jersey (CNJ), did the same thing. She notes that grant administrators have this responsibility at their institutions. An interim policy was created at CNJ but then replaced with a more faculty-friendly policy. She fully endorses the revised, faculty-driven policy. Rick Foglesong asks if this policy applies to the spoken word as well as the written word. He notes that we make oral presentations at professional meetings. Joan reviews the inquiry process. She notes that frivolous complaints would likely be stopped before going to investigation; this is because of the nature of the faculty inquiry process and the type of evidence gathered before an investigation is even undertaken. Carol Lauer states that she likes Steve's recommendation. Rick Vitray makes a friendly amendment to incorporate Steve's recommendation regarding a reference to departmental standards. The amendment is accepted and incorporated into the policy. The question is called. The motion passes unopposed.

VI. Adjournment. The meeting is adjourned at 1:46pm.

Attendance Policy to be Considered by A&S Faculty

CLASS ATTENDANCE

It is the responsibility of the faculty to publish attendance policies for their courses in the course syllabus. If a distinction is made between "excused" absences and "unexcused" absences, it must be conveyed in the attendance policy. At the instructor's discretion, a student's grade may be lowered for failure to comply with the attendance policy.

Exceptions exist for absences owing to religious observances and college business. If a student misses a class because of either situation, then the student must confer with his/her professor as to how and when the make-up work will be done, which includes the possibility of turning work in early. Absences will be addressed by the faculty member in accordance with his or her attendance policy. A student will not fail a course because the number of religious observances and/or college business absences exceed the number of absences allowed, except if excessive absences make it impossible to fulfill the competencies of the course. The student's class participation grade in the course, though, may be affected.

—In regard to absences due to religious observances, students must communicate any attendance conflicts to their professor before the end of the official add/drop period.

—In regard to absences due to college business, students must present to their professor written evidence of an upcoming absence as soon as they are aware of the conflict.

It is the student's responsibility to discuss with his/her professor how and when make-up work should be completed before missing class.

If the student feels s/he must be absent from class for any other reason, it is the student's responsibility to confer with the faculty member to determine whether the absence is to be considered "excused" or "unexcused" as defined by the attendance policies. The Office of the Dean of Student Affairs will communicate when students must be absent from campus for hospitalization, family emergencies, or similar contingencies. Students will be responsible for all work missed.

Appendix D



POLICY ON RESEARCH AND SCHOLARLY MISCONDUCT

A. Background

Rollins College expects adherence to the highest ethical and moral standards in the conduct of research and scholarly activity. The College is responsible for promoting academic practices that prevent misconduct and developing policies and procedures for dealing with allegations of misconduct. Students, faculty, staff, and administrators share responsibility for developing and maintaining standards to ensure ethical conduct of research and detection and appropriate handling of abuse of these standards.

Rollins bears primary responsibility for addressing allegations and investigating misconduct in research and scholarship by its faculty, staff, and students. These responsibilities exist regardless of whether the activity is funded by federal, state, or private sources, or is the result of unfunded efforts.

The purpose of this policy statement is to inform those participating in research activities of both the College's and federal funding agencies' research misconduct policies, to identify general types of research misconduct, and to set in place mechanisms to address and resolve alleged violations.

B. Who is Impacted?

This document describes procedures for investigating and resolving allegations of research misconduct and applies to all individuals engaged in and/or reporting any research or scholarship conducted under the auspices of Rollins College. This includes faculty members, post-doctoral fellows, staff members, guest researchers, graduate students, and undergraduate students. Such persons are subject to this policy regardless of whether their research is conducted on campus or elsewhere. Persons found guilty of willful misconduct are subject to disciplinary action by the College.

In cases involving allegations of research or scholarly misconduct against students, the College's Academic Honor Code Violation procedures shall be followed in lieu of this Policy. To the extent that additional procedures are necessary for students, either to comply with legal requirements or because of their involvement in cases involving other persons subject to this Policy, the Provost may determine such procedures on an *ad hoc* basis.

C. Definition of Research Misconduct

For the purposes of this policy, Rollins considers the term "research" to encompass both research and scholarship as described in the relevant departmental criteria for tenure and promotion. Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

Fabrication is making up data or results and recording or reporting them. **Falsification** is

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

Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. Research misconduct does not include honest error or differences of opinion in the interpretations or judgments of data.

A finding of research misconduct requires that:

- ✓ There be a significant departure from accepted practices of the relevant research community; and
- ✓ The research misconduct be committed intentionally, knowingly, or recklessly; and
- ✓ The allegation be proven by a preponderance of evidence.

D. Reporting Misconduct

All institutional members are responsible for reporting what they believe to be research misconduct, as described above, on the part of Rollins faculty, staff, or students. Allegations of research misconduct on the part of any Rollins faculty, staff, or student must be immediately reported in writing to the provost or the Dean of Arts and Sciences (for allegations occurring within the College of Arts & Sciences or Hamilton Holt School), the Dean of the College of Professional Studies (for allegations occurring within the College of Professional Studies) or the Dean of the Crummer Graduate School of Business (for allegations occurring within Crummer). For administrators and staff outside the purview of the referenced deans and without an appointment to a department, the reporting should be made to the Provost. At that time and throughout the remainder of the review process, the respective Dean (or provost in the case of staff and administrators not reporting to academic deans and administrators without an appointment to a department) will take all reasonable steps to preserve and protect the confidentiality of all information and persons involved to the extent possible. The Dean or provost shall 1) limit disclosure of the identity of respondents and complainants to those who need to know in order to carry out a thorough, competent, objective, and fair research misconduct proceeding; and 2) except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The accused shall have full access to all information, including the identity of respondents and complainants.

E. The Inquiry Process

Upon receiving a report of possible misconduct, the appropriate Dean or provost shall promptly initiate an inquiry to be completed within 30 days. The person(s) accused of misconduct (respondent) shall be notified in writing that an inquiry is being conducted and shall have an opportunity to respond in person and/or in writing to the allegations. The dean and president of the faculty of the college or school of the accused person will jointly select five tenured faculty members; from these five, the president of the relevant school/college chooses one person, the accused chooses another, and they jointly choose a third. If they cannot agree, the provost chooses the third. The three faculty members must be in the college/school of the accused person (but without conflict of interest) unless the number of qualified faculty in the school/college precludes this number. In the

case of an administrator or staff member who does not have an appointment to a department or does not report to an academic dean, the provost and president of the A&S faculty will jointly select five tenured faculty members, three from A&S, and one from Crummer and one from CPS. From these, the president of A&S will select one person, the accused chooses another member, and they jointly choose a third person. If they cannot agree, the provost chooses the third.

The three selected members form an Inquiry Committee and choose a chair from among themselves. An inquiry consists of preliminary information gathering and fact-finding to determine whether an allegation or apparent instance of research misconduct has substance and if an investigation is warranted. At the start of the inquiry, the Dean or provost and the Inquiry Committee must take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner, unless doing so would compromise the ability of the accused researcher to comply with legal obligations surrounding the materials. The accused has the right to duplicate any evidence and records as they are sequestered under the above process.

The committee has 30 days to determine whether charges are of such merit that a full investigation should take place. The Inquiry Committee shall be directly responsible for the inquiry and will prepare a written report that states what evidence was reviewed, summarizes relevant interviews, and concludes whether or not an investigation is recommended. The respondent shall be given a copy of the inquiry report and the opportunity to comment. The respondent's written comments shall be affixed to the report. If the decision is not to proceed with an investigation, then the relevant dean or provost informs the accused person in writing that the charge was found to be undeserving of further investigation and the process stops. If the decision is to proceed with an investigation, then the accused person can appeal within a fortnight of receiving the decision from the Inquiry Committee; the appeal goes to the Committee chair, who, with the committee, reaches a decision within five business days of receiving the appeal.

If an investigation is not recommended, the inquiry is complete, but all material related to the allegation and inquiry will be maintained on file for a period of seven years. All individuals involved in the inquiry process, including the respondent, the complainant, and the respondent's immediate supervisor or department chair will be notified in writing that the charge of research misconduct was unfounded. The positions and reputations of persons who make allegations in good faith shall also be protected.

Notification of Federal Agencies. If the research under investigation is sponsored through federal funds, any finding that an investigation is warranted must be provided to the federal agency, together with a copy of the inquiry report, within 30 days of the end of the inquiry. In these cases, the Provost shall forward this information to the Director of Grants and Contracts, who shall then immediately notify the appropriate federal funding agency, as required by law, that an investigation has been initiated. During the inquiry or investigation process, the federal funding agency shall also be notified immediately upon determination that a) public health or safety is at risk; b) federal resources, reputation, or

other interests need protecting; c) there is reasonable indication of possible violations of civil or criminal law; d) research activities should be suspended; e) federal action may be needed to protect the interests of a subject of the investigation or of others potentially affected; or f) the scientific community or the public should be informed. The Director of Grants and Contracts will also promptly advise the federal funding agency of any developments during the course of the investigation which disclose facts that may affect current or potential funding for the individual(s) under investigation or that the funding agency needs to know to ensure appropriate use of federal funds and otherwise protect the public interest.

F. The Investigation Process

An investigation is a formal development, examination, and evaluation of a factual record to determine whether research misconduct has taken place, to assess its extent and consequences, and to evaluate appropriate action. If the Inquiry Committee concludes a formal investigation is appropriate, the appropriate dean or provost will notify the respondent in writing of the allegations to be investigated and will select eight tenured faculty members for consideration for selection to a five member Investigation Committee. Members of the Inquiry Committee are not eligible for membership on the Investigation Committee. The accused person chooses two members from the eight, the president of the relevant college/school chooses two, and they jointly choose one; if they cannot agree, the provost will choose the last member. As in the case of the Inquiry Committee, if the accused is a staff member or administrator who does not report to a dean and an administrator without appointment to an academic department, the president of A&S will make the decisions as the president of the relevant college. The members of the committee must be without conflict of interest. Generally, three of the five members will be within the division of the individual charged with misconduct. If an insufficient number of tenured faculty members exist within a division to staff the committee, members may come from outside the college/school. All committee members shall be determined to have the appropriate background to judge the issues being raised. The committee should be constituted in such a way that it has the necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence. Standing committees that deal with research issues (e.g. Institutional Review Board for Human Subjects Research, Institutional Animal Care and Use Committee) may be used as one source for members of an investigative committee. Committee members must have no real or apparent conflicts of interest bearing on the question. The dean or provost may reserve the right to request that committee members sign confidentiality statements to ensure the protection of information and persons involved. In addition, the appropriate dean or provost will be present or available throughout the investigation to advise the committee as needed. The committee will select its own chair. The committee shall expeditiously begin a thorough investigation within 21 days of the end of the inquiry, and the entire investigation process is to be completed within 60 days.

During an investigation, the committee will examine all pertinent evidence (including, but not limited to, relevant research data and proposals, files, reports, publications, correspondence, and laboratory materials or specimens), interview all individuals involved in making the allegation, and hear any testimony. All discussions by the

committee shall be confidential. The committee shall be empowered to seek and obtain any relevant information that is pertinent to the investigation, and the respondent may present evidence and expert testimony on her/his behalf.

The accused person may have an advisor to attend the committee meetings with the accused. That advisor may be an attorney but plays the role of an advisor, not attorney, during the meetings. The advisor may not ask questions or examine witnesses. The advisor's role is to quietly advise the accused individual.

The investigation committee must:

- Use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of each allegation;
- Take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical;
- Interview each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of the investigation; and
- Pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible research misconduct, and continue the investigation to completion.

All institutional members will cooperate with institutional officials in the review of allegations and the conduct of inquiries and investigations. Institutional members, including respondents, have an obligation to provide evidence relevant to research misconduct allegations to the committee or other institutional officials.

Within 60 days, the respondent shall receive a copy of the investigation report and, concurrently, a copy of, or supervised access to the evidence on which the report is based, and be notified that any comments must be submitted within a fortnight of the date on which the copy was received and that the comments will be considered by the institution and attached to and submitted with the report. The accused's comments can constitute a comment upon the facts, challenge of the facts, formal appeal of the decision, and/or formal appeal of the sanction provided the comments are made within the designated 14 day period of receipt of the report. The appeal goes to the Committee chair, who with the committee reaches a decision within 5 business days of receiving the appeal.

Report. After reviewing all data and any additional comments or appeals from the accused, the committee will decide if the charge of misconduct is or is not substantiated. At least three of the five members must agree that the investigator is guilty of misconduct before such a decision can be rendered. At the end of the investigation, the committee shall complete its written report of its findings and recommendation. The committee chair

shall notify the accused of the committee's response to any comments and/or appeals. If a decision is not unanimous, a minority report will be attached to the majority report outlining the reasons for dissent. The comments, challenges and/or appeals of the accused also shall be attached to the report.

The report should include:

- Names and qualifications of individuals comprising the investigative committee.
- A summary of findings, including any facts and analysis which support the committee's conclusion.
- A summary of testimony given by witnesses and respondent. All witnesses and the respondent should be given the opportunity to review their testimony and allowed to comment upon the summary of their interview. These comments and revisions should be attached to the report.
- A conclusion as to whether research misconduct took place and if so, whether it was determined to be falsification, fabrication, or plagiarism, and whether it was intentional, knowing, or reckless.
- Comments and/or appeals of the accused, including responses or challenges to sanctions
- A minority report, if necessary.
- A list of any publications from the respondent that need corrections or retractions.
- A list of any current grants or proposals that the respondent has pending with any external funding agencies.
- Recommendations on appropriate administrative actions if guilt has been determined. These may include but are not limited to:
 - Removal of the responsible person from the particular project
 - A letter of reprimand
 - Special monitoring of future work
 - Withdrawal or correction of all pending or published abstracts and papers emanating from the research where misconduct was found
 - Probation for a specified period with conditions specified
 - Suspension of rights and responsibilities for specified period, with or without salary
 - Initiation of steps leading to possible rank reduction or termination of employment
 - Restitution of funds, as appropriate

The chair of the investigation committee shall forward copies of the report and attachments, including comments, appeals and responses of the accused, to the Provost, the appropriate Dean, and the respondent. At that time, no additional evidence may be introduced into the record.

Administrative Action. The Provost will receive the investigation report and recommend action to the president within 5 days. The provost's recommendations can include both a recommendation as to whether the person is guilty of misconduct and possible sanctions for the president's consideration. If the provost's recommendations

differ from the recommendations of the Investigation Committee, the provost also will forward to the president the recommendations of the committee

The president issues the final decision and sanction within 5 days of receiving the provost's recommendations. The accused person can appeal within 14 days of receiving the decision of the sanction from the president. The appeal goes to the president who must respond within 5 business days. The president (or president's designee) is responsible for implementing the sanction and following any relevant College policies.

If applicable, the Provost will provide a copy of the final report to the Director of Grants and Contracts who will ensure the report, the decision of the president, and a description of any pending or completed administrative actions are provided to the appropriate federal agencies within 120 days of the start of the investigation process. The president will also determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case.

If applicable, the sponsoring federal agency may also impose administrative actions, including 1) suspending or terminating an active award, or restricting designated activities or expenditures under an active award; 2) special reviews of all requests for funding from an affected individual or institution to ensure that steps have been taken to prevent repetition of the misconduct; 3) requiring special certifications, assurances, or other, administrative arrangements to ensure compliance with applicable regulations or terms of the award; 4) restricting or suspending participation as a reviewer, advisor, or consultant; and 5) debarment or suspension of an individual or institution from participation in Federal programs.

Timeline. The entire investigation process is to be completed within 120 days of beginning it, including appointing a committee, conducting the investigation, preparing the report, providing the draft report for comment by the respondent, preparing and sending the final report to the Provost (with all attachments), reaching a final presidential decision on misconduct and sanctions, and submitting this information to the federal agency, if applicable. If it is determined that the investigation will take longer than 120 days, a written request for an extension, setting forth the reasons for the delay, will be submitted to the appropriate federal agency, if applicable.

Right to Appeal. Individuals may appeal the judgment of the inquiry committee, investigating committee and/or the administrative action. A written statement of the grounds for appeal must be submitted to the appropriate committee or individual within the designated time period following written notification of the results of the investigation. Grounds for appeal include new previously unconsidered evidence, administrative actions not in keeping with the findings, conflict of interest not previously known among those involved in the investigation, and other lapses in due process. .

Maintaining Records. Unless advised otherwise in writing by the federal agency, records of research misconduct proceedings must be maintained in a secure manner for

seven years after completion of the proceeding. The appropriate dean or provost is also responsible for providing any information, documentation, research records, evidence, or clarification requested by the federal agency to carry out its review of an allegation of research misconduct or of the College's handling of such an allegation.

G. Other Considerations

Admission of Research Misconduct. At any point during the inquiry or investigation process, the respondent shall be given the opportunity to admit that research misconduct occurred and that he/she committed the research misconduct. Upon the respondent's admission, the Provost, in consultation with the Dean and other institutional officials, may terminate the inquiry or investigation process and move to determine appropriate recommendations for administrative actions. The institution's acceptance of the admission and any proposed administrative actions must be approved by the funding agency sponsoring the research, if applicable.

Resignation Prior to Completion of Inquiry or Investigation. If the respondent, without admitting to misconduct, elects to resign his or her position after an allegation of research misconduct has been received, all proceedings under this policy shall continue. If the respondent refuses to participate in the process after resignation, the investigation committee shall use its best efforts to reach a conclusion concerning the allegations, noting in its final report the respondent's failure to cooperate and its effect on the review of the matter. The final report and a description of any recommended administrative actions will be provided to the appropriate federal agencies, if applicable.

Restoration of the Respondent's Reputation. Following a final finding of no research misconduct, including concurrence with the federal sponsoring agency, if applicable, the appropriate dean and Provost must undertake all reasonable and practical efforts to restore the respondent's reputation. All individuals related to the review process, including the Provost, the President, and the respondent's immediate supervisor or chair will be notified that the charge of misconduct in research was unfounded. Additionally, individuals are protected against a second inquiry and investigation into research and scholarly misconduct for the same alleged violation, whether the first inquiry and investigation occurred at Rollins or at another academic institution. A second inquiry and investigation will be initiated only if substantially new evidence is presented.

Protection of the Complainant, Witnesses, and Committee Members. During the research misconduct proceeding and upon its completion, regardless of whether the College or federal agency determines that research misconduct occurred, the dean and provost must undertake all reasonable and practical efforts to protect the reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of research misconduct in good faith and or any witnesses and committee members who cooperate in good faith with the research misconduct proceeding.

Allegations Not Made in Good Faith. If relevant, the Provost will determine whether the complainant's allegations of research misconduct were made in good faith, or whether a witness or committee member acted in good faith. If the Provost determines

that there was an absence of good faith, he/she will determine whether any administrative action should be taken against the person who failed to act in good faith and provide the president with related recommendations.

Alleged Misconduct against the Provost or President. If the alleged misconduct concerns the provost, then throughout this document references to the provost will be substituted with president. In a case in which the alleged misconduct concerns the president, then references to the president will be substituted with chair of the Board of Trustees.