

Summary of FPCC Involvement in Revisions to II.27.6 Ethics in Research

Note: The Research Council, chaired by Scott Shaw, was also involved in this review process.

September 22: FPCC begins policy review and suggestions and concerns are raised. Both components of the policy (federally mandated and discretionary) must be completed by January 1.

October 14: FPCC continues policy review. At the last meeting, FPCC members raised several concerns which were then conveyed to Mike Andrews, Director of Research Integrity and Security, and Research Integrity and Research Security Officer, who has been leading the efforts to revise the policy. At the October 14 meeting, the committee reacted to Mr. Andrews' responses to their concerns.

October 23: Faculty Senate President Just met with Mr. Andrews to convey the committee's reactions. This conversation was highly productive.

November 5: Chair Marshall also met with Mr. Andrews to further discuss potential revisions to the policy. This conversation was highly productive.

November 11: The committee reviewed the policy document along with the new proposed changes and the rationale for them, based on Chair Marshall's meeting with Mr. Andrews.

1) d. Definitions 4) Creative Activities – language for this definition supplied by FPCC members was accepted.

2) d. Definitions 21) Scholarly Work – language for this definition supplied by FPCC members was accepted

3) e. Procedures 10) – reference to research potentially involving Artificial Intelligence was inserted here, as suggested by FPCC

4) e. Procedures 15) i. Research Misconduct Committee – in response to FPCC concern that three was too few for the membership of this committee, a sentence was added, *The committee number can be greater than three and must be an odd number.*

FPCC had expressed concern about having only one administrator select the members of the committee. FPCC had suggested that the dean and/or DEO also be allowed to select members, but this suggestion was rejected out of concern that confidentiality was threatened if the pool of those who knew about the investigation was widened. Language reflecting the current practice of consulting with the Associate Provost for Faculty and the Associate Deans for Faculty and Research for the college of the respondent(s) was inserted into the policy. Language reflecting the current practice of seeking outside subject matter experts was also inserted into the policy.

5) e. Procedures 15) ii. Notice to the respondent of committee composition. This section was added to address FPCC concerns that respondents be able to object to selected members of the Research Misconduct Committee. The decision whether to dismiss a member would lie with the Research Integrity Officer.

6) e. Procedures 19) Finding of no research misconduct. Mr. Andrews indicated that the policy has limited ability to address the concerns that FPCC had raised regarding the impact of allegations made by individuals from outside the university. However, a link to the Faculty Support & Guidance document was included in this section.

Chair Marshall reported that the policy will be accompanied by procedures documents (a draft of one was included with the meeting materials sent to FPCC), one for each regulatory agency. The procedure documents will elaborate on the procedures contained within the policy. They will not be implemented until April, so FPCC will have time to review them next semester. Chair Marshall noted that procedures documents can easily be changed; therefore, it was important to write the important points above into the policy itself, to protect the rights of faculty. The policy and the procedures documents will need to be compared so that there is no conflict between them.

FPCC members generally viewed Mr. Andrews' updates favorably. They did request the following addition in e. Procedures 15) ii: *If the respondent raises a reasonable objection to a prospective member of the RMC, the RIO will determine whether a conflict, lack of subject expertise, or other circumstance exists...*, for consistency with the preceding language in i. FPCC members also requested that a provision be added calling for a review of the revised policy in five years. Several minor edits in grammar and word choice were identified as well.

FPCC members voted to approve the proposed revised Ethics in Research policy with the recommendations described above; however, approval of the proposed revised policy was not contingent upon the acceptance of the recommendations.

November 12: President Just conveyed the FPCC recommendations to Mr. Andrews. In his message, he again sought to have an alternative definition (suggested by FPCC members) of preponderance of evidence inserted into the policy; however, Mr. Andrews indicated that the current definition came from federal regulations and could not be changed. **All other FPCC recommendations were accepted.**

November 18: Faculty Council unanimously approved the proposed revisions with a request to revise the final sentence: *This policy shall be reviewed not ~~less~~ more than five years following its implementation.*

November 21: Mr. Andrews accepts the proposed revision and expressed gratitude to the FPCC and all involved in the process.