

Objectives and Regulations

The Graduate School and International Education is the home for all graduate students and all international students, both graduate and undergraduate. Our vision, mission and goals encompass our dedication to the recruitment, admission, retention and graduation of students from Arkansas and across the U.S. and the world, as well as our service to the University of Arkansas.

The Graduate School and International Education is an autonomous organizational unit within the Division of Academic Affairs, whose dean is responsible to the Provost/Vice Chancellor for Academic Affairs.

Vision

The Graduate School and International Education is committed to developing students' intellectual curiosity and professional success. Our faculty and staff support the University of Arkansas' research, teaching, service, and diversity missions, all while enhancing students' academic and cultural experiences.

Mission

The Graduate School and International Education supports the strategic goals of the University of Arkansas to continue as a very high research university; recruits, retains and graduates high-caliber students; advocates for students and student success; facilitates intercultural and international experiences to increase global competencies; and assists in the development of international, interdisciplinary and graduate programs.

Degrees Offered

The faculty of the Graduate School, under the authorization of the Board of Trustees, grants the degrees listed below. In addition, the Graduate School offers several non-degree graduate certificates. The graduate faculty, as represented by the Dean of the Graduate School and through the Graduate Council, has primary responsibility for the development, operating policies, administration, and quality of these programs. Operating through the Graduate Dean, the faculty appoints committees that directly supervise the student's program of study and committees that monitor research activities and approve theses and dissertations.

- Doctor of Philosophy
- Doctor of Nursing Practice
- Doctor of Occupational Therapy
- Doctor of Education
- Educational Specialist
- Master of Accountancy
- Master of Athletic Training
- Master of Arts
- Master of Arts in Teaching
- Master of Business Administration
- Master of Design Studies
- Master of Education
- Master of Fine Arts
- Master of Information Systems
- Master of Music
- Master of Public Administration

- Master of Public Service (Clinton School)
- Master of Science
- Master of Science in Biological Engineering
- Master of Science in Biomedical Engineering
- Master of Science in Chemical Engineering
- Master of Science in Civil Engineering
- Master of Science in Computer Engineering
- Master of Science in Computer Science
- Master of Science in Electrical Engineering
- Master of Science in Engineering
- Master of Science in Environmental Engineering
- Master of Science in Industrial Engineering
- Master of Science in Mechanical Engineering
- Master of Science in Nursing
- Master of Science in Operations Management
- Master of Social Work

Graduate Certificates (Non-degree)

For a listing of Graduate Certificates offered by the University of Arkansas, refer to the Graduate Certificates Program (<http://catalog.uark.edu/graduatecatalog/certificates/>) page.

Master of Arts, Master of Science

Refer to the Master of Arts and Master of Science requirements on the Degree Requirements page (<http://catalog.uark.edu/graduatecatalog/degree requirements/#mastersdegreestext>).

Master of Accountancy

Refer to the accounting program in the Graduate School of Business (<http://catalog.uark.edu/graduatecatalog/business/>).

Master of Arts in Teaching

Refer to the Elementary Education (<http://catalog.uark.edu/graduatecatalog/programsofstudy/elementaryeducationmat/>) program or the Teacher Education (<http://catalog.uark.edu/graduatecatalog/programsofstudy/teachereducation/>) program.

Master of Business Administration

Refer to the Graduate School of Business (<http://catalog.uark.edu/graduatecatalog/business/>).

Master of Design Studies

Refer to the Master of Design Studies (<http://catalog.uark.edu/graduatecatalog/programsofstudy/designstudies/>) program.

Master of Education

Refer to the Curriculum and Instruction (<http://catalog.uark.edu/graduatecatalog/programsofstudy/curriculumandinstructiondepartmentofcied/>) program.

M.F.A. Degrees

The policies and procedures approved for the Master of Arts and the Master of Science degrees also apply to the Master of Fine Arts degrees. In addition to completing other requirements, the candidate must pass a comprehensive examination administered by the respective program area.

Master of Fine Arts in Art

Refer to the Art program (<http://catalog.uark.edu/graduatecatalog/programsofstudy/artarts/>).

Master of Fine Arts in Creative Writing

Refer to the Creative Writing program (<http://catalog.uark.edu/graduatecatalog/programsofstudy/creativewritingcrwr/>).

Master of Fine Arts in Theatre

Refer to the Theatre program (<http://catalog.uark.edu/graduatecatalog/programsofstudy/theatrethtr/>).

Master of Information Systems

Refer to the Graduate School of Business (<http://catalog.uark.edu/graduatecatalog/business/>).

Master of Public Service

Refer to the Clinton School of Public Service (<http://catalog.uark.edu/graduatecatalog/programsofstudy/clintonschoolofpublicserviceuacs/>).

Master of Science in Computer Science

Refer to the Computer Science program (<http://catalog.uark.edu/graduatecatalog/programsofstudy/computerscienceandcomputerengineeringcsce/#msincomputersciencetext>).

Master of Science in Nursing

Refer to the Nursing program (<http://catalog.uark.edu/graduatecatalog/programsofstudy/nursingeleanormannschoolofnurs/>).

Master of Social Work

Refer to the Social Work program (<http://catalog.uark.edu/graduatecatalog/programsofstudy/socialworkschoolofscwk/>).

Education Specialist Degree

Refer to the Education Specialist requirements on the Degree Requirements page.

Doctor of Occupational Therapy (O.T.D.)

Refer to the Clinical Occupational Therapy (<http://catalog.uark.edu/graduatecatalog/programsofstudy/clinical-occupational-therapy/>) program.

Doctors of Philosophy (Ph.D.) and Education (Ed.D.)

Refer to the Doctoral degree requirements on the Degree Requirements (<http://catalog.uark.edu/graduatecatalog/degreerequirements/#phdandeddgreestext>) page.

Registration, Graduation, Enrollment and Related Topics

Students must register during one of the formal registration periods. Graduate students, new, returning, or currently enrolled, may register during the advance registration period held each semester for the following semester. Students who have not already registered should register during the open registration session. For information on registration, consult the Schedule of Classes on the Registrar's website (<https://registrar.uark.edu/>).

Registration

Enrollment Limits

Under ordinary circumstances, graduate registration is limited to 18 hours for any one semester in the fall or spring, including undergraduate courses and courses audited. Registration above 15 hours must be approved by the Graduate Dean. For registration in the summer, the enrollment limit is 12 hours without approval by the Graduate Dean.

Registration for Audit

When a student audits a course, that student must register for audit, pay the appropriate fees, and be admitted to class on a space-available basis. Students formally admitted to a degree program have priority for auditing a class. The instructor shall notify the student of the requirements for receiving the mark of "AU" for the course being audited. The instructor and the student's dean may drop a student from a course being audited if the student is not satisfying the requirements specified by the instructor. The student is to be notified if this action is taken. The only grade or mark that can be given is "AU." The Graduate School does not normally pay tuition for audited classes for students on assistantship.

Registration Out of Career

Students who wish to enroll in classes for credit outside of their career (e.g. graduate students who wish to enroll in undergraduate classes for undergraduate credit) should print the appropriate form from the Graduate School website (<http://grad.uark.edu/>) and return the form to the office indicated on the form. Students are not able to register themselves out of career. Graduate students taking undergraduate classes via the out-of-career registration form should be aware that those classes do not count toward their minimum number of hours required to receive financial aid. Undergraduate students who register for graduate courses out of career and subsequently are admitted to the Graduate School will not automatically be allowed to use those courses to fulfill requirements of their graduate degrees. See the policy on retroactive graduate credit.

Graduate School Registration and Leave of Absence Policy

The Graduate School has no requirement of registration for non-degree, certificate, master's, or pre-candidacy doctoral students.

Graduate students in those categories may pause their academic studies, though any time away from the University does not waive the time requirements for a degree nor guarantees scholarship/fellowship/graduate assistant funding upon return. If the student has no enrollment for a fall or spring semester, their UA Connect account will be discontinued. To reactivate and reenroll, the student shall submit a request for readmission/reactivation to the Graduate School. The Graduate School's readmission policy would apply which allows for re-enrollment in the Graduate School if the student's last enrollment was within the five preceding academic years, the student left in good standing, and maintained a minimum of a 2.85 GPA. See the readmission policy (<http://catalog.uark.edu/graduatecatalog/admissions/#classificationsofadmissionandreadmissiontext>) for more details.

All doctoral students who have been admitted to candidacy must enroll in a minimum of one hour of course or dissertation credit every major semester (fall, spring) until they graduate. Under unusual circumstances, this enrollment requirement may be waived for post-candidacy doctoral students for up to two years, with an approved request for a leave of absence. To request a leave of absence, the student's major professor must petition the Graduate Dean, specifying the circumstances that make it necessary for the student to interrupt their studies. While a decision

will be made on a case-by-case basis, circumstances that might be considered include serious illness of the student or their immediate family, serious personal problems, or job-related issues. While the student is on an approved leave of absence, he/she cannot use any university resources, such as the library or faculty time. A post-candidacy doctoral student who takes an unauthorized break in registration by failing to maintain continuous enrollment or failing to obtain a leave of absence will no longer be considered a graduate student at the University of Arkansas. Students who wish to be reinstated will be required to file an Application for Readmission (no fee) and may be required to register for one graduate credit for each term of unauthorized break in registration. In the case of extraordinarily extenuating circumstances, students may appeal the provisions of this policy and request additional terms of leave of absence or forgiveness of the additional credits of registration. Such an appeal must be made to the Graduate Dean.

The student should be aware that the leave of absence policy does not waive the time requirements for a degree. A separate petition must be made for a time extension, if required. Also, a request for leave of absence may not be made for the semester in which the student graduates.

Withdrawal from Registration

Withdrawing from the University of Arkansas means withdrawing from all classes that have not been completed up to that time. A student who leaves the university voluntarily before the end of the semester or summer term must officially withdraw by logging onto the student information system and completing a brief online interview. Withdrawal must occur prior to the last class day of a semester. Students who do not withdraw officially from a class that they fail to complete will receive an "F" in that class.

Course Credit

Graduate Credit for 3000 and 4000-level Undergraduate Courses

Graduate students wishing to take 3000-level undergraduate courses for graduate credit will find the necessary forms on the Graduate School website (<http://grad.uark.edu/>). 3000-level courses can be taken by graduate students for graduate credit only when the courses are not in the student's major area of study and when the courses have been approved by the Dean of the Graduate School for graduate credit. The instructor for the course must hold graduate faculty status and must certify that he/she will make appropriate adjustments in assignments and grading scales to raise the level of expectation for the student to the graduate level. No more than 20 percent of the graded course work in the degree program may be comprised of 3000-level courses carrying graduate credit. Undergraduate courses numbered below 3000 will not be allowed to carry graduate credit.

Students wishing to take 4000-level undergraduate courses for graduate credit will find the necessary forms on the Graduate School website (<http://grad.uark.edu/>). The instructor for the course must hold graduate faculty status and must certify that he/she will make appropriate adjustments in assignments and grading scales to raise the level of expectation for the student to the graduate level.

Students should be aware that a minimum of 50% of the semester hours presented for the graduate degree must be at the 5000 level or above and in the student's field of study. Individual degree programs may have more stringent requirements.

Online Credit

Any student pursuing an on-campus (face-to-face) graduate degree from the University of Arkansas may take courses offered online or by distance, as long as the majority of credit hours presented for the degree are on-campus credit hours.

Retroactive Graduate Credit Degree Programs

Graduate students fully admitted into a degree program at the University of Arkansas may request that up to 12 hours of courses taken in the final 12-month period of their undergraduate degree count toward their graduate degree, if these courses were taken on the University of Arkansas, Fayetteville campus. These courses may not have been used for the undergraduate degree (unless the student is in a program where this has been approved by the Graduate Council), must be approved by the student's advisory committee, and must be at the 5000 level or above. Petition will be by the student's advisory committee or major professor to the Graduate School.

Sometimes students have completed their undergraduate degrees elsewhere, but have then taken course work as undergraduate students at the University of Arkansas after completing their undergraduate degree, but before being admitted to the Graduate School. Such students may request that up to six hours of courses taken for undergraduate credit in the final 12 months prior to admission to the Graduate School count toward their degrees. All of the rules stated in this policy are also applicable to this type of situation.

If the student's advisory committee wishes to accept courses at the 4000 level toward the graduate degree, when those courses were taken in the last 12 months of a student's undergraduate degree at the University of Arkansas, Fayetteville, the committee may petition the Graduate School. The petition must include an explanation of why the committee considers these courses to meet graduate degree requirements and expectations for graduate-level work. The instructors for these courses must have had graduate faculty status, and these courses may not have been used for the undergraduate degree.

Courses at the 3000 level taken before the student is fully admitted to the Graduate School may not be used to fulfill graduate degree requirements.

Courses offered by institutions other than the University of Arkansas, Fayetteville, may not be counted toward the graduate degree requirements in this way.

Graduate Certificates

Graduate students fully admitted to a graduate certificate program are allowed to use six hours of credit to count for both an undergraduate degree and a graduate certificate. All requirements of this retroactive graduate credit policy will apply and a transcript notation will note that the courses may not be used to fulfill requirements for a graduate degree.

Graduate Credit for Prior Learning

Graduate students enrolled at the University of Arkansas, Fayetteville, may establish graduate credit for prior learning in courses offered through the below University of Arkansas Graduate Credit for Prior Learning Program.

Credit established by prior learning assessment must be evaluated in terms of the specific program the graduate student wishes to pursue. The decision regarding the appropriate application of such credit to a program will be made by each program and approved by the Graduate

Dean. Credit established by prior learning will be applied at the end of the program through the mark of CR on the student's record. Grades are not assigned.

Credit for Prior Learning may not be used to satisfy minimum residency requirements as established by the Graduate School or individual programs. Credit for prior learning is recorded on the transcript only for students currently enrolled in the Graduate School at the University of Arkansas, Fayetteville.

The following procedures apply to earning graduate credit for prior learning assessment:

1. Each academic unit shall determine if any courses offered by their unit shall be offered through the credit for prior learning program.
2. Any course(s) offered by the academic unit through the credit for prior learning program must be regularly offered (not special problems, individual study, research hours, dissertation/thesis hours) as a graded course and must be approved by the Graduate Dean.
3. Each academic unit offering graduate credit by prior learning assessment must establish uniform procedures applicable to all graduate students for determining eligibility to complete the assessment as well as the administration and grading of assessments for courses designated for credit under this policy. These procedures shall include (1) detailed learning outcomes for each of the courses designated for credit under this policy, (2) rubrics that show how prior learning assessments will uniformly be evaluated and relate to the learning outcomes for each course, and (3) an evaluation process for assessments under this policy that includes evaluation by no fewer than three members of the graduate faculty of the unit. These unit procedures and any future alterations to those procedures must be approved by the Graduate Dean.
4. The Office of Testing Services or an approved remote proctoring service may administer such assessment if approved by the academic unit offering the course.
5. A passing grade on the assessment must be "B" or above. A second attempt for credit for prior learning in that course will not be permitted.
6. Academic units may designate non-credit graduate course content, approved by that unit and the Graduate Dean, and offered through Global Campus, as part of the Credit for Prior Learning Program if the non-credit content is equivalent to a credit bearing course. Academic units may administer an assessment after a student completes the non-credit course content, either before or after their admission to the Graduate School. If successful in the assessment, the student may apply for graduate credit for such an assessment after (1) having been admitted to the Graduate School at the University of Arkansas, Fayetteville and (2) completing a graduate microcertificate, graduate certificate program, or graduate degree program of which such credit has been approved by the program to apply towards. Graduate credit earned in this manner must be applied within five years from the date which the student completed the assessment. No time extension of this five-year period is permitted.
7. The following limitations apply to the application of graduate coursework earned through the Credit for Prior Learning Program towards graduate microcertificates, graduate certificate programs, and graduate degree programs:
 - a. No more than 3 credit hours may apply towards a graduate microcertificate.
 - b. No more than 6 credit hours may apply towards a graduate certificate or a master's degree of 40 credit hours or less.

- c. No more than 12 credit hours may apply towards master's degrees of more than 40 hours or a doctoral program.

Enrollment Full-Time Status

Enrollment in nine semester hours (not including audited courses) is considered full-time for graduate students not on assistantship. For graduate assistants on 50 percent appointment or more, or students with research fellowships, six semester hours (not including audited courses) of enrollment is considered full-time in the fall and spring semesters. Graduate assistants who are on a 50% appointment for a five-week summer term must earn at least three hours of graduate credit during the summer. However, these credits do not have to be earned in the same session as the appointment, and may be taken at any time during the summer. Tuition for graduate assistants on 50 percent appointments for a five-week summer term will be paid up to a maximum of 6 hours. Students not on graduate assistantships or fellowships must be enrolled in six hours (not including audited courses) to be full time in the summer.

Continuous Enrollment

After a doctoral student has passed the candidacy examinations, the student must register for at least one hour of graded graduate course credit or dissertation credit each fall and spring semester until the work is completed, whether the student is in residence or away from the campus.

Doctoral students must also be enrolled in a minimum of one hour of graduate credit in the semester that they graduate, including summer. For each semester in which a student fails to register without prior approval of the Dean of the Graduate School, a registration of one hour for each semester may be required before the degree is granted. Please see the Graduate School Registration and Leave of Absence Policy.

Adding and Dropping Courses

A currently enrolled student who has registered during the advance registration period should make any necessary or desired schedule adjustments such as adding or dropping courses or changing course sections during the schedule-adjustment period scheduled for the same semester. Students may also add or drop courses during the first five class days of the fall or spring semester. Students who drop classes by the end of the first week of classes in the fall and spring will have their fees adjusted. (Refer to the Treasurer's website for summer dates.) Fee adjustments are not done for classes dropped after the first week of classes. Drops and withdrawals are two different functions. In a drop process the student remains enrolled. The result of the withdrawal process is that the student is no longer enrolled for the term. The two functions have different fee adjustment policies. Fee adjustment deadlines for official withdrawal are noted on the Treasurer's website.

A student may drop a course during the first 10 class days of the fall or spring semester without having the drop shown on the official academic record. After the first 10 class days, and before the drop deadline of the semester, a student may drop a course, but a mark of "W," indicating the drop, will be recorded. A student may not drop a full-semester course after the Friday of the tenth week of classes in a semester.

Drop-add deadlines for partial semester courses and summer classes are in the schedule of classes.

Time Extension

It is a requirement of the Graduate School that certificate, master's and specialist students complete their degrees within six consecutive calendar

years from the date of the first courses used to fulfill requirements for the degree and doctoral students complete the degree within seven consecutive calendar years from the semester in which the student was first admitted to the program. Requests to extend these time requirements must be reviewed and approved by the Graduate Dean, following these procedures:

1. The student's major adviser will fill out a "Request for Time Extension" form (available on the Web site of the Graduate School) and submit this to the Graduate School.
2. For both master's and doctoral students, the central consideration in determining whether more time can be allowed is whether the student's knowledge of the subject matter is current at the time of graduation. Therefore, as part of the request for time extension, the major adviser will be asked to explain how this will be ensured:
 - For the certificate and master's degree, the student's knowledge of any course work over six years old at the time of graduation must be recertified. Please see "Recertification of Student's Knowledge of Course Content," below.
 - For the doctoral degree, recertification of the student's knowledge of course work is not necessary, but the major adviser must explain how the currency of the student's knowledge of the field will be assessed prior to graduation.
3. Requests for time extension are allowed only for course work taken at the University of Arkansas (Fayetteville). We do not allow time extensions on transfer credit.

Recertification of Student's Knowledge of Course Content: The major adviser must specify how recertification of the student's knowledge of course content will occur. By recertification, we mean that the student's knowledge of the subject matter included in the course is determined to be current at the time of graduation and that the content of that course is still current. There are several ways this may be demonstrated. Examples include: The student is teaching the subject matter in a separate context; the student will be examined by the current instructor of the course to determine their currency of knowledge; the student will be examined on the subject matter during their final oral defense of the thesis or during the comprehensive exam. It is not acceptable to say only that the content of the course has not changed in the time since the student was enrolled, as the student's knowledge of that content is also critical. Courses taken more than 10 years prior to the conferral of the degree will normally not be eligible for recertification.

Graduation

Administrative Requirement for Graduation

Application for graduation must be completed through the Student Homepage in UAConnect and fees paid by the appropriate deadline in the semester in which degree requirements will be completed and graduation effected. Instructions for applying to graduate can be found at registrar.uark.edu (<https://registrar.uark.edu/>). If a student fails to complete the degree, the student must then renew the application by contacting the Registrar's Office. It will not be possible for a student to be cleared to graduate for a previous semester.

Students should be aware that FERPA restrictions on disclosing personally identifiable information may prevent their names being printed in the commencement program and/or being engraved on the sidewalk. Students can change their privacy settings on their Student Homepage in UAConnect. Questions about this should be directed to the Office of the Registrar.

Academic Integrity

As a core part of its mission, the University of Arkansas provides students with the opportunity to further their educational goals through programs of study and research in an environment that promotes freedom of inquiry and academic responsibility. Accomplishing this mission is only possible when intellectual honesty and individual integrity prevail. Each University of Arkansas student is required to be familiar with and abide by the university's Academic Integrity Policy (<http://honesty.uark.edu/policy/>) at honesty.uark.edu (<http://honesty.uark.edu/>). Students with questions about how these policies apply to a particular course or assignment should immediately contact their instructor.

Honor Code for the Graduate School

The mission of the Graduate School is to provide post-baccalaureate students with the opportunity to further their educational goals through programs of study, teaching, and research in an environment that promotes freedom of expression, intellectual inquiry, and professional integrity. This mission is only possible when intellectual honesty and individual integrity are taken for granted.

The graduate student at the University of Arkansas is expected to know and abide by the university's academic and research integrity policies. It is expected that graduate students will refrain from all acts of academic and research dishonesty and will furthermore report to the Graduate School any acts witnessed.

The pledge of the Honor Code is this: "On my honor as a graduate student at the University of Arkansas, I certify that I will neither give nor receive inappropriate assistance on the work I do for my degree." Students will be asked to sign this pledge when they are admitted to the Graduate School. Faculty also may require students to sign this pledge before completing the requirements of a course or a program of study.

Academic Dismissal, Academic Probation and Annual Review

Academic Dismissal/Academic Probation

Students may be dropped from further study in the Graduate School if at any time their performance is considered unsatisfactory as determined by either the program faculty or the Dean of the Graduate School. Academic or research dishonesty and failure to maintain a specified cumulative grade-point average are considered to be unsatisfactory performance. See the Graduate Student Dismissal Policy, the Academic Probation Policy for Graduate Students, the university's Academic Integrity Policy, and the Research and Scholarly Misconduct Policies and Procedures in this catalog.

Using its own written procedures, the graduate faculty of an academic degree program may recommend that the student be readmitted to the Graduate School after dismissal. Dismissed students with non-degree status may petition for readmission to the Graduate School by submitting a written appeal to the Dean of the Graduate School. The graduate faculty of any degree program may establish and state in writing requirements for continuation in that program.

Graduate Student Dismissal Policy

Graduate degree programs have the right to dismiss graduate students who do not make adequate academic progress or engage in illegal, fraudulent, unethical, or unprofessional behavior as defined in any of the university codes or policies pertaining to academic and research integrity or contained in departmental/program codes of professional conduct. There may also be other unusual situations in which a student may be

dismissed from a degree program. In each case, the dismissal should comply with the following procedures.

Lack of Adequate Academic Progress

Students may be dismissed per the academic probation policy of the Graduate School, and students should familiarize themselves with this policy. In addition, students who have not been placed on probation, but who are not making adequate academic progress, may also be dismissed. They must be warned in writing of the possibility of dismissal and will be given a clear statement about what must be done within a specified time period to alleviate the problem. A copy of this warning letter must be filed with the Graduate School. These expectations must be reasonable and consistent with expectations held for all students in the program. If the student does not meet the requirements within the time frame specified, he/she may be dismissed by the degree program with notification to the student and the Graduate School. Students dismissed in this way will not necessarily be dismissed by the Graduate School. Students may appeal this dismissal to the Graduate School, following the procedures outlined in the Graduate Student Grievance Policy, if the student is able to document a university error in policy or procedure. Students who receive two consecutive unsatisfactory academic progress reports may be immediately dismissed by the degree program and the Graduate School.

Academic or Research Misconduct and Violations of the Code of Student Life/

For the process for dismissing students as a result of academic misconduct, please see the University of Arkansas Academic Integrity Policy; for dismissing students for research misconduct, please see the Research and Scholarly Misconduct Policy and Procedures. For violations of the Code of Student Life, please see the University of Arkansas Student Handbook.

Unethical and Unprofessional Conduct

Departments/programs may create policies and processes for the purpose of suspending or dismissing students for unethical or unprofessional conduct in accordance with their professional or accreditation agencies. Such departmental/program policies shall be reviewed and approved by the Graduate Council and the Faculty Senate prior to implementation. Students shall be given notice of the existence of these policies when they enter the program and the department will retain a signed statement from the students indicating that they are aware of the policies. Such policies must provide processes that include both initial review of the charges and a process for appeal on the grounds of substance and/or procedure. Students dismissed by a department/program on the basis of unethical or unprofessional conduct will not be dismissed by the Graduate School unless there is also evidence of a violation of the Code of Student Life or the student is dismissed through the Academic Integrity policy.

Appeals: If a student's appeal through the department/program process is denied and the student continues to believe the grievance decision is in error, then the student may, within 10 working days after the date of the final written decision from the department/program, appeal the decision in writing to the dean of the academic department within which the degree program resides. The department/program is required to notify the student of the appeal process at the time of the final decision.

The academic dean will review the material provided by the student, the grievance decision, any other material which has been assembled regarding the matter, and any applicable university policies and may, at their discretion, gather any additional information that will be helpful to a decision, whether in writing or through meeting or consulting with any individuals deemed necessary in the dean's discretion. The dean

reviewing the appeal shall make a decision, in writing, within 10 working days of receiving the student's grievance, or as soon as possible thereafter. This is the sole method for appeal of a suspension or dismissal on the basis of unethical or unprofessional conduct. The decision of the dean shall be final.

Other Situations

Departments may dismiss students for situations other than those specified above. When doing so, the department must notify the student in writing of the possibility of dismissal and send a copy of this letter to the Graduate School. If it is possible for the student to rectify the situation, he/she must be given a clear statement about what must be done within a specified time period to alleviate the problem. These expectations must be reasonable and consistent with expectations held for all students in the program. If the student does not meet the requirements within the time frame specified, he/she may be dismissed by the degree program with notification to the student and the Graduate School. Students dismissed in this way will not necessarily be dismissed by the Graduate School.

If the situation cannot be rectified, the student will be notified in writing of the grounds for dismissal and the date when the dismissal will be effective. This will normally be the end of the semester in which the student is enrolled, but the circumstances of the dismissal will be important in determining this date.

If students feel that there has been a violation of university policy in their dismissal, they may appeal to the Graduate School, following the procedures outlined in the Graduate Student Grievance Policy.

Academic Probation Policy for Graduate Students

Whenever a regularly admitted graduate student earns a cumulative grade-point average below 2.85 on graded course work taken in residence for graduate credit, he/she will be warned of the possibility of academic dismissal. When a graduate student has accumulated a minimum of 15 hours of graded course work taken in residence for graduate credit with a cumulative grade-point average below 2.85, and has received at least one warning, he/she will be academically dismissed from the Graduate School. The student's degree program may request that the academic probation period be extended if the program can offer extenuating circumstances as a rationale and is willing to provide a plan of remediation for the student's success.

Graduate teaching and research assistants and students on Lever, Doctoral, Chancellor, Walton or other fellowships must maintain a cumulative grade-point average of at least 2.85 on all course work taken for graduate credit. If a student's cumulative GPA falls below 2.85 on 6 or more hours of graduate work (one full-time semester), notification will be sent to the student and their department. If the CGPA is below 2.85 at the end of the next major semester (fall or spring), the department will not be allowed to appoint the student to an assistantship/fellowship until such time as their CGPA has been raised to the required level. Note: Individual degree programs may have more stringent requirements.

The Graduate School calculates the cumulative grade-point average on all courses taken for graduate credit at the University of Arkansas. Individual degree programs have the option to calculate the cumulative grade-point average only for those graduate courses taken in residence for the current degree. Consequently, individual degree programs may academically dismiss students whose cumulative grade point average on all graduate course work is above 2.85, but whose work for the current degree is below 2.85. If a program adopts this alternative policy, it must be so stated

in the departmental graduate student handbook and in the Graduate Catalog and must apply to all graduate students in that program. When the program anticipates dismissing a student whose cumulative grade-point average is above 2.85, the program must notify the student, using the same process as specified in the general probation policy and must also notify the Graduate School. This policy is effective Fall 2003.

Annual Graduate Student Academic Review

It will be a policy of the Graduate Council that every master's, specialist, and doctoral student will be reviewed annually by their degree program for progress toward the degree. At a minimum, the review will cover progress in the following: a) completing courses with an adequate grade-point average; b) completing the thesis/dissertation/project requirements; c) completing all of the required examinations; d) completing other requirements for the degree. When the review of each student is completed, the review form will be signed by the graduate student and the department/program head/chair, as well as other appropriate individuals as designated in the program review policy. This review will be forwarded to the Graduate School, to be included in the student's file. If a student receives two consecutive reviews indicating that the student is not making adequate academic progress, the program and the Graduate School have the option to dismiss the student.

Grades and Marks

Final grades for courses are "A," "B," "C," "D," and "F" (except for courses taken in the Fay Jones School of Architecture and Design, which both use a plus/minus system). No credit is earned for courses in which a grade of "D" or "F" is recorded.

A final grade of "F" shall be assigned to a student who is failing on the basis of work completed but who has not completed all requirements. The instructor may change an "F" so assigned to a passing grade if warranted by satisfactory completion of all requirements.

A mark of "I" may be assigned when a legitimate circumstance has prevented the student from completing all course requirements and the work completed at the time of assigning the "I" is of passing quality. It is the discretion of the instructor that determines what qualifies as a legitimate circumstance. It is recommended that the instructor, prior to the assignment of an "I" mark, document the legitimate circumstance and conditions for completing course requirements. An "I" so assigned may be changed to a grade provided all course requirements have been completed within 12 months after the end of the term in which the "I" was assigned. If the instructor does not report the grade within the 12-month period, the "I" shall be changed to an "F." When a mark of "I" is changed to a final grade, the grade points and academic standing are appropriately adjusted on the student's official academic records.

A mark of "AU" (Audit) is given to a student who officially registers in a course for audit purposes (see Registration for Audit).

A mark of "CR" (credit) is given for a course in which the university allows credit toward a degree, but for which no grade points are earned. The mark "CR" is not normally awarded for graduate-level courses but may be granted for independent academic activities. For a master's degree, a maximum of six semester hours of "CR" may be accepted toward the requirements for the degree.

A mixing of course letter grades and the mark "CR" is permitted only in graduate-level courses in which instruction is of an independent nature.

A mark of "R" (Registered) indicates that the student registered for master's thesis or doctoral dissertation. The mark "R" gives neither credit nor grade points toward a graduate degree.

A mark of "S" (Satisfactory) is assigned in courses such as special problems and research when a final grade is inappropriate. The mark "S" is not assigned to courses or work for which credit is given (and thus no grade points are earned for such work). If credit is awarded upon the completion of such work, a grade or mark may be assigned at that time and, if a grade is assigned, grade points will be earned. Courses with marks of S may not be used to count toward graduate degree requirements.

A mark of "W" (Withdrawal) will be given for courses from which students withdraw after the first 10 class days of the semester and before the drop deadline of the semester.

For numerical evaluation of grades, "A" is assigned 4 points for each semester hour of that grade; "B," 3 points; "C," 2 points; "D," 1 point; and "F," 0 points. Grades of plus and minus are assigned grade-point values in the Fay Jones School of Architecture and Design.

Students awarded a graduate degree must complete the minimum specified hours by the degree program and the Graduate School. Courses not marked in the course description as eligible to be repeated for degree credit may be included in this total only once.

Grade Appeal Process for Graduate Students

The Graduate School of the University of Arkansas recognizes that there may be occasions when a graduate student questions the fairness or accuracy of a grade. Situations that may result in an appeal include those where an instructor's policy was not applied consistently to all students, the instructor's actions differed substantially from announced policy or the syllabus, or that a policy was not announced. All grievances concerning course grades must be filed within one calendar year after the end of the term in which the grade is assigned. In such cases, the following process shall apply.

The student should first discuss the matter with the instructor involved, doing so as soon as possible after receiving the grade. If the student chooses to pursue an appeal, the student shall take the appeal in written form to the appropriate department or program chairperson of the program in which the course was instructed. The appeal should present the basis of the appeal with evidence the student may have to support the appeal. If that person determines the case has no merit, that person will inform the student and the instructor within five working days of having received the appeal from the student, or as soon thereafter as is practicable. If that person believes the complaint may have merit, that person will discuss it with the instructor. The instructor will have five working days from the date of that discussion (or as soon thereafter as is practicable) to decide whether to change the grade. In the case that the department or unit chairperson is the instructor, the student should submit an appeal in written form to the appropriate dean of the college in which the course was instructed.

If the matter remains unresolved, the department/program chair/head/director will, within 15 working days after receiving the original written approval (or as soon thereafter as is practicable), refer it to an *ad hoc* committee composed of programmatic or departmental faculty. This committee will be appointed by the department or program chairperson and will have at least three faculty with graduate faculty status representing the program or department in which the course was instructed. In the case where there are fewer than three faculty within

the program or department to serve on the committee, graduate faculty members from a closely related discipline will be appointed to serve. In the case where the department or unit chairperson is the instructor of the appeal, the *ad hoc* committee will be appointed by the appropriate dean of the college in which the course was instructed. The instructor whose grade is being challenged shall not serve on this *ad hoc* committee. The department/program chair/head/director or dean will appoint one of the committee members to serve as chair of the committee. The chair will be responsible for convening the committee, ensuring that this policy is followed and that there have been attempts to find a fair and equitable solution to the appeal.

The committee will examine available written information on the dispute, will be available to meet with the student and with the instructor, and will meet with others as it sees fit. The student and faculty member will not be asked to meet with the committee together unless both sides agree to do so. The committee will have a maximum of 20 working days (or as soon thereafter as is practicable), from the date that the committee received the appeal, to deliberate and make a recommendation as follows. However, with the agreement of the instructor and the student, this time limit may be suspended while the committee attempts to negotiate a solution.

If by majority vote, the *ad hoc* faculty committee determines, through its inquiries and deliberations, that the grade should not be changed, the committee shall communicate this conclusion to the student, the faculty member, and the chairperson. This will end the appeal unless the student can demonstrate a violation of University policy in the original assessment of the grade or in the deliberation by the *ad hoc* committee. In such cases, the graduate student will have access to the Graduate Student Grievance policy.

If, by a majority vote, the *ad hoc* faculty committee determines that the grade should be changed, the committee will request that the instructor make the change and provide the instructor with a written explanation. Should the instructor decline, he or she must provide to the *ad hoc* faculty committee a written explanation for refusing to do so within five working days of receiving the request from the committee (or as soon thereafter as is practicable).

If the *ad hoc* faculty committee, after considering the instructor's written explanation, concludes it would be inappropriate to allow the original grade to stand, it may then recommend to the department chairperson, or dean in the case where the department chairperson is the faculty whose grade is being challenged that the grade be changed. That individual (department chair or dean) will provide the instructor with a copy of the recommendation and will ask the instructor to implement it. If the instructor continues to decline, the chairperson or dean is then obligated to change the grade, notifying the instructor and the student of this action. Only the chairperson or dean has the authority to effect a grade change over the objection of the instructor who assigned the original grade, and only after the foregoing procedures have been followed. The final decision on the appeal must be made within 45 days of the student submitting it to the department/program chair/head/director (or as soon thereafter as is practicable). The instructor may appeal the decision to the academic dean or if the instructor is that person, to the Provost.

The final decision of the committee will be communicated to the Graduate School within five working days of its conclusion in the department.

Graduate Student Policies

Proper Address of Students

All students are responsible for maintaining their addresses with the university and to report any change of address by update on the university's student information system (<https://uaconnect.uark.edu/>). Failure to do so may result in undelivered grades, registration notices, invoices, invitations, or other official correspondence and announcements. It is also vitally important that students regularly check their university-assigned email account as many important notices will be sent by email.

Identification Cards

Identification cards are produced by the Campus Card Office during each registration period and at scheduled times and places during the year. Among other things, this card is used for identification as a member of the campus community, security access, enrollment verification, meal plan access and Razorback\$ to purchase goods and services.

Attendance Policy for Students

Attendance and Engagement

Education at the graduate level requires students' active involvement in the learning process. Therefore, graduate students have the responsibility to attend classes and to actively engage in all learning assignments or opportunities provided in their courses; unless expressed otherwise, students should consider class attendance to be mandatory. Instructors have the responsibility to provide a written policy on student attendance that is tied to course objectives and included in the course syllabus.

Excusable Absences

There may be times and/or circumstances that require a student to be absent from class. In these situations, the student is responsible for making timely arrangements with the instructor to make up work missed, including the timeframe during which the work is to be completed. Such arrangements should be made in writing and prior to the absence, when possible.

Examples of excusable absences may include (noting that this is NOT an exhaustive list):

- Student illness;
- Serious illness or death of a member of the student's immediate family, or other serious family crisis;
- University-sponsored activities for which the student's attendance is required by virtue of scholarship or leadership/participation responsibilities;
- Attendance at a professional conference related to a field of study;
- Religious observances (see below);
- Jury duty or subpoena for a court appearance;
- Military duty.

The instructor has the right to require that the student provide appropriate documentation pertaining to any absence for which the student seeks to be excused.

Students are expected to be diligent in the pursuit of their studies and in their class attendance. Students have the responsibility of making arrangements satisfactory to the instructor regarding all absences. Such arrangements should be made prior to the absence if possible. Policies of making up work missed as a result of absence are at the discretion of

the instructor, and students should inform themselves at the beginning of each semester concerning the policies of their instructors.

Religious Observances

When students seek to be excused from class for religious reasons, they are expected to provide their instructors with a schedule of religious holidays that they intend to observe, in writing, before the completion of the first week of classes. The Semester Calendar (<http://registrar.uark.edu/academic-dates/academic-semester-calendar/>) on the Office of the Registrar's website will inform students of the university calendar of events, including class meeting and final examination dates, so that before they enroll they can take into account their calendar of religious observances. Scheduling should be done with recognition of religious observances where possible. However, faculty members are expected to allow students to make up work scheduled for dates during which they observe the holidays of their religion.

Use of Electronic Resources of the Library

The use of electronic resources of the University Libraries from a location outside of the library is only available to enrolled students. Students who are enrolled in the spring semester and have pre-registered for the succeeding fall semester may have access to these resources during the intervening summer. Students who are not required to be enrolled for other reasons, who are not pre-registered for the fall, and who wish to use the library resources during the summer must be enrolled in at least one hour of credit in any one of the summer sessions or be entered in the student affiliates table on UAConnect. Requests for affiliate status for graduate students must be sent from the major professor to the Graduate School.

Policies/Procedures for Use of Toxic Substances on Campus

The University of Arkansas is committed to the health and safety of its students, faculty, and staff. It is recognized that during their work for the university, some people will be involved in activities that require the use of substances or materials that are hazardous or toxic in nature. The Environmental Health and Safety unit of the physical plant has prepared the UAF Chemical Hygiene plan. This document addresses the safe use of toxic substances in laboratories. In addition, it defines the minimum acceptable standard safety practices for execution of laboratory work for both research and teaching. The chemical hygiene plan is available from the Office of Environmental Health and Safety (<http://ehs.uark.edu/>) and is the full statement of the UAF campus policy and procedures for handling toxic substances.

Travel Policy for Graduate Students

Graduate students who travel on university business must comply with the travel policies of the university. For those graduate students not on assistantships/fellowships, please see the university policy 332.4 (<https://vcfa.uark.edu/policies/fayetteville/sade/3324.php>).

Annual Notice of Student Rights Under the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are as follows:

1. The right to inspect and review the student's education records, with some exceptions under the Act, within 45 days of the day the university receives a request for access. Students should submit to

the Office of the Registrar written requests that identify the record(s) they wish to inspect. The university official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students should write the university official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. A sample form, which may be used in making this request, is contained in the appendix to UA Systemwide Policies and Procedures 515.1 (<http://www.uasys.edu/policies/ua-system-policies/>).

If the university decides not to amend the record as requested by the student, the university will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing and is also contained in UA Systemwide Policies and Procedures 515.1 (<http://www.uasys.edu/policies/ua-system-policies/>).

3. The right to withhold consent of disclosure of directory information, defined as the following information: the student's name; date of birth; address; telephone number; email address; major field of study; classification by year; number of hours in which enrolled and number completed; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance including withdrawal dates; degrees, honors, and awards received, including type and date granted; and photograph.

This information will be subject to public disclosure unless the student restricts such information through the appropriate settings in UAConnect, the student information system, or informs the Office of the Registrar in writing that he or she does not want this information designated as directory information.

4. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the university in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the university has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an educational record to fulfill his or her professional responsibility. Upon request, the university also discloses education records without consent to officials for another school in which a student seeks or intends to enroll.

Postsecondary institutions may also disclose personally identifiable information from education records, without consent, to appropriate parties, including parents of an eligible student, in connection with a health or safety emergency. Under this provision, colleges and universities may notify parents when there is a health or safety

emergency involving their son or daughter, even if the parents do not claim the student as a dependent.

There are several other exceptions to FERPA's prohibition against non-consensual disclosure of personally identifiable information from education records, some of which are briefly mentioned below. Under certain conditions (specified in the FERPA regulations), a school may non-consensually disclose personally identifiable information from education records:

- to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and State and local educational authorities for audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs;
 - to the National Student Clearinghouse for enrollment and degree reporting;
 - to organizations conducting studies for or on behalf of the school making the disclosure for the purposes of administering predictive tests, administering student aid programs, or improving instruction;
 - to officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer;
 - to comply with a judicial order or a lawfully issued subpoena;
 - to the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing with respect to the alleged crime; and
 - to any third party the final results of a disciplinary proceeding related to a crime of violence or non-forcible sex offense if the student who is the alleged perpetrator is found to have violated the school's rules or policies. The disclosure of the final results only includes: the name of the alleged perpetrator, the violation committed, and any sanction imposed against the alleged perpetrator. The disclosure must not include the name of any other student, including a victim or witness, without the written consent of that other student.
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the university to comply with the requirements of FERPA. The name and address of the office that administers FERPA is as follows:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington DC 20202-4605

6. UA System Policy and Procedure 515.1 (<http://www.uasys.edu/policies/ua-system-policies/>) serves as a supplement to the campus FERPA policy.
7. FERPA applies to students at the University of Arkansas at the point of their enrollment into courses.

Photographic and Video Images

The university is proud to publish and display photographic and video images of U of A students, their activities and accomplishments. Any student who does not wish to be represented in such photographic and video images by the university should choose to withhold photos on the FERPA option on the university's student information system.

This page includes information and policies about the following:

- Academic Grievance Procedures for Graduate Students
- Grievance Policy and Procedures for Graduate Assistants
- Research and Scholarly Misconduct Policies and Procedures

Academic Grievance Procedures for Graduate Students

The Graduate School of the University of Arkansas recognizes that there may be occasions when a graduate student has a grievance about some aspect of their academic involvement. It is an objective of this University that such a graduate student may have prompt and formal resolution of their personal academic grievances and that this be accomplished according to orderly procedures. Below are the procedures to be utilized when a graduate student has an academic grievance with a faculty member or administrator. If the student has a grievance against another student or another employee of the University, or if the student has a grievance which is not academic in nature, the appropriate policy may be found by contacting the Office of Equal Opportunity and Compliance or the office of the Graduate Dean. For policies and procedures pertaining to conduct offenses, consult the Code of Student Life.

NOTE: Master's students in the Graduate School of Business should follow the grievance procedures for that School.

Definition of Terms Academic grievance

An academic grievance means a dispute concerning some aspect of academic involvement arising from an administrative or faculty decision which the graduate student claims is in violation of their rights and is the result of a University error, a violation of written campus policies, or constitutes unfair or unequal application of such policies. The Graduate School considers any behavior on the part of a faculty member or an administrator, which the student believes to interfere with their academic progress, to be subject to a grievance. While an enumeration of the students' rights with regard to their academic involvement is not possible or desirable, we have provided a short list as illustration. However, as in all cases involving individual rights, whether a specific behavior constitutes a violation of these rights can only be decided in context, following a review by a panel of those given the authority to make such a decision.

In general, we consider that the graduate student:

1. has the right to competent instruction;
2. is entitled to have access to the instructor at hours other than class times (office hours);
3. is entitled to know the grading system by which they will be judged;
4. has the right to evaluate each course and instructor;
5. has the right to be treated with respect and dignity;
6. has the right to be free of retaliation from University employees for filing a grievance under this policy or the grade appeal policy or participation in the investigation of a grievance as a witness of such a claim.

In addition, an academic grievance may include alleged violations of the affirmative action plans of the University as related to academic policies and regulations, as well as disputes over grades, course requirements,

graduation/degree program requirements, thesis/dissertation/advisory committee composition, and/or adviser decisions.

Formal academic grievance. An academic grievance is considered formal when the student notifies the Graduate Dean, in writing, that they are proceeding with such a grievance. The implications of this declaration are: 1) all correspondence pertaining to any aspect of the grievance will be in writing and will be made available to the Graduate Dean; 2) all documents relevant to the case, including minutes from all relevant meetings, will be part of the complete written record and will be forwarded to the Graduate Dean upon receipt by any party to the grievance; 3) the policy contained herein will be strictly followed; and 4) any member of the academic community who does not follow the grievance policy will be subject to disciplinary actions. Filing a formal academic grievance is a serious matter, and the student is strongly encouraged to seek informal resolution of their concerns before taking such a step.

Complete Written Record

The "complete written record" refers to all documents submitted as evidence by any party to the complaint, as subject to applicable privacy considerations.

NOTE: Because the recordings of committee meetings may contain sensitive information, including private information pertaining to other students, the recording or a verbatim transcription of the recording will not be part of the complete written record. However, general minutes of the meetings, documenting the action taken by the committees, will be part of the complete written record.

Graduate student

Under this procedure, a graduate student is any person who has been formally admitted into the Graduate School of the University of Arkansas, Fayetteville, and who is/was enrolled as a graduate-level student at the time the alleged grievance occurred.

Retaliation

Any decision to adversely affect the education environment, which is directed against graduate students for filing grievances under this policy or the grade appeal policy for graduate students as well as graduate students who participate in an investigation.

Working Days

Working days shall refer to Monday through Friday, excluding official University holidays.

Procedures

NOTE: Master's students in the Graduate School of Business should follow the grievance procedures for that School.

1. Individuals should attempt to resolve claimed grievances first with the person(s) involved, within the department, and wherever possible, without resort to formal grievance procedures. The graduate student should first discuss the matter with the faculty member involved, or with the faculty member's chairperson or area coordinator. The student's questions may be answered satisfactorily during this discussion. If the grievance is with the departmental chairperson or area coordinator, the student may choose to contact the academic dean or the Graduate Dean, for a possible informal resolution of the matter. Grievances based on dismissal for unethical/unprofessional conduct will first follow the appeal policies of the department/program and if unsuccessful, will follow process 5, below, bypassing the Graduate Dean.
2. If a graduate student chooses to pursue a formal grievance procedure, the student shall take the appeal in written form to the appropriate departmental chairperson/area coordinator, and forward a copy to the Graduate Dean. In the case of a grievance against a departmental chairperson or an area coordinator who does not report directly to a departmental chairperson, or in the absence of the chairperson/coordinator, the student will go directly to the dean of the college or school in which the alleged violation has occurred, or to the Graduate Dean. In any case, the Graduate Dean must be notified of the grievance. After discussion between the chairperson/coordinator/dean and all parties to the grievance, option 2a, 2b, or 3 may be chosen.
 - a. All parties involved may agree that the grievance can be resolved by a recommendation of the chairperson/coordinator/dean. In this case, the chairperson/coordinator/dean will forward a written recommendation to all parties involved in the grievance within 20 working days after receipt of the written grievance. The chairperson/area coordinator/dean is at liberty to use any appropriate method of investigation, including personal interviews and/or referral to an appropriate departmental committee for recommendation.
 - b. Alternatively, any party to the grievance may request that the departmental chairperson/area coordinator/dean at once refer the request, together with all statements, documents, and information gathered in their investigation, to the applicable departmental group (standing committee or all graduate faculty of the department). The reviewing body shall, within ten working days from the time its chairperson received the request for consideration, present to the department chairperson/coordinator/dean its written recommendations concerning resolution of the grievance. Within ten working days after receiving these recommendations, the department chairperson/area coordinator/dean shall provide all parties to the dispute with copies of the reviewing body's recommendation and their consequent written decision on the matter.
3. If the grievance is not resolved by the procedure outlined in step 2, or if any party to the grievance chooses not to proceed as suggested in 2, they will appeal in writing to the Dean of the Graduate School. When, and only when, the grievance concerns the composition of the student's thesis/dissertation committee or advisory committee, the Graduate Dean will proceed as described in step 4 (below). In all other cases, whenever a grievance comes to the attention of the Dean of the Graduate School, either as a result of a direct appeal or when a grievance has not been resolved satisfactorily at the departmental/academic dean level, the Dean of the Graduate School will consult with the person alleging the grievance.
 - a. Within ten working days (excluding the day of receipt), if the Graduate Dean determines that there is evidence of a university error, a violation of written campus policies, or unfair or unequal application of such policies and if that person decides to continue the formal grievance procedure, the Graduate Dean will notify all parties named in the grievance, the departmental chairperson/area coordinator, and the academic dean that a formal grievance has been filed.
 - b. If the Graduate Dean determines that there is not evidence of a university error, a violation of written campus policies, or unfair or unequal application of such policies, and the graduate student believes the decision is in error, the graduate student may appeal the Graduate Dean's decision in writing to the Academic Appeals Subcommittee of the Graduate Council within ten working days (excluding the day of receipt). The Academic

- Appeals Subcommittee shall review the material provided by the graduate student, the decision of the Graduate Dean, and any other materials which have been assembled regarding the matter, and any applicable university policies. The Academic Appeals Subcommittee, within twenty working days of receiving the appeal, shall make a decision, in writing, if the graduate student's grievance shall move forward to a full hearing.
- c. Within ten working days (excluding the day of receipt) of either the Graduate Dean's decision of evidence of a university error, a violation of written campus policies, or unfair or unequal application of such policies, or a positive appeal decision from the Academic Appeals Subcommittee, the Dean of the Graduate School will: 1) with the consent of the student, appoint a faculty member as the student's advocate, and 2) notify the Academic Appeals Subcommittee of the Graduate Council, which will serve as the hearing committee. The Associate Dean of the Graduate School will serve as the chair of the grievance committee and will vote only in the case of a tie. A voting member of the Graduate Council who is not a member of the Academic Appeals Subcommittee will serve as the non-voting secretary of the committee
 - d. The committee shall have access to witnesses and records, may take testimony, and may make a record by recording of the hearing. Its charge is to develop all pertinent factual information (with the exception that the student and faculty member/ administrator will not be required to be present in any meeting together without first agreeing to do so) and, on the basis of this information, to make a recommendation to the Graduate Dean to either support or reject the appeal. The Graduate Dean will then make a decision based on the committee's recommendation and all documents submitted by the parties involved. The Graduate Dean's decision, the committee's written recommendation and a copy of its complete written record (excluding those in which other students have a privacy interest) shall be forwarded to the person(s) making the appeal within 20 working days from the date the committee was first convened; copies shall be sent simultaneously to other parties involved in the grievance and to the dean of the college in which the alleged violation occurred. A copy shall be retained by the Graduate School in such a way that the student's privacy is protected.
4. When, and only when, a student brings a grievance concerning the composition of their thesis/dissertation or advisory committee, the following procedure will apply. The Dean of the Graduate School shall meet with the graduate student and the faculty member named in the grievance and shall consult the chair of the committee, the departmental chairperson/area coordinator, and the academic dean, for their recommendations. In unusual circumstances, the Dean of the Graduate School may remove a faculty member from a student's thesis/dissertation committee or advisory committee, or make an alternative arrangement (e.g. assign a representative from the Graduate faculty to serve on the committee). With regard to the chair of the dissertation/thesis committee (not the advisory committee), the Graduate School considers this to be a mutual agreement between the faculty member and the student to work cooperatively on a research project of shared interest. Either the graduate student or the faculty member may dissolve this relationship by notifying the other party, the departmental chairperson, and the Graduate Dean. However, the student and the adviser should be warned that this may require that all data gathered for the dissertation be abandoned and a new research project undertaken, with a new faculty adviser.
 5. When, and only when, a student is appealing a dismissal from a degree program on the basis of unethical and unprofessional conduct, and has followed all appeal options contained within the department/program policy, the following process will apply: If a student's appeal through the department/program process is denied and the student continues to believe the grievance decision is in error, then the student may, within 10 working days after the date of the final written decision from the department/program, appeal the decision in writing to the dean of the academic department within which the degree program resides. The department/program is required to notify the student of the appeal process at the time of the final decision. The academic dean will review the material provided by the student, the grievance decision, any other material which has been assembled regarding the matter, and any applicable university policies and may, at their discretion, gather any additional information that will be helpful to a decision, whether in writing or through meeting or consulting with any individuals deemed necessary in the dean's discretion. The dean reviewing the appeal shall make a decision, in writing, within 10 working days of receiving the student's grievance, or as soon as possible thereafter. This is the sole method for appeal of a suspension or dismissal on the basis of unethical or unprofessional conduct. The decision of the dean shall be final.
 6. If a grievance is not satisfactorily resolved through step 3 or 5, an appeal in writing and with all relevant material may be submitted for consideration and a joint decision by the Chancellor of the University of Arkansas, Fayetteville, and the Provost/Vice Chancellor for Academic Affairs. This appeal must be filed within 20 working days of receiving the decision of the Graduate Dean. Any appeal at this level shall be on the basis of the complete written record only, and will not involve interviews with any party to the grievance. The Chancellor of the University of Arkansas, Fayetteville, and the Provost/Vice Chancellor for Academic Affairs shall make a decision on the matter within 20 working days from the date of receipt of the appeal. Their decision shall be forwarded in writing to the same persons receiving such decision in step 3. Their decision is final pursuant to the delegated authority of the Board of Trustees.
 7. If a grievance cannot be resolved internally within the university, a student may file a complaint with the appropriate authority in their state of residence. Arkansas residents must file complaints in writing with the ICAC Coordinator, Arkansas Department of Higher Education (ADHE), 114 E. Capitol, Little Rock, AR 72201, within 20 days of completing the institution's grievance process. As required by ADHE, the grievant must provide a statement from the institution verifying that the institution's appeal process has been followed. ADHE inquiries are limited to courses/degree programs certified by the Arkansas Higher Education Coordinating Board (AHECB) under Ark. Code § 6-61-103 and so matters related to the criteria for certification. For other states, the Student Complaint Process by State Directory, available on the State Higher Education Executive Officers Association website (<http://www.sheeo.org/node/434/>) provides a list of appropriate state officials and/or entities for each state. Students may also contact the Higher Learning Commission (<https://www.hlcommission.org/>), which is the university's regional accrediting body, at 230 S. LaSalle St., Suite 7-500, Chicago, IL 60604, or at info@hlcommission.org or 1-800-621-7440. This information is provided pursuant to 34 CFR § 668.43(b).
 8. If any party to the grievance violates this policy, they will be subject to disciplinary action. When alleging such a violation, the aggrieved individual shall contact the Graduate Dean, in writing, with an explanation of the violation.

Grievance Policy and Procedures for Graduate Assistants

NOTE: Graduate Assistants in the Graduate School of Business should follow the grievance procedures for that School.

Introduction

It is the philosophy of the Graduate School that assistantships are not typical employee positions of the University. This has two implications. First, the sponsor should also serve as a mentor to the student and assist, to the extent possible, in facilitating the student's progress toward their degree. Second, any questions concerning performance in or requirements of assistantships shall be directed to the Graduate School or, for master's students in business, to the Graduate School of Business. Note: the term graduate assistant will be used to refer to those on other types of appointments as well, such as fellowships, clerkships, etc.

The Graduate School has the following authority with regard to graduate assistantships:

1. All requests for new positions, regardless of the source of the funds, must be approved by the Graduate School. When the position is approved, the requesting department or faculty member must complete the form "Request for a New Graduate Assistant Position" and submit it to the Graduate School. All proposed changes in duties for existing graduate assistantships must be approved by the Graduate School prior to their implementation.
2. The duty requirements of the graduate assistantship, including the number of hours required, must be approved by the Graduate School. Fifty percent GAs may not be asked to work more than 20 hours per week (Note: this is not limited to time actually spent in the classroom or lab; the 20 hour requirement also pertains to time required to grade/compute results, develop class/lab materials, etc. Moreover, students cannot be asked to work an average of 20 hours per week, with 30 hours one week and 10 hours the next, for example. The duty hour requirement is no more than 20 hours per week for a 50 percent appointment. See the Graduate Handbook. However, it should also be noted that if the student is engaged in research which will be used in their required project, thesis or dissertation, or if the student is traveling to professional meetings, data sources, etc., the student may work more than 20 hours per week.) The duty requirements must complement the degree program of the graduate student and must abide by the philosophy that the first priority of graduate students is to finish their degrees. If a student is assigned to teach, the maximum duty assignment is full responsibility for two three-hour courses per semester.
3. The Graduate School has set the following limits on holding graduate assistantships (not fellowships): Master's students may hold a graduate assistantship for no more than six major (Fall/Spring) semesters; a doctoral student may hold a graduate assistantship for no more than ten major (Fall/Spring) semesters; a student who enters a doctoral program with only a baccalaureate degree may hold a graduate assistantship for no more than twelve (Fall/Spring) major semesters. The department/program may petition the Graduate School for extensions to these requirements on a case by case basis.
4. The Graduate School, in consultation with the Graduate Council, has the right to set the enrollment requirements for full-time status for graduate assistants (as well as graduate students in general).
5. The Graduate School sets the minimum stipend for graduate assistantships, but does not have responsibility for setting the actual stipend.

Graduate assistants will be provided with a written statement of the expected duties for their positions, consistent with the duties outlined in the "Request for New Graduate Assistant Position" or any amendments submitted to the Graduate School. A copy of the written statement will be submitted to the Graduate School for inclusion in the student's file.

Graduate assistants may be terminated from their positions at any time, or dismissed for cause (Board Policy No. 500.1). Termination for convenience is effected through the giving of a notice, in writing, of that action at least 60 days in advance of the date the employment is to cease; termination for cause, excluding unsatisfactory work performance, or because of abandonment of the assistantship is effected immediately upon notice and no advance notice shall be required. The conditions under which a graduate assistant may be terminated for unsatisfactory work performance are described in Board Policy No. 500.1. Termination of a graduate assistantship because of the loss of funds may be effected immediately or with reduced notice. In all cases of termination of the graduate assistantship, a copy of the notice must be sent to the Graduate School.

A graduate assistant has the right to request a review of the termination by the Graduate Dean, following the procedure given below. However, a student should be warned that if the grounds for dismissal are based on any of the following, the only defense to the termination is evidence to show that the charges are not true:

1. The student fails to meet the expectations of the assistantship positions, as outlined in the initial written statement provided to them at the beginning of the appointment.
2. The student provides fraudulent documentation for admission to their degree program and/or to their sponsor in applying for the assistantship position.
3. The student fails to meet certain expectations, which need not be explicitly stated by the sponsor, such as the expectation that:
 - a. the student has the requisite English language skills to adequately perform the duties of the position;
 - b. the student has the appropriate experience and skills to perform the duties of the position; and
 - c. the student maintains the appropriate ethical standards for the position. The Research Misconduct Policy provides one reference source for such ethical standards.
4. The student fails to make good progress toward the degree, as determined by the annual graduate student academic review and defined by program and Graduate School policies.
5. The assistantship position expires.

Definition of Terms

Graduate Assistant. Any graduate student holding a position which requires that the student be admitted to a graduate degree program of the University of Arkansas, regardless of the source of funds, and for whom tuition is paid as a result of that position.

Sponsor. The person responsible for the funding and duty expectations for the graduate assistant.

Formal graduate assistant grievance. Any dispute concerning some aspect of the graduate assistantship, as defined above, which arises from an administrative or faculty decision that the graduate student claims is a violation of their rights and is the result of a university error. The formal graduate assistant grievance does not pertain to cases in which there is a dispute between co-workers.

Violation of graduate assistant's rights. An action is considered a violation of the graduate assistants' rights if: a) it violates Graduate School policy with regard to graduate assistantships; b) it threatens the integrity of, or otherwise demeans the graduate student, regardless of any other consideration; c) it illegally discriminates or asks the graduate assistant to discriminate; d) it requires the student to do something which was not communicated as a condition of holding the assistantship (or the underlying expectations outlined above); e) it terminates the student from an assistantship for behaviors which are irrelevant to the holding of the assistantship or were never included as expectations for the assistantship; f) it requires the student to do something which violates University policy, the law, or professional ethics; g) the student was a party to a formal academic grievance or utilized the grade appeal policy for graduate students and alleges their termination is retaliation for filing such a grievance or appeal or their participation as a witness in the investigation of such a claim. Note: It is impossible to state all of the conditions which might constitute a violation of graduate assistants' rights or, conversely, which might defend a respondent against charges of such violations. Such complaints require a process of information gathering and discussion that leads to a final resolution of the matter by those who have been given the authority to do so.

Formal grievance. A grievance concerning graduate assistantships/fellowships is considered formal when the student notifies the Graduate Dean, in writing, that he/she is proceeding with such a grievance. The implications of this declaration are: a) the student will be provided with an advocate; b) all correspondence pertaining to any aspect of the grievance will be in writing and will be made available to the Graduate Dean; c) all documents relevant to the case, including minutes from all relevant meetings, will be part of the complete written record, and will be forwarded to the Graduate Dean upon receipt by any party to the grievance; d) the policy contained herein will be strictly followed; and e) any member of the academic community who does not follow the grievance policy will be subject to disciplinary actions. Filing a formal grievance is a serious matter, and the student is strongly encouraged to seek informal resolution of their concerns before taking such a step.

Respondent. The person who is the object of the grievance.

Retaliation. Any decision to adversely affect the education environment, which is directed against graduate students for filing grievances under this policy or the grade appeal policy for graduate students as well as graduate students who participate in an investigation.

Procedures

NOTE: Grievances are confidential. Information about the grievance, including the fact that such a grievance has been filed, may never be made public to those who are not immediately involved in the resolution of the case, unless the student has authorized this release of information or has instigated a course of action which requires the respondent to respond. An exception to this confidentiality requirement is that the immediate supervisor or departmental chairperson of the respondent will be notified and will receive a copy of the resolution of the case. Since grievances against a respondent also have the potential to harm that person's reputation, students may not disclose information about the grievance, including the fact that they have filed a grievance, to any person not immediately involved in the resolution of the case, until the matter has been finally resolved. This is not intended to preclude the student or respondent from seeking legal advice.

1. (Graduate assistants who are master's students in the Graduate School of Business should contact the Director of that School.) When a graduate student believes that their rights have been violated,

as the result of action(s) pertaining to a graduate assistantship he/she holds or has held within the past year, the student shall first discuss their concerns with the respondent. If the concerns are not resolved to the student's satisfaction, the student may discuss it with the Graduate Dean and/or with the Office of Affirmative Action. If the concerns are satisfactorily resolved by any of the above discussions, the terms of the resolution shall be reduced to writing, if any of the involved parties desires to have such a written statement.

2. If the student's concerns are not resolved by the above discussions and he/she chooses to pursue the matter further, the student shall notify the Graduate Dean in writing of the nature of the complaint. This notification will include all relevant documentation and must occur within one year from the date of the occurrence.
3. Upon receipt of this notification and supporting documentation, the Graduate Dean will meet with the graduate student. If the student agrees, the Dean will notify the respondent of the student's concerns. If the student does not wish for the respondent to be notified, the matter will be dropped. The respondent will be given ten working days from receipt of the Graduate Dean's notification to respond to the concerns.
4. The Graduate Dean will meet again with the student and make an effort to resolve the concerns in a mutually satisfactory manner. If this is not possible, and if the Graduate Dean determines that there is evidence of a university error, the Graduate Dean will refer the case to a committee.
5. Within ten working days from the final meeting between the student and the Graduate Dean, the Graduate Dean will notify the respondent and the Academic Appeals Subcommittee of the Graduate Council, which will serve as the hearing committee. The Associate Dean of the Graduate School will serve as the chair of the grievance committee and will vote only in the case of a tie. A voting member of the Graduate Council who is not on the Academic Appeals Subcommittee will serve as the non-voting secretary of the committee. At this time, the Graduate Dean will also assign an advocate to the student. The advocate must be a member of the graduate faculty. The immediate supervisor of the sponsor will serve as their advocate. Note: The student and sponsor advocates will have the responsibility to help the student/sponsor prepare their written materials and will attend committee meetings with the student/sponsor. The advocate will not speak on behalf of the student/sponsor and will not take part in committee discussions of the merits of the case.
6. The committee shall have access to witnesses and records, may take testimony, and may make a record by taping the hearing. Its charge is to develop all pertinent factual information (with the exception that the student and respondent will not be required to be present in any meeting together without first agreeing to do so) and, on the basis of this information, to make a recommendation to the Graduate Dean to either support or reject the grievance. The Graduate Dean will then make a decision based on the committee's recommendation and all documents submitted by the parties involved. The Graduate Dean's decision, the committee's written recommendation and a copy of all documents submitted as evidence by any party to the complaint, consistent with all privacy considerations, shall be forwarded to the person(s) alleging the grievance within 20 working days from the date the committee was first convened; copies shall be sent simultaneously to other parties involved in the grievance. A copy shall be retained by the Graduate School in such a way that the student's and respondent's privacy is protected. It should be noted that the Graduate Dean has limited authority to require a sponsor to reappoint a graduate assistant. Consequently, the redress open to the student may be limited.

7. If the grievance is not satisfactorily resolved through step 6, an appeal in writing with all relevant material may be submitted by either the student or the sponsor for consideration by the Provost/Vice Chancellor for Academic Affairs of the University of Arkansas. This appeal must be filed within 20 working days of receiving the decision of the Graduate Dean. Any appeal at this level shall be on the basis of the complete written record only and will not involve interviews with any party to the grievance. The Provost/Vice Chancellor for Academic Affairs shall make a decision on the matter within 20 working days from the date of receipt of the appeal. Their decision shall be forwarded in writing to the Graduate Dean, the student, and the respondent. This decision is final.
8. If any party to the grievance violates this policy, he/she will be subject either to losing the assistantship position or losing the assistantship. When alleging such a violation, the aggrieved individual shall contact the Graduate Dean, in writing, with an explanation of the violation.

- Is accused of plagiarism, fabrication, or falsification of research records produced in the course of research, research training or activities related to that research or research training. This includes any research formally proposed, performed, reviewed, or reported, or any document or record generated in connection with such research, regardless of whether an application or proposal for funds resulted in a grant, contract, cooperative agreement, or other form of support.

Severance of the respondent's relationship with the University, whether by resignation or termination of employment, completion of or withdrawal from studies, or otherwise, before or after initiation of procedures under this policy, will not preclude or terminate research misconduct procedures.

II. Definitions and Standard of Review

Charge. A written allegation of misconduct that triggers the procedures described in this policy.

Complainant. A person who submits a charge of research misconduct.

Deciding Official (DO). The Provost and Vice Chancellor for Academic Affairs who is the institutional official responsible for making determinations, subject to appeal, on allegations of research misconduct and any institutional administrative actions. The Deciding Official will not be the same individual as the Research Integrity Officer and should have no direct prior involvement in the institution's allegation assessment, inquiry, or investigation. Discussing concerns regarding suspected research misconduct, as provided for in Section IV.A. of this policy, shall not be considered direct prior involvement. If the Deciding Official is unable to serve as DO in a particular matter, the Chancellor may appoint an appropriate official to act as the DO for purposes of that matter.

Good Faith Charge. A charge of research misconduct made by a complainant who believes that research misconduct may have occurred. A charge is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the charge.

Inquiry. The process under the policy for information gathering and preliminary fact-finding to determine if a charge or apparent instance of research misconduct has substance and therefore warrants an investigation.

Investigation. The process under this policy for the formal examination and evaluation of all relevant facts to determine whether research misconduct has occurred, and, if so, the responsible person and the seriousness of the misconduct.

Investigator. Any person, including but not limited to any person holding an academic or professional staff appointment at the University of Arkansas, who is engaged in the design, conduct, or reporting of research.

ORI. The Office of Research Integrity within the U.S. Department of Health and Human Services.

PHS. The Public Health Service within the U.S. Department of Health and Human Services.

Preponderance of Evidence. Evidence which is of greater weight or more convincing than evidence to the contrary; evidence which shows that something more likely than not is true.

Recklessly. To act recklessly means that a person acts in such a manner that the individual consciously disregards a substantial and unjustifiable risk or grossly deviates from the standard of conduct that a reasonable

Research and Scholarly Misconduct Policies and Procedures

I. Introduction

A. General Policy

The University of Arkansas is committed to the highest integrity in research and scholarly activity. Actions which fail to meet this standard can undermine the quality of academic scholarship and harm the reputation of the University. This policy is designed to help ensure that all those associated with the University of Arkansas carry out their research and scholarly obligations in a manner that is consistent with the mission and values of the University, and provides a means of addressing instances of suspected research misconduct should they arise.

Principal investigators are responsible for maintaining ethical standards in the projects they direct and reporting any violations to the appropriate University official. Students charged with academic misconduct are subject to separate disciplinary rules governing students, however, such cases may also be reviewed under these policies if applicable under the provisions stated below. The Research Integrity Officer, in consultation with the student's dean shall determine which policy is most appropriate in each case.

A charge of research misconduct is very serious, and will be reviewed carefully and thoroughly. Any allegation of research misconduct will be handled as confidentially and expeditiously as possible. Full attention will be given to the rights and responsibilities of all individuals involved. Charges of research misconduct which are determined not to be made in good faith, as provided for in this policy, may result in administrative action against the charging party.

B. Scope

This statement of policy and procedures is intended to carry out the responsibilities of the University of Arkansas, Fayetteville under the Public Health Service (PHS) Policies on Research Misconduct, 42 CFR Part 93 and the research misconduct policies of other funding agencies, as applicable to particular allegations.

This document applies to allegations of research misconduct (as defined below) involving:

- A person who, at the time of the alleged research misconduct, was employed by, was an agent of, or was affiliated by enrolled student status, contract or agreement with the University of Arkansas, Fayetteville; and

individual would observe; reckless means more than mere or ordinary negligence.

Research. A systematic investigation designed to develop or contribute to generalizable knowledge. The term includes the search for both basic and applied knowledge and well as training methods by which such knowledge may be obtained.

Research Integrity Officer (RIO) means the Chair of the Research Council who is the institutional official responsible for: (1) assessing allegations of research misconduct to determine if the allegations fall within the definition of research misconduct, are covered by 42 CFR Part 93 or other applicable federal policies, and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified; (2) overseeing inquiries and investigations; and (3) the other responsibilities described in this policy. If the Research Integrity Officer is unable to serve as RIO in a particular matter, the DO may appoint an appropriate official to act as the RIO for purposes of that matter.

Research Misconduct. Research misconduct means the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

1. Fabrication is making up data or results and recording or reporting them.
2. 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.
3. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Research misconduct does not include disputes regarding honest error or honest differences in interpretations or judgments of data, and is not intended to resolve bona fide scientific disagreement or debate. Research misconduct is also not intended to include "authorship" disputes such as complaints about appropriate ranking of co-authors in publications, presentations, or other work, unless the dispute constitutes plagiarism (as defined above).

Research Record. Any data, document, computer file, computer storage media, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of a charge of research misconduct. A research record includes, but is not limited to, grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; printed or electronic correspondence; memoranda of telephone calls; videos; photographs; X-ray film; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

Respondent. The person against whom a charge of research misconduct is directed, or the person whose actions are the subject of an inquiry or investigation.

Standard of Review.

A finding of research misconduct requires that:

1. There be a significant departure from accepted practices of the relevant research community; and

2. The research misconduct be committed intentionally, knowingly, or recklessly; and
3. The allegation be proven by a preponderance of the evidence.

This standard and related definitions are restated in the charge to the investigation committee located in section V.E. of this policy.

III. Rights and Responsibilities

A. Research Integrity Officer

The Chair of the Research Council will serve as the RIO who will have primary responsibility for implementation of the institution's policies and procedures on research misconduct. These responsibilities include the following duties related to research misconduct proceedings:

- Consult confidentially with persons uncertain about whether to submit an allegation of research misconduct;
- Receive allegations of research misconduct;
- Assess each allegation of research misconduct in accordance with Section V.A. of this policy to determine whether the allegation falls within the definition of research misconduct and warrants an inquiry;
- As necessary, take interim action and notify ORI of special circumstances, in accordance with Section IV.H. of this policy;
- Sequester research data and evidence pertinent to the allegation of research misconduct in accordance with Section V.C. of this policy and maintain it securely in accordance with this policy and applicable law and regulation;
- Provide confidentiality to those involved in the research misconduct proceeding as required by 42 CFR § 93.108 or other applicable law or regulations, or institutional policy;
- Notify the respondent and provide opportunities for him/her to review/comment/respond to allegations, evidence, and committee reports in accordance with Section III.C. of this policy.
- Inform respondents, complainants, and witnesses of the procedural steps in the research misconduct proceeding;
- Appoint the chair and members of the inquiry and investigation committees, ensure that those committees are properly staffed and that there is expertise appropriate to carry out a thorough and authoritative evaluation of the evidence;
- Determine whether each person involved in handling an allegation of research misconduct has an unresolved personal, professional, or financial conflict of interest and take appropriate action, including recusal, to ensure that no person with such conflict is involved in the research misconduct proceeding;
- In cooperation with other institutional officials, take all reasonable and practical steps to protect or restore the positions and reputations of good faith complainants, witnesses, and committee members and counter potential or actual retaliation against them by respondents or other institutional members;
- Keep the Deciding Official and others who need to know apprised of the progress of the review of the allegation of research misconduct;
- Notify and make reports to ORI or other applicable federal agencies as required by 42 CFR Part 93 or other applicable law or regulations;
- Ensure that administrative actions taken by the institution, ORI, or other appropriate agencies are enforced and take appropriate action to notify other involved parties, such as sponsors, law enforcement agencies, professional societies, and licensing boards of those actions; and

- Maintain records of the research misconduct proceeding and make them available to ORI or other appropriate agencies as applicable in accordance with Section VIII.F. of this policy.

B. Complainant

The complainant is responsible for making allegations in good faith, maintaining confidentiality to the extent permitted by law, and cooperating with the inquiry and investigation. As a matter of good practice, the complainant should be interviewed at the inquiry stage and given the transcript of the interview for comment. The complainant must be interviewed during an investigation, and be given the transcript of the interview for comment. The complainant may be provided for comment with (1) relevant portions of the inquiry report (within a timeframe that permits the inquiry to be completed within 60 days of its initiation); and (2) relevant portions of the draft investigation report. In reviewing reports, the complainant must adhere to time limits set by the corresponding committee for timely completion of the inquiry or investigation

C. Respondent

The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry and investigation. The respondent is entitled to:

- A good faith effort from the RIO to notify the respondent in writing at the time of or before beginning an inquiry;
- An opportunity to comment on the inquiry report and have their comments attached to the report;
- Be notified of the outcome of the inquiry, and receive a copy of the inquiry report that includes a copy of, or refers to 42 CFR Part 93 or other applicable law or regulations and the institution's policies and procedures on research misconduct;
- Be notified in writing of the allegations to be investigated within a reasonable time after the determination that an investigation is warranted, but before the investigation begins (within 30 days after the institution decides to begin an investigation), and be notified in writing of any new allegations, not addressed in the inquiry or in the initial notice of investigation, within a reasonable time after the determination to pursue those allegations;
- Be interviewed during the investigation, have the opportunity to correct the recording or transcript, and have the corrected recording or transcript included in the record of the investigation;
- Have a good faith effort made to interview during the investigation any witness who has been reasonably identified by the respondent as having information on relevant aspects of the investigation, have the recording or transcript provided to the witness, have the witness suggest any corrections in the transcript, and have the recording or corrected transcript included in the record of investigation; and
- Receive a copy of the draft investigation report and, concurrently, a copy of, or supervised access to any records or materials on which the report is based, and be notified that any comments must be submitted within 30 days of the date on which the copy was received and that the comments will be considered by the institution and addressed in the final report
- Appeal the decision of the DO as provided in Section XIII.D.

The respondent should be given the opportunity to admit that research misconduct occurred and that he/she committed the research misconduct. With the advice of the RIO and/or other institutional officials, the Deciding Official may terminate the institution's review of an allegation that has been admitted, if the institution's acceptance of the admission and

any proposed resolution is approved by ORI or the appropriate federal agency, if required.

D. Deciding Official

The DO will receive the inquiry report and after consulting with the RIO and/or other institutional officials, decide whether an investigation is warranted under this policy, the criteria in 42 CFR § 93.307(d), or other applicable law or regulations. Any finding that an investigation is warranted must be made in writing by the DO and must be provided to ORI or other federal agencies, if required, together with a copy of the inquiry report meeting the requirements of 42 CFR § 93.309, within 30 days of the finding. If it is found that an investigation is not warranted, the DO and the RIO will ensure that detailed documentation of the inquiry is retained for at least 7 years after termination of the inquiry, so that ORI or other applicable agencies may assess the reasons why the institution decided not to conduct an investigation.

The DO will receive the investigation report and, after consulting with the RIO and/or other institutional officials, decide the extent to which this institution accepts the findings of the investigation and, if research misconduct is found, decide what, if any, institutional administrative actions are appropriate. The DO shall ensure that the final investigation report, the findings of the DO and a description of any pending or completed administrative actions are provided to ORI, as required by 42 CFR § 93.315 or to other federal agencies as required by their respective misconduct policies.

IV. General Policies and Principles

A. Responsibility to Report Misconduct

All institutional members will report observed, suspected, or apparent research misconduct to the RIO, the DO, or their designees. Prior to submitting a formal charge, a potential complainant is encouraged to consult informally with the RIO, the DO, or their designees to consider whether the case involves questions of research misconduct, should be resolved by other University procedures, or does not warrant further action. Contact information for the RIO may be obtained from the Office of Research Support and Sponsored Programs or the listing of Research Council members on the Faculty Senate website. If the circumstances described by the individual do not meet the definition of research misconduct, but further action is required, the RIO will refer the individual or allegation to other offices or officials with responsibility for resolving the problem.

At any time, to the extent permitted by law, an institutional member may have confidential discussions and consultations about concerns of possible misconduct with the RIO, the DO, or their designees and will be counseled about appropriate procedures for reporting allegations and their obligation to cooperate in any inquiry or investigation that may occur.

B. Cooperation with Research Misconduct Proceedings

Institutional members shall cooperate with the RIO and other 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 RIO or other institutional officials.

C. Confidentiality

The RIO shall, as required by 42 CFR § 93.108 or other applicable law or regulation: (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.

D. Conflicts of interest

At each stage of handling an inquiry or subsequent investigation, all persons involved shall be vigilant to prevent any real or perceived conflict of interest, or personal conflicts or relationships between colleagues, from affecting the outcome of the proceedings and resolution of the charges. Possible conflicts of interest may include co-authorship of work within the recent past with any of the individuals directly involved with the alleged misconduct, or professional or personal relationship with the respondent beyond that of mere acquaintances or colleagues. Committee members shall not have had any personal, professional or financial involvement with the matters at issue in the investigation that might create an appearance of bias or actual bias. If such relationships or involvement are present, the individual shall recuse himself or herself from any investigative or decisional role in the case. If any prospective committee member at any point in the process presents a conflict of interest, that committee member shall be replaced by another appointee. If the RIO has a conflict of interest, the DO shall appoint a replacement; if the DO has a conflict of interest, the Chancellor shall appoint a replacement. The RIO may use a written conflict of interest statement to implement this provision; a sample statement is referenced in the Appendix to this policy.

E. Protecting complainants, witnesses, and committee members

Institutional members may not retaliate in any way against complainants, witnesses, or committee members. Institutional members should immediately report any alleged or apparent retaliation against complainants, witnesses or committee members to the RIO, who shall review the matter and, as necessary, make all reasonable and practical efforts to counter any potential or actual retaliation and protect and restore the position and reputation of the person against whom the retaliation is directed.

F. Protecting the Respondent

As requested and as appropriate, the RIO and other institutional officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct, but against whom no finding of research misconduct is made.

During the research misconduct proceeding, the RIO is responsible for ensuring that respondents receive all the notices and opportunities provided for in 42 CFR Part 93, or other applicable federal policies, and the policies and procedures of the institution.

G. Adviser to the Respondent

The respondent may consult with an adviser, who may or may not be an attorney. The adviser may not be a principal or witness in the case. The adviser may accompany the respondent to proceedings conducted as a part of the research misconduct proceeding, but shall not speak on behalf of the respondent or otherwise participate in the proceedings. The adviser must maintain confidentiality and be available as needed to ensure that that all proceedings are completed on a timely basis.

H. Interim Administrative Actions and Notifying ORI or Other Federal Agencies of Special Circumstances

Throughout the research misconduct proceeding, the RIO will review the situation to determine if there is any threat of harm to public health, federal funds and equipment, or the integrity of the research process. In the event of such a threat, the RIO will, in consultation with other institutional officials and ORI or other federal agencies, if applicable, take appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the research process and the handling of federal funds and equipment, reassignment of personnel or of the responsibility for the handling of federal funds and equipment, additional review of research data and results or delaying publication. The RIO shall, at any time during a research misconduct proceeding, consult with appropriate University officials and legal counsel immediately if he/she has reason to believe that any of the following conditions exist:

- Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
- Federal resources or interests are threatened;
- Research activities should be suspended;
- There is a reasonable indication of possible violations of civil or criminal law;
- Federal action is required to protect the interests of those involved in the research misconduct proceeding;
- The research misconduct proceeding may be made public prematurely and federal action may be necessary to safeguard evidence and protect the rights of those involved; or
- The research community or public should be informed.

Following such consultation, the institution shall take appropriate steps to address such conditions, such as by notifying ORI or other applicable agency.

I. Computation of Time

In this policy, any reference to days shall mean calendar days. Any period of time equal to ten days or fewer shall exclude University holidays. If a deadline falls on a weekend or University holiday, the deadline shall be the next University business day.

J. Procedural Changes

1. Deadlines. Due to the sensitive nature of allegations of misconduct, each case shall be resolved as expeditiously as possible. The nature of some cases may, however, render normal deadlines difficult to meet. If at any time an established deadline cannot be met, a report shall be filed with the DO setting out the reasons why the deadline cannot be met and estimating when that stage of the process will be completed. A copy of this report shall be provided to the respondent. If PHS funding is involved, an extension must be received from the Office of Research Integrity.
2. Other Procedural Changes. Particular circumstances in an individual case may dictate variation from the procedures set out in this policy in order to ensure fair and efficient consideration of the matter. Any change in the procedures must ensure fair treatment of the respondent. Any major deviations from the procedures described in this policy shall be made only with the written approval of the DO in consultation with the respondent. Any minor deviations from the procedures described in this policy shall not require the written approval of the DO.

K. Exclusive Process

The procedures described in this policy constitute the exclusive process for raising and resolving charges of research misconduct.

V. Conducting the Assessment and Inquiry

A. Assessment of Allegations

Upon receiving an allegation of research misconduct, the RIO will immediately assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of research misconduct may be identified and further review is warranted. The RIO shall also determine whether the alleged misconduct is within the jurisdictional criteria of 42 CFR § 93.102(b), and whether the allegation falls within the definition of research misconduct in 42 CFR § 93.103. An inquiry must be conducted if these criteria are met. In conducting this assessment, the RIO may consult with the institution's legal counsel and other appropriate University officials. If a charge is frivolous, does not raise questions of research misconduct, is more appropriately resolved by other University procedures, or does not warrant further action, the RIO may, at his or her discretion, handle the matter informally or refer it to the appropriate person or process, and will notify the complainant and anyone else known to be aware of the charge.

The assessment period should be brief, preferably concluded within a week. In conducting the assessment, the RIO need not interview the complainant, respondent, or other witnesses, or gather data beyond any that may have been submitted with the allegation, except as necessary to determine whether the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified and further review is warranted. The RIO shall, on or before the date on which the respondent is notified of the allegation, obtain custody of, inventory, and sequester all research records and evidence needed to conduct the research misconduct proceeding, as provided in paragraph C. of this section.

B. Initiation and Purpose of the Inquiry

If the RIO determines that the criteria for an inquiry are met, he or she will immediately initiate the inquiry process. The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether to conduct an investigation. An inquiry does not require a full review of all the evidence related to the allegation.

C. Notice to Respondent; Sequestration of Research Records

At the time of or before beginning an inquiry, the RIO must make a good faith effort to notify the respondent in writing, if the respondent is known. With the approval of the respondent, the RIO will also notify the dean of the school or college in which the respondent holds his or her primary appointment. If the inquiry subsequently identifies additional respondents, they must be notified in writing. On or before the date on which the respondent is notified, or the inquiry begins, whichever is earlier, the RIO 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, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. The RIO may consult confidentially with the institution's legal counsel and other appropriate University officials for advice and assistance in this regard. In addition,

if necessary, the RIO may consult with ORI or other applicable federal agency.

D. Appointment of the Inquiry Committee

The RIO, in consultation with other institutional officials as appropriate, shall appoint an inquiry committee and committee chair as soon after the initiation of the inquiry as is practical. The inquiry committee must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the inquiry and should include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry. The RIO shall notify the respondent of the proposed inquiry committee membership. The respondent may then submit a written objection to any appointed member of the inquiry committee based on bias or conflict of interest within seven days. If an objection is raised, the RIO shall determine whether to replace the challenged member with a qualified substitute. The RIO's decision shall be final. The RIO may, with the concurrence of the DO, appoint one or more experts to assist the inquiry committee if necessary to evaluate specific allegations. The RIO shall direct the members of the committee that the investigation and all information relating to the investigation shall be kept confidential.

E. Charge to the Committee and First Meeting

The RIO will prepare a charge for the inquiry committee that:

- Sets forth the time for completion of the inquiry;
- Describes the allegations and any related issues identified during the allegation assessment;
- States that the purpose of the inquiry is to conduct an initial review of the evidence, including the testimony of the respondent, complainant and key witnesses, to determine whether an investigation is warranted, not to determine whether research misconduct definitely occurred or who was responsible;
- States that an investigation is warranted if the committee determines: (1) there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct and is within the jurisdictional criteria of 42 CFR § 93.102(b), if applicable; and, (2) the allegation may have substance, based on the committee's review during the inquiry.
- Informs the inquiry committee that they are responsible for preparing or directing the preparation of a written report of the inquiry that meets the requirements of this Policy and 42 CFR § 93.309(a), if applicable.

At the committee's first meeting, the RIO will review the charge with the committee, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist the committee with organizing plans for the inquiry, and answer any questions raised by the committee. The RIO will be present or available throughout the inquiry to advise the committee as needed. Prior to the first meeting, the RIO shall also consult with legal counsel for the institution as to the need for counsel to provide legal advice to the committee at the first meeting and in subsequent phases of the inquiry, including, but not limited to, for the purpose of reviewing institutional policies governing research misconduct proceedings, confidentiality and potential conflicts of interest.

F. Inquiry Process

The inquiry committee shall interview the complainant and the respondent, and may interview witnesses as well as examine relevant research records and materials. Then the inquiry committee will evaluate the evidence, including the testimony obtained during the inquiry. After

consultation with the RIO, the committee members will decide whether an investigation is warranted based on the criteria in this policy and 42 CFR § 93.307(d) as applicable. The scope of the inquiry is not required to and does not normally include deciding whether misconduct definitely occurred, determining definitely who committed the research misconduct or conducting exhaustive interviews and analyses. However, if a legally sufficient admission of research misconduct is made by the respondent, misconduct may be determined at the inquiry stage if all relevant issues are resolved. In that case, the institution shall promptly consult with ORI or other appropriate agencies, as required, to determine the next steps that should be taken. See Section IX.

G. Time for Completion

The inquiry, including preparation of the final inquiry report and the decision of the DO on whether an investigation is warranted, must be completed within 60 days of initiation of the inquiry, unless the RIO determines that circumstances clearly warrant a longer period. If the RIO approves an extension, the inquiry record must include documentation of the reasons for exceeding the 60-day period. The respondent will be notified of the extension.

VI. The Inquiry Report

A. Elements of the Inquiry Report

A written inquiry report must be prepared that includes the following information: (1) the name and position of the respondent; (2) a description of the allegations of research misconduct; (3) the PHS or other federal support, if any, including, for example, grant numbers, grant applications, contracts and publications listing support; (4) the basis for recommending or not recommending that the allegations warrant an investigation; (5) any comments on the draft report by the respondent or complainant. An outline for reports to be furnished to ORI is referenced in the Appendix to this policy.

Institutional counsel shall review the draft inquiry report prior to transmission of the draft to the respondent. Modifications shall be made as appropriate in consultation with the RIO and the inquiry committee. The inquiry report shall include the following information: the names and titles of the committee members and experts who conducted the inquiry; a summary of the inquiry process used; a list of the research records reviewed; summaries of any interviews; and whether any other actions should be taken if an investigation is not recommended.

B. Notification to the Respondent and Opportunity to Comment

The RIO shall notify the respondent whether the inquiry found an investigation to be warranted, together with a copy of the draft inquiry report, and a copy of or reference to 42 CFR Part 93 or other applicable federal policies and the institution's policies and procedures on research misconduct. The report shall clearly be labeled "DRAFT" in bold and conspicuous type font. The RIO shall notify the respondent that the respondent shall have 10 days to comment on the draft inquiry report. The RIO shall also direct the respondent that the draft report shall be kept confidential.

On a case-by-case basis, the RIO may provide the complainant a copy of the draft inquiry report, or relevant portions of it, for comment. If so, the report shall clearly be labeled "DRAFT" in bold and conspicuous type font, and the complainant will be allowed no more than 10 days to submit comments to the RIO. The complainant shall be directed that the draft report shall be kept confidential.

Any comments that are submitted by the respondent or the complainant shall be attached to the final inquiry report. Based on the comments, the inquiry committee may revise the draft report as appropriate and prepare it in final form. The committee will deliver the final report to the RIO. The RIO shall notify the complainant in writing whether the inquiry found an investigation to be warranted.

C. Institutional Decision and Notification

1. Decision by Deciding Official
 - a. The RIO will transmit the final inquiry report and any comments to the DO, who will determine in writing whether an investigation is warranted. The inquiry is completed when the DO makes this determination.
2. Notification to ORI and Respondent
 - a. Within 30 days of the DO's decision that an investigation is warranted, the RIO will provide ORI, if required, with the DO's written decision and a copy of the inquiry report. The RIO shall also provide a copy of the DO's written decision and a copy of the inquiry report to the respondent within 30 days of the DO's decision. Subject to confidentiality, the RIO will also notify those institutional officials, if any, who need to know of the DO's decision because they will be directly involved in the investigation or otherwise have a need to know because of their official duties. The RIO must provide the following information to ORI, if required, or other applicable federal agency upon request: (1) the institutional policies and procedures under which the inquiry was conducted; (2) the research records and evidence reviewed, transcripts or recordings of any interviews, and copies of all relevant documents; and (3) the charges to be considered in the investigation.
3. Documentation of Decision Not to Investigate
 - a. If the DO decides that an investigation is not warranted, the RIO shall secure and maintain for 7 years after the termination of the inquiry sufficiently detailed documentation of the inquiry to permit a later assessment by applicable federal agencies of the reasons why an investigation was not conducted. These documents must be provided to such agencies or their authorized personnel upon request.

VII. Conducting the Investigation

A. Initiation and Purpose

The investigation must begin within 30 days, after the determination by the DO that an investigation is warranted. The purpose of the investigation is to develop a factual record by exploring the allegations in detail and examining the evidence in depth, leading to recommended findings on whether research misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible research misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged research misconduct involves clinical trials or potential harm to human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation must be set forth in an investigation report.

B. Notifying ORI and Respondent; Sequestration of Research Records

On or before the date on which the investigation begins, the RIO must: (1) notify the ORI Director of the decision to begin the investigation and provide ORI a copy of the inquiry report, if required; and (2) notify the

respondent in writing of the allegations to be investigated. The RIO must also give the respondent written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of the investigation.

The RIO will, prior to notifying respondent of the allegations, take all reasonable and practical steps to obtain custody of and sequester in a secure manner all research records and evidence needed to conduct the research misconduct proceeding that were not previously sequestered during the inquiry. The need for additional sequestration of records for the investigation may occur for any number of reasons, including the institution's decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry.

C. Appointment of the Investigation Committee

The RIO, in consultation with other institutional officials as appropriate, will appoint an investigation committee and the committee chair as soon after the beginning of the investigation as is practical. The investigation committee must consist of at least three individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the investigation and should include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation, interview the respondent and complainant and conduct the investigation. Individuals appointed to the investigation committee may also have served on the inquiry committee. When necessary to secure the necessary expertise or to avoid conflicts of interest, the RIO may select committee members from outside the institution, or, with concurrence of the DO, may appoint experts to assist the committee in particular aspects of the case. The RIO will notify the respondent of the proposed investigation committee membership and any appointed experts. If the respondent then submits a written objection to any appointed member or expert based on bias or conflict of interest within seven days, the RIO will determine whether to replace the challenged member or expert with a qualified substitute, and the decision of the RIO shall be final.

D. Charge to the Committee and the First Meeting

1. Charge to the Committee

The RIO will define the subject matter of the investigation in a written charge to the committee that:

- Describes the allegations and related issues identified during the inquiry;
- Identifies the respondent;
- Informs the committee that it must conduct the investigation as prescribed in paragraph E. of this section;
- Reviews the definition of research misconduct as stated in this Policy;
- Informs the committee that it must evaluate the evidence and testimony to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, the type and extent of it and who was responsible;
- Informs the committee that in order to determine that the respondent committed research misconduct it must find that a preponderance of the evidence establishes that: (1) research misconduct, as defined

in this policy, occurred (respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion); (2) the research misconduct is a significant departure from accepted practices of the relevant research community; and (3) the respondent committed the research misconduct intentionally, knowingly, or recklessly; and

- Informs the committee that it must prepare or direct the preparation of a written investigation report that meets the requirements of this Policy and any other applicable federal policies, such as 42 CFR § 93.313.

2. First Meeting

The RIO will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for developing a specific investigation plan. The RIO shall also direct the members of the committee that the investigation and all information relating to the investigation shall be kept confidential. The investigation committee will be provided with a copy of this statement of policy and procedures and any applicable federal research misconduct policies. The RIO will be present or available throughout the investigation to advise the committee as needed. Prior to the first meeting, the RIO shall also consult with legal counsel for the institution as to the need for counsel to provide legal advice to the committee at the first meeting and in subsequent phases in the investigation, including, but not limited to, for the purpose of reviewing institutional policies governing research misconduct proceedings, confidentiality and potential conflicts of interest.

E. Investigation Process

The investigation committee and the RIO 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 make a good-faith effort to interview 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.

F. Time for Completion

The investigation is to be completed within 120 days of the first meeting of the investigation committee, including conducting the investigation, preparing the report of findings, providing the draft report for comment and sending the final report to ORI, if applicable. However, if the RIO determines that the investigation will not be completed within this 120-day period, he/she will submit a written request for an extension to the DO and to ORI or other applicable federal agencies, setting forth the reasons for the delay. If the request for an extension is approved by the DO and applicable federal agencies, then the RIO will ensure that periodic progress reports are filed with the approving officials.

G. Amended Charges

If issues of research misconduct that fall outside of the charge arise during the course of the investigation, the committee shall so inform the RIO, including in its communication the evidence on which its concerns are based. The RIO in consultation with the DO and the investigation committee, will consider the issues raised and, in the RIO's discretion, provide the investigation committee with an amended charge. The respondent shall be notified of any such amendments.

VIII. The Investigation Report

A. Elements of the Investigation Report

The investigation committee and the RIO are responsible for preparing a written draft report of the investigation that:

- Describes the nature of the allegation of research misconduct, including identification of the respondent and the respondent's curriculum vitae;
- Describes and documents the federal support, if any, including, for example, the numbers of any grants that are involved, grant applications, contracts, and publications listing federal support;
- Describes the specific allegations of research misconduct considered in the investigation;
- Includes the institutional policies and procedures under which the investigation was conducted;
- Identifies and summarizes the research records and evidence reviewed and identifies any evidence taken into custody but not reviewed; and
- Includes a statement of findings for each allegation of research misconduct identified during the investigation. Each statement of findings must: (1) identify whether the research misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (2) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by respondent to establish by a preponderance of the evidence that he or she did not engage in research misconduct because of honest error or a difference of opinion; (3) identify the specific federal support, if any; (4) identify whether any publications need correction or retraction; (5) identify the person(s) responsible for the misconduct; and (6) list any current support or known applications or proposals for support that the respondent has pending with federal agencies.
- If the committee determines that any allegation of research misconduct is true, the report shall recommend appropriate institutional actions in response to the findings of research misconduct.

The report and other retained documentation must be sufficiently detailed as to permit a later assessment of the investigation. An outline for reports to be furnished to ORI is referenced in the Appendix to this Policy.

B. Comments on the Draft Report and Access to Evidence

The RIO must give the respondent a copy of the draft investigation report for comment and, concurrently, a copy of, or supervised access to the evidence on which the report is based. The report shall clearly be labeled "DRAFT" in bold and conspicuous type font. The respondent will be allowed 30 days from the date he/she received the draft report to submit comments to the RIO. The respondent's comments must be considered

and made a part of the final investigation record. The respondent shall be directed that the draft report shall be kept confidential.

On a case-by-case basis, the RIO may provide the complainant a copy of the draft investigation report, or relevant portions of it, for comment. If so, the report shall clearly be labeled "DRAFT" in bold and conspicuous type font, and the complainant will be allowed no more than 30 days from the date on which he/she received the draft report to submit comments to the RIO. The complainant's comments must be included and considered in the final report. The complainant shall be directed that the draft report shall be kept confidential.

C. Decision by Deciding Official

The RIO will assist the investigation committee in finalizing the draft investigation report, including ensuring that the respondent's and, if applicable, complainant's comments are included and considered, and transmit the final investigation report to the DO, who will determine in writing: (1) whether the institution accepts the investigation report, its findings, and the recommended institutional actions; and (2) the appropriate institutional actions in response to the accepted findings of research misconduct. If this determination varies from the findings of the investigation committee, the DO will, as part of their written determination, explain in detail the basis for rendering a decision different from the findings of the investigation committee. Alternatively, the DO may return the report to the investigation committee with a request for further fact-finding or analysis. When a final decision on the case has been reached, whether at this stage of after a subsequent appeal, the RIO will notify the respondent in writing. If the DO's findings are not appealed within ten days, the DO's findings shall become the institution's final decision. At the time of a final decision, whether at this stage or after an appeal, the RIO will also notify the complainant in writing of the final outcome of the case. After informing ORI or other applicable federal agency, as required, the DO will 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. The RIO is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.

D. Appeals

The respondent, within ten days of receiving written notification of the decision of the DO, may file an appeal with the Chancellor. The appeal may result in (i) a reversal or modification of the DO's findings of research misconduct or determinations of institutional action, (ii) the Chancellor may direct the DO to return the report to the investigation committee with a request for further fact-finding or analysis, or (iii) other action the Chancellor deems appropriate. The appeal process must be completed within 120 days of the filing of the appeal unless an extension is granted by appropriate officials and federal agencies. The decision of the Chancellor shall be final.

E. Notice to Federal Agencies of Institutional Findings and Actions

Unless an extension has been granted, the RIO must, within the 120-day period for completing the investigation or the 120-day period for completion of an appeal, submit the following to any applicable federal agencies as required: (1) a copy of the investigation report with all attachments and any appeals; (2) the findings of research misconduct, including who committed the misconduct; (3) a statement of whether the institution accepts the findings of the investigation; and (4) a description of any pending or completed administrative actions against the respondent.

F. Maintaining Records for Review by Federal Agencies

If required, the RIO must maintain and provide to ORI, if required, or other applicable federal agencies upon request "records of research misconduct proceedings" as that term is defined by 42 CFR § 93.317 or other applicable policies, as appropriate. Unless custody has been transferred to an appropriate federal agency or such agency has advised in writing that the records no longer need to be retained, records of research misconduct proceedings must be maintained in a secure manner for 7 years after completion of the proceeding or the completion of any federal proceeding involving the research misconduct allegation. The RIO is also responsible for providing any information, documentation, research records, evidence or clarification requested by ORI or other appropriate federal agency to carry out its review of an allegation of research misconduct or of the institution's handling of such an allegation.

IX. Completion of Cases; Reporting Premature Closures to Federal Agencies

Generally, all inquiries and investigations will be carried through to completion and all significant issues will be pursued diligently. A case may be closed at the inquiry stage if it is determined that an investigation is not warranted. A case may be closed at the investigation stage if there is a finding that no research misconduct was committed. If the alleged misconduct was in the jurisdiction of the ORI or other federal agency, then this finding must be reported to the applicable agency. An advance notification by the RIO to any applicable federal agency must be made if there are plans to close a case at the inquiry, investigation, or appeal stage on the basis that respondent has admitted guilt, a settlement with the respondent has been reached, or for any other reason except those noted above.

X. Institutional Administrative Actions

If the DO and any subsequent appeal determine that research misconduct is substantiated by the findings, then the DO will decide on the appropriate actions to be taken, after consultation with the RIO and the Chancellor. The administrative actions may include, but are not limited to, the following:

- Withdrawal or correction of all pending or published abstracts and papers emanating from the research where research misconduct was found;
- Removal of the responsible person from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction, or initiation of steps leading to possible rank reduction or termination of employment;
- Restitution of funds to the grantor agency as appropriate; and
- Other action appropriate to the research misconduct.

XI. Other Considerations

A. Termination or Resignation Prior to Completing Inquiry or Investigation

The termination of the respondent's institutional employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the research misconduct proceeding or otherwise limit any of the institution's responsibilities under 42 CFR Part 93 or the corresponding research misconduct policies of other federal agencies.

If the respondent, without admitting to the misconduct, elects to resign his or her position after the institution receives an allegation of research

misconduct, the assessment of the allegation will proceed, as well as the inquiry and investigation, as appropriate based on the outcome of the preceding steps. If the respondent refuses to participate in the process after resignation, the RIO and any inquiry or investigation committee will use their best efforts to reach a conclusion concerning the allegations, noting in the report the respondent's failure to cooperate and its effect on the evidence.

B. Restoration of the Respondent's Reputation

Following a final finding of no research misconduct, including ORI concurrence where required by 42 CFR Part 93 or other federal agencies, if required, the RIO must, at the request of the respondent, undertake all reasonable and practical efforts to restore the respondent's reputation. Depending on the particular circumstances and the views of the respondent, the RIO should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in any forum in which the allegation of research misconduct was previously publicized, and expunging all reference to the research misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation should first be approved by the DO.

C. Protection of the Complainant, Witnesses and Committee Members

During the research misconduct proceeding and upon its completion, regardless of whether the institution or ORI determines that research misconduct occurred, the RIO must undertake all reasonable and practical efforts to protect the position and reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of research misconduct in good faith and of any witnesses and committee members who cooperate in good faith with the research misconduct proceeding. The DO will determine, after consulting with the RIO, and with the complainant, witnesses, or committee members, respectively, what steps, if any, are needed to restore their respective positions or reputations or to counter potential or actual retaliation against them. The RIO is responsible for implementing any steps the DO approves.

D. Allegations Not Made in Good Faith

If relevant, the DO 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 DO 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.

Appendix

A. Summary of Items that must be Reported or Submitted to the ORI in those Cases Covered by 42 CFR Part 93

(Note: This list is subject to modification based on adherence to current ORI regulations.)

- An annual report containing the information specified by ORI on the institution's compliance with the final rule. Section 93.302(b).
- Within 30 days of finding that an investigation is warranted, the written finding of the responsible official and a copy of the inquiry report. Sections 93.304(d), 93.309(a), and 93.310(a) and (b).
- Where the institution has found that an investigation is warranted, the institution must provide to ORI upon request: (1) the institutional

policies and procedures under which the inquiry was conducted; (2) the research records and evidence reviewed, transcripts or recordings of any interviews, and copies of all relevant documents; and (3) the charges for the investigation to consider. Section 93.309.

- Periodic progress reports, if ORI grants an extension of the time limits on investigations or appeals and directs that such reports be submitted. Sections 93.311(c) and 93.314(c).
- Following completion of the investigation report or any appeal: (1) a copy of the investigation report with all attachments and any appeals; (2) the findings of research misconduct, including who committed the misconduct; (3) a statement of whether the institution accepts the findings of the investigation; and (4) a description of any pending or completed administrative actions against the respondent. Section 93.315.
- Upon request, custody or copies of records relevant to the research misconduct allegation, including research records and evidence. Section 93.317(c).
- Notify ORI immediately of the existence of any of the special circumstances specified in Section 93.318.
- Any information, documentation, research records, evidence or clarification requested by ORI to carry out its review of an allegation of research misconduct or the institution's handling of such an allegation. Section 93.400(b).

B. Outline for an Inquiry/Investigation Report for ORI

(Note: A recommended outline for inquiry and investigation reports has been furnished by ORI and is available on the Research Support and Sponsored Programs web site. Committee members should consult this outline in preparing reports. The outline is subject to modification based on adherence to current ORI regulations.)

C. Conflict of Interest Statement

(Note: A sample conflict of interest statement is available on the Research Support and Sponsored Programs web site. This statement shall be provided to the RIO for use in implementing the conflict of interest portions of this policy.)

Reporting Sexual Misconduct

For allegations of sexual misconduct, including, but not limited to, sexual harassment or acts of sexual assault, domestic violence, dating violence, stalking and other forms of sex/gender discrimination, the University has designated a Title IX Coordinator with overall responsibility for oversight of the University's compliance with its obligations under Title IX. All complaints or any concerns about sexual conduct should be submitted to the university's Title IX Coordinator, the Department of Education's Assistant Secretary for Civil Right, or both:

Aisha Kenner

Title IX Coordinator
405 Administration Building
University of Arkansas
Fayetteville, AR 72701
Office: 479-575-7111
Cell: 479-409-9972
Email: akenner@uark.edu
Alternate email for Title IX: titleix@uark.edu

U.S. Department of Education
Office of Civil Rights
1-800-421-3481