

SENATE ACTION FORM

No. 1225

Subject: RSCW Misconduct Policy revision to SA #1203

Reference to Senate Minutes dated: November 22 2021

Senate Action:

MOTION: Faculty Welfare- It is moved to approve the revisions to the RSCW Misconduct policy as presented.

VOTE: Approved by voice vote

Response requested

Approval for placement in University Catalog

Approval for placement in University Regulations

Recommendation to Board for placement in Board Policy Manual

None (sent crdfo [(rdm.7 (e)]TJ 0.005 Tc16 Tc 0 Tw 1.717 [13.74nda)9iorda B cRt

(B) "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; and

(C)

3-8-102(4) Allegations. Allegations of RSCW Misconduct shall be received and reviewed as follows:

(a) Allegations of RSCW Misconduct shall be reported to the RIO by any individual with knowledge of observed, suspected, or apparent violations of this policy. These allegations shall be filed with the Office of the RIO in writing and shall be signed by the Complainant(s) who has/have made the allegations. Signatures shall not be required if a Complainant requests anonymity and the RIO determines that anonymity shall affect materially the University's compliance with its responsibilities under this policy and/or as required by law.

(b) If the RIO suspects a violation of RSCW Misconduct, the RIO shall (i) file a written report of the alleged violation with the RIO and (ii) investigate the alleged violation. If the RIO determines that a violation of RSCW Misconduct has occurred, the RIO shall (i) file a written report of the violation with the RIO and (ii) recommend appropriate disciplinary action to the RIO. If the RIO determines that no violation of RSCW Misconduct has occurred, the RIO shall (i) file a written report of the investigation with the RIO and (ii) recommend no disciplinary action to the RIO.

- (g) The RIO shall transmit the written inquiry report to the Complainant(s) and Respondent(s) and indicate that the report shall be transmitted to the DO fifteen (15) calendar days after such transmittal. If the Complainant(s) or Respondent(s) wish(es) to respond to the RIO's report, they must submit their response to the RIO within fifteen (15) calendar days from the transmission of the written inquiry report. The RIO shall transmit the inquiry report to the DO together with any

(d) The IC shall have the authority to review all records and evidence needed to conduct the misconduct proceedings not privileged as a matter of law, and may interview or require the attendance of any

(D) identify any publications and/or other RSCW dissemination that the IC has concluded need correction or retraction.

(k) The initial report of the IC shall be sent "Confidential" to the last known email address(es) and home address(es) of the Complainant(s) and Respondent(s) by Registered Mail, Return Receipt Requested. If they wish, the Complainant(s) and Respondent(s) may respond to the report, and shall be given fifteen (15) calendar days from the date of receipt to respond to the report. At the end of the fifteen (15) calendar day period, the initial report, with any response by the Complainant(s) and/or Respondent(s), shall be filed with the DO.

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(b) **Steps In Pursuance of Resolution.** The RIO shall coordinate discussions with the Complainant(s) and Respondent(s) to attempt to resolve the allegations of RSCW Misconduct in a manner acceptable to all parties. The RIO shall determine a reasonable period for such discussions and shall terminate the Voluntary Resolution process if a Complainant or Respondent requests that the process be terminated. The RIO may also, in the RIO's discretion, terminate the Voluntary Resolution process if reasonable progress is not made towards resolution or the proposed resolution violates University policy or applicable law. During the period in which the Voluntary Resolution process occurs, all deadlines under the RSCW Misconduct Policy shall be held in abeyance.

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