MEMORANDUM
May 2, 2011

TO: Academic Council*

COPY TO: David Daniel
Hobson Wildenthal
Andrew Blanchard
Calvin Jamison
John Wiorowski
Sheila Amin Gutierrez de Piñeres
Austin Cunningham
George Fair
Abby Kratz

FROM: Office of Academic Governance
Vicki Carlisle, Academic Governance Secretary

SUBJECT: Academic Council Meeting

The Academic Council will meet on Wednesday, May 4, 2011 at 2:00 p.m. in the Osborne Conference Room, ECSS 3.503. Please bring the agenda packet with you to the meeting. If you cannot attend, please notify me at vicki.carlisle@utdallas.edu or x6751.

Attachments

2010-2011 ACADEMIC COUNCIL
Cy Cantrell
R. Chandrasekaran
David Cordell**
Murray Leaf*
Dennis Miller
Tim Redman
Liz Salter
Richard Scotch
Grace Bielawski, Student Government President

2011-2012 ACADEMIC COUNCIL ELECT
Dan Bochsler
R. Chandrasekaran
David Cordell**
Murray Leaf*
Dennis Miller
Tim Redman
Richard Scotch
Tres Thompson
Brittany Sharkey, Student Government President

*Speaker
**Secretary
# AGENDA

**ACADEMIC COUNCIL MEETING**  
May 4, 2011  
Osborne Conference Room, ECSS 3.503

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UNAPPROVED AND UNCORRECTED MINUTES

These minutes are disseminated to provide timely information to the Academic Council. They have not been approved by the body in question, and, therefore, they are not the official minutes.

ACADEMIC COUNCIL MEETING
April 6, 2011

PRESENT: Cy Cantrell, R. Chandrasekaran, David Cordell, Murray Leaf, Dennis Miller, Tim Redman, Liz Salter, Richard Scotch

GUESTS: Hobson Wildenthal, Andrew Blanchard, Abby Kratz, Gene Fitch, Grace Bielawski

1. CALL TO ORDER, ANNOUNCEMENTS & QUESTIONS
Provost Wildenthal called the meeting to order and announced that President Daniel is in Austin today. He mentioned that President Daniel had received an email today from one of the Regents asking him to write a report identifying the top three areas in the University where we could achieve increases in productivity. Dr. Wildenthal will meet with Dr. Daniel regarding this issue tomorrow. Tim Redman asked if Dr. Wildenthal had any thoughts on what the eventual budget cut figure would be. Dr. Wildenthal replied that he did not think at the moment we are worried about the budget cut getting any worse. He does not feel that there will be any significant problems in the short term, but there could be some long-term issues.

2. APPROVAL OF THE AGENDA
Cy Cantrell moved to approve the agenda. Richard Scotch seconded. The motion carried.

3 APPROVAL OF MINUTES
Tim Redman noted one correction. Item 8 should be amended to read “Abby Kratz” rather than “Dean Kratz.” Cy Cantrell moved to approve the minutes as amended. Tim Redman seconded. The minutes were approved as amended.

4. SPEAKER’S REPORT – MURRAY LEAF
   1. CBC Policy: Speaker Leaf reported that the HOP committee has met and has advised the Office of the General Counsel that we have approved the CBC policy. The HOP committee will make some editorial changes, matters of punctuation and formatting to be consistent with the standard formatting the Provost’s office is trying to develop for all charges.

Because Dr. Leaf has not heard from the Council in response to the revised form, the HOP Committee is holding that until he can say the Council or Senate has approved it, as was agreed at the last Senate meeting.

2. Student Appeals: Last Fall, Dean Cunningham raised questions about the policy for students to appeal grades or anything else on their transcript that they think is an error or otherwise wish to contest. The process has four steps, beginning with the instructor and
ending with the Undergraduate and Graduate Deans. There is a training module on this that probably all faculty have had to complete.

The policy did not originate in the Senate, and Speaker Leaf has no recollection that it actually has ever been through the Senate. Among other things, the policy is inconsistent with our long-standing policy on appealing grades, which is not to do it unless there is a manifest error of some kind on the instructors’ part. Speaker Leaf suggested that he ask the Graduate Council to propose revisions. This has not happened, but the problematic character of the process continues. Finally, Speaker Leaf tried to see where the policy came from, thinking it might have been in response to a system requirement of some kind related to a Regental Rule requiring due process or perhaps in FERPA. It did not originate with System. Apparently, it originated with the Vice President for Student Affairs.

The Vice President for Student Affairs has no role in the curriculum or academic policies, but under Regent’s Rules the concern with student discipline does not distinguish academic discipline (and academic dishonesty) from other kinds of disciplinary responsibilities. Evidently, this appeal process was an extension of this authority, although the process appeal is not made through the VPSA channels but through academic Channels.

Speaker Leaf has suggested to the Graduate Dean that he propose an appeal process consistent with our policy on grades, and we take grade appeals and all other academic appeals out of the present Student Affairs policy. Whether the Graduate and Undergraduate Deans should be involved in appeals for non-academic disciplinary or other matters can be worked out between the Deans and the Vice President for Student Affairs.

3. Everything else that has been under discussion is on the agenda.

5. **FACULTY ADVISORY COUNCIL REPORT – MURRAY LEAF**

The U T System Faculty Advisory Council met on March 24th and 25th, in Austin. Speaker Leaf and Secretary Cordell attended for UTD. It was a busy meeting.

1. Task Forces: The meeting was dominated by the concern with the shift in attitude of the Board of Regents, reflecting the Regents’ increased willingness to impose “reforms” on the UT System similar to those that have garnered consistently unfavorable national attention for Texas A & M. The ideas for reform originate with Governor Perry’s “breakthrough solutions,” which in turn originate with the long-standing and often-repeated recommendations of Texas Public Policy Foundation.

In the last six months, three of the Regents who the FAC had felt were most understanding of what higher education involved have resigned. The first of these was Regent James Huffines, who resigned last July. Regent Huffines had been first appointed by Governor Perry in 2003 and was reappointed in 2009. Terms are 6 years. He had been elected Chair of the Board first in 2004 serving to 2007, then again in 2009 and served until March 3, 2010, when he resigned. He is quoted in press as having said that his resignation “was not prompted by political or health concerns” (Austin American-Statesman Dec 10, 2010), but his resignation statement nevertheless stressed the importance of keeping political considerations out of the Board’s decisions. Regent Janiece Longoria and Regent Colleen McHugh left in February, 2011. (An Austin American-Statesman article says their terms were up). Longoria had been chair of the Academic Affairs Committee; McHugh had been
elected Chair of the Board on March 3, 2010, replacing Regent Huffines. They were
replaced by Alex Cranberg and Wallace Hall.

When Regent Huffines left the Board, Regent Steve Hicks was appointed to fill the
remainder of his term, until 2015. Brenda Pejovich was then appointed to fill the remainder
of the term of the position that Steve Hicks had left. This expired in January 2011. She was
then reappointed. The New Chair is Regent Gene Powell, elected by the Board February 8,
2011.

The Regents have now established two “task forces” to collect information and make
recommendations. One is on Excellence and Productivity, headed by Brenda Pejovich. The
two other Regents on the Task Force are Cranberg and Stillwell. The other Task Force is on
Blended and Online Learning, headed by Wallace L Hall, Jr. Brenda Pejovich is a CPA and
is on the Board of Directors of the Texas Public Policy Foundation. Wallace Hall is involved
with economic development projects related to the Trinity River levees and wetlands in the
Dallas area and is a trustee of St. Marks School, in Dallas. Alex Cranberg is a UT graduate.
He was a resident of Colorado at the time he was appointed but is now a resident of Texas.
He is a petroleum engineer, an underwriter of the Horace Mann Scholarship Challenge in
Denver, and an advocate of vouchers in higher education.

To assist these committees Chairman Powell hired Rick O’Donnell, who has written papers
on higher education for the Texas Public Policy Foundation arguing that research adds no
value to the university; it would be better left to private business. O’Donnell’s title was
“special assistant” to the Board. Although located in the office of the Chancellor, he
reported directly to the Board. His salary is $200,000 a year. O’Donnell holds a BA degree
from Colorado College. Before coming to Texas, about five years ago, O’Donnell ran for the
House of Representatives from Colorado; Cranberg was a strong supporter of his campaign.

The FAC program for the weekend began with a meeting with Regent Hall and Regent
Pejovich, along with Chancellor Cigarroa, VC Prior, and Dr. Pedro Reyes (Liaison to the
Board). Chancellor Cigarroa began with a statement to the effect that he was pleased by the
Board’s focus on quality, and saw this as a great opportunity. Regents Hall and Pejovich
then also gave short statements, to the effect that they were just trying to collect information
and had not reached any conclusions, and would welcome our suggestions. Mr. O’Donnell
sat to the side, and was not formally introduced. The discussion was civil and constructive.
There were about three major themes. First, members asked in many different ways what
Hall and Pejovich thought the committees could accomplish: what was their idea of quality,
accountability, or efficiency? Responses were along the lines of “we are here to listen and
welcome your input.” Second, members tried to probe what Pejovich and Hall thought of
research, and to suggest its centrality. Responses were generally statements of agreement
and understanding. Third, they were concerned with the very short deadline for submitting
information—initially one month. Although no one explicitly said so, the obvious inference
was that the information was not going to be looked at carefully and the Committees, or the
Board, had already reached its conclusions. Part of the response to this was that the deadline
had been extended. Another part was an expression of concern, especially by Regent Hall,
that there should not be leaks to press, or speculation to the press, about the committees’
conclusions before the committees had officially stated them.
There were good reasons for Regent Hall’s concern, which the members of the FAC were well aware of. The Austin American-Statesman and the Houston Chronicle have had very good coverage of higher education politics in the state. As Speaker Leaf noted in his report to the Senate last month, on Monday, March 21, O'Donnell was the subject of an article in the *Houston Chronicle* titled “New UT Adviser Raising Concerns in Austin: Lawmakers Say Rick O'Donnell's Views on Research Clash with State's Goals.” The focus of the article, and of the concern of the legislators, was O'Donnell’s public statements (in addition to his papers) to the effect that universities should not be doing research. The main legislative spokesmen in opposition, according to the article, were Representative Dan Branch and Senator Judith Zafferini, both of whom were authors of the Tier 1 initiative. (A similar article had appeared on the 14th in the Texas Tribune, online.) By the time the FAC met, the following Thursday, the UT System had adjusted O'Donnell’s assigned duties. During the FAC meeting, the Austin American Statesmen published another story that include the news that his appointment would not be continued after August, 2011, and that he was reassigned from the office of the Chancellor to position as an assistant to the Vice Chancellor for Business Affairs.

The upshot of the discussion was that we agreed to make an “electronic loose leaf binder” for each of the two task forces to try to show them what we do right now to assure quality and efficiency, and try to convey more of a sense than they evidently now have of why we do this in the way we do.

2. The FAC received a legislative report from the System legislative liaison, which is always frightening and entertaining, and a report from V. C. Shine on the medical campus. Campus reports did not introduce any major new issues.

3. Resolutions. Finally, the FAC passed two resolutions:

**A. Resolution for Representative Branch and Senator Zaffirini:**

We, the members of the UT System Faculty Advisory Council, appreciate your public expression of support for the values of higher education and the creation of more research universities as reported recently in the Houston Chronicle (March 21). Research is essential to the teaching mission of every campus. Education, especially higher education, is not just a matter of transmittal of knowledge; it is an introduction to discovery, creation and critical thinking.

**B. Resolution on UT Brownsville:**

We, the members of the UT System FAC, affirm the values of tenure. We strongly recommend the financial exigency revisions proposed by the UT Brownsville Academic Senate be followed for any program closure. Moreover, involvement of faculty as required by Regents’ Rules should be construed as involving the Faculty Governance organization.

6. **REVISION TO RULES FOR STUDENT MISCONDUCT – GENE FITCH**

Gene Fitch, Dean of Students, presented this information. He stated that when he was hired he was asked to get a group together to review our academic dishonesty policy. Since then he has been meeting with faculty members and students to determine what their concerns are with the current policy. Dr. Fitch put together a committee of faculty and students that created the revisions under consideration. There are three substantive changes proposed. The
first is getting students more involved in the process. The second change is the creation of a hearing panel to hear cases rather than using a single individual to hear cases. This proposed panel is not just for academic or scholastic dishonesty – it is a panel that will hear all discipline cases. The individuals serving on this panel would be trained to hear both academic and behavioral issues. The third change, which has met with the most controversy, is involving the faculty more in the process. This will give the faculty the ability to actually assign the grade for the class, or paper or project, taking away this responsibility from the Office of Judicial Affairs. The Office of Judicial Affairs would still be the office that would impose any official sanctions, for example suspension or expulsion.

These are the substantial changes. There are a few procedural changes in the revision that do not impact faculty. Dean Fitch assured the Council that faculty will still have the ability to sit down with students and discuss the situation or accusations prior to sending it to Judicial Affairs or to say that this seems like a misunderstanding and pull the case back and not send it forward. What the Committee does not want to happen is for the faculty and students to make what amounts to a “handshake agreement” with students who may have actually plagiarized because that presents issues in the future if the student fails to honor that agreement and the case is sent to Judicial Affairs.

The Judicial Affairs Office is always available to consult with faculty members regarding what grades they think are appropriate. If consistency is an issue, they can tell you what other schools are doing across campus. However, since the disciplines are so unique. Dean Fitch wants to give faculty the flexibility to assign grades as they see fit.

Dr. Cantrell expressed his concern that this policy appears to apply most easily to lecture and lab courses, but it is written in a very general way such that it could also be taken to apply to masters’ theses and doctoral dissertations. In that case, this policy would pre-empt a discussion that has yet to take place regarding what to do about plagiarism in those works. Dean Fitch stated that his committee touched on that issue in one of their meetings, but did not specifically address how these issues would be handled. Dr. Cantrell thinks that Dean Fitch and his committee need to do a much deeper job on the policy of plagiarism of dissertations and theses. There should be much more faculty involvement and the Academic Affairs Committee should be involved. Speaker Leaf stated said that he believes that would be a separate policy from the one presented here. When a policy is written specifically regarding theses and dissertations, this policy can be amended to say that it does not apply to theses and dissertations. However, until that specific policy is written it would appear that this policy would apply to theses and dissertations as well.

Tim Redman expressed concern with the issue of standards being consistent across the University. He acknowledged that how the standards are interpreted will vary from school to school. Richard Scotch’s concern is with how the end results are communicated to the academic advisor. Particularly at the graduate level, advisors are not receiving the information about their advisees from the associate deans. Dr. Fitch stated that currently his office sends information on the final decisions to the faculty member who sent the case over. The appropriate associate dean is notified as well. The information that the associate deans receive does not include any information on sanctions – only the grade.

Speaker Leaf’s opinion is that there is not any way that we can centrally maintain an up-to-date list of graduate students and their advisors. However, he does think that there could be
way to put this data in an electronic file that can be accessed. Dr. Redman stated that he thought this policy should be further revised. Dr. Leaf stated that he believes these are two separate issues and that we should move forward with this policy and get to work on a separate policy to address master’s theses and dissertations. Dr. Leaf will speak with Linda Thibodeau, chair of the Academic Integrity Committee.

On behalf of the Academic Council, Speaker Leaf will ask the Graduate Dean to make recommendations for a centralized record for academic progress for all graduate students that can be accessed by academic advisors and associate deans throughout the campus. This record should also include supervising committee membership and any disciplinary actions that have been taken.

Richard moved to place this item on the Senate agenda. Liz Salter seconded. The motion carried.

7. TENURE GUIDELINES FOR ATEC/EMAC
Dr. Redman gave an update to the Council on this issue that was discussed in last month’s Council meeting. For the last couple of years, CQ has faced the problem of how to understand and judge ATEC and EMAC tenure process cases. As Chair of CQ, Dr. Redman felt that this issue was one that he should address. He met with Dean Dennis Kratz and Dr. Thom Linehan and asked them to address this issue. They agreed and appointed a committee of ATEC and EMAC faculty to draw up new tenure guidelines for those specific programs. The committee was chaired by Marjorie Zelke.

One concern that CQ has had is that the initial committee was made up primarily of non-tenured faculty. This is out of necessity, since there are not that many tenured faculty in ATEC or EMAC. At the same time, CQ did not like the idea that the non-tenured faculty were writing the rules under which they would be reviewed.

CQ met with Thom Linehan, Mihai Nadin and Dennis Kratz. The primary concern that Dr. Redman has is that we have to very clearly articulate our standards because we owe it to the junior faculty that they know what is expected of them.

Dean Kratz has written a revision to the guidelines. Dr. Redman has distributed the revisions to the members of CQ and received comments from them regarding further revisions that are necessary. The Executive Committee of the School of Arts and Humanities will meet next week and this item will be on the agenda.

Dr. Redman hopes that the revisions that CQ is going to propose are going to be seen as following along the lines of what the Dean intends. Chandra asked if the Council knows how the guidelines in each school were established? Were they voted on by all faculty, or only tenured faculty, or by any faculty? Speaker Leaf stated that all this was done before each school had its own bylaws. Richard Scotch expressed concern that non-tenure-track faculty would be voting on tenure criteria. Dr. Redman would like for this to be a contingent item on the Senate agenda.

8. RELEASE FORM FOR CRIMINAL BACKGROUND CHECKS
Tim Redman raised an issue with the statement in paragraph 2 “With few exceptions, you are entitled on your request to be informed about the information UT Dallas collects about you.” Dr. Redman feels that one is either entitled to be informed or not. Speaker Leaf
explained that this refers back to the issue with fingerprint searches. If a fingerprint search the information can be divulged, if only a name search is conducted no information can be given. This is stated in the background check policy. Dr. Redman feels that this should be on the form. Speaker Leaf agreed to amend the form to read: “With few exceptions as described in the policy…”

Dr. Redman asked again about the form asking for deferred adjudications. Speaker Leaf explained that this is only for applicants. Self-reporting for employees is a separate issue.

Tim Redman moved to approve the form as amended. Richard Scotch seconded. Speaker Leaf stated that this is consistent with what was approved in the Senate and does not need to go back to the Senate for approval. The motion carried.

9. SENATE ELECTION RESULTS
David Cordell reported that in the tenured/tenure-track pool there were forty nominees. All forty of these were elected. Last year, in order to get that many nominees we had to open up the nominating period for a second time. Dr. Cordell could not say whether the increase in nominations was due to the electronic format or just an increased interest in the Senate. For the Senior Lecturer/Clinical faculty pool there were ten nominees for five positions. All five of these seats were filled by faculty in SOM. He feels this is a result of the election being very well promoted in SOM and a heavy voting turnout there.

One thing that Dr. Cordell noticed was that the order of names on the ballots seemed to make a difference in the voting. Tim Redman suggested randomizing the list next year. David Cordell said that he felt that would be fine for a list of ten people but was not sure it would be practical for a list of forty names. Cy Cantrell suggested randomizing the list each time the site was accessed.

Dr. Cordell noted that there has been some concern about the destruction of the electronic ballots. That has not been done yet. Tim Redman suggested putting an item on the Senate agenda to certify the election results. After that is done, then the ballots can be destroyed.

Richard Scotch suggested sending an email to faculty asking for suggestions or comments on how the electronic voting went.

Tim Redman moved to place the certification of election results on the Senate agenda. Richard Scotch seconded. The motion carried.

10. REPRESENTATION OF SCHOOL OF INTERDISCIPLINARY STUDIES IN SENATE ELECTION PROCESS (Item Taken Out of Order)
Speaker Leaf presented this information which is related to Item 11 – Amendments to Senate Bylaws on Elections. Our policy on electing members to the Senate is if someone is nominated and gets any votes and they are the only person from that school, then they are on the Senate. In Liz Salter’s case, there were two Senior Lecturers nominated and no tenure/tenure-track faculty nominated. Liz Salter received the most votes of the two nominees from IS, however not enough to be elected to a position on the Senate. Last year the Senate interpreted the rules broadly so that Liz could be appointed and IS could have representation on the Senate. Speaker Leaf will make a resolution to the Senate stating that if no tenured/tenure-track member is elected from a particular school and no Senior Lecturer is nominated from that particular school, the Senate will appoint and additional Senior
Lecturer member in addition to number that are elected. This is to ensure that each school has representation on the Senate.

11. AMENDMENTS TO SENATE BYLAWS ON ELECTIONS
Speaker Leaf presented this information. The changes are very minimal. It simply states that ballots are completed rather than returned. Speaker Leaf also addressed a recurrent question – is the Senior Lecturer representation ten percent of the senators elected from the tenured/tenure-track faculty or ten percent of the positions. Speaker Leaf feels that the clear intent is ten percent of the positions.

Cy Cantrell moved to approve the amendment. David Cordell seconded. The motion carried.

ADJOURNMENT
There being no further business, Provost Wildenthal adjourned the meeting.
School of Arts and Humanities

The following guidelines serve to elaborate and provide greater specificity to the Standard of Creative Productivity and Professional Achievement for the review of faculty in the School of Arts and Humanities.

The creative productivity and professional achievement of faculty members in the School of Arts and Humanities is demonstrated primarily in their published writing or in those artistic endeavors designated as appropriate to the faculty member's area of appointment. In the evaluation of a faculty member, credit may be given for contributions to professional conferences or public forums, informative writing for lay readers, or activities which advance humanistic and artistic understanding beyond the University, but which, in so doing, reflect favorably upon it. There is no question, however, that retention and advancement is based primarily on publications or creative artistic productivity.

Peer review plays an essential role in the process of promotion. In accordance with university policy, promotion to Associate Professor or Professor requires letters of evaluation from distinguished peers above the current rank of the candidate. Normally promotion requires a minimum of five letters of evaluation.

Humanities

(Art and Performance/Aesthetic Studies, Literary Studies/Studies in Literature, Historical Studies/History of Ideas, Art History)

For faculty in the Humanities, evidence of creative productivity and professional achievement will normally take the form of the publication of a book or books, and/or chapters and essays in multi-authored publications, and/or articles in peer-review journals.

For promotion to Associate Professor with tenure, creative productivity and professional achievement will be assessed in accordance with the following guidelines:

1. The candidate has selected research projects which will lead to significant results in the field.
2. The candidate has demonstrated through performance at UTD the ability to conduct independent research.
3. The candidate's independent research has contributed significantly to the field.
4. At what institutions would the candidate's productivity at the time of assessment justify promotion to tenure?

For promotion to the rank of Professor with tenure, creative productivity and professional achievements will be assessed as follows:

1. Scholars in related fields recognize as notable the contributions of the candidate.
2. The candidate has made an impact in the field of the candidate's scholarly pursuits.
3. At what institutions would the candidate's productivity at the time of assessment justify promotion to Professor?

**Art and Performance/Aesthetic Studies**

For faculty in Art and Performance/Aesthetic Studies, evidence of creative productivity and professional achievement will be as follows:

**ART AND PERFORMANCE/AESTHETIC STUDIES (THEATER):** For promotion to Associate Professor with tenure in Art and Performance/Aesthetic Studies (Theater), the following guidelines apply:

1. For actors and directors, recommendations for promotion and tenure are to be made, among other factors, on the basis of evidence of demonstrated excellence in performance or productions, including regional critical acclaim.
2. For technical directors, stage designers, and costume designers, recommendations for promotion and tenure are to be made, among other factors, on the basis of evidence of demonstrated excellence in productions on the UTD campus or elsewhere.

For promotion to Professor in Art and Performance/Aesthetic Studies (Theater), the following guidelines apply:

1. For actors and directors, recommendations for promotion and tenure are to be made, among other factors, on the basis of evidence of demonstrated excellence in performance or productions, including national critical acclaim.
2. For technical directors, stage designers, and costume designers, recommendations for promotion and tenure are to be made, among other factors, on the basis of evidence of demonstrated excellence through regional/national recognition in productions on the UTD campus or elsewhere.

**ART AND PERFORMANCE/AESTHETIC STUDIES (VISUAL ARTS):** For promotion to Associate Professor with tenure in the Art and Performance/Aesthetic Studies (Visual Arts), the following guidelines apply:

1. For studio artists, recommendations for promotion and tenure are to be made, among other factors, on the basis of the demonstrated excellence of their exhibited work, including at least regional critical acclaim.

For promotion to Professor in Art and Performance/Aesthetic Studies (Visual Arts), the following guidelines apply:

1. For studio artists, recommendations for promotion are to be made, among other factors, on the basis of the demonstrated excellence of their exhibited work, including national critical acclaim.
LITERARY STUDIES/STUDIES IN LITERATURE (CREATIVE WRITING): For promotion to Associate Professor with tenure in Literary Studies/Studies in Literature (Creative Writing), the following guidelines apply:

1. For Creative Writers, recommendations for promotion and tenure are to be made, among other factors, on the basis of the demonstrated excellence in creative writing, including publication and regional critical acclaim.

For promotion to Professor in Literary Studies/Studies in Literature (Creative Writing), the following guidelines apply:

1. For Creative Writers, recommendations for promotion and tenure are to be made, among other factors, on the basis of demonstrated excellence in creative writing, including publication and national critical acclaim.

Arts and Technology

Faculty members in Arts and Technology, comprising academic programs in Arts and Technology (ATEC) and Emerging Media and Technology (EMAC), are engaged in a broad spectrum of research and creative endeavor, including new applications for digital media, at the convergence of the creative arts and humanities with digital technology. This work can be collaborative in nature and may transcend the boundaries of disciplines conventionally associated with the humanities. Multi-authored and team projects submitted for consideration must specify the nature and extent of the candidate’s participation.

For faculty candidates in Arts and Technology, depending on the particular focus and nature of their work, evidence of creative productivity and professional achievement may take a variety of forms but must include at least one of the following:

- Publication and Dissemination of Research: the publication (in print or electronically) of books, and/or chapters and essays in multi-authored publications, and/or articles in peer-reviewed journals and (where appropriate) media software; and/or conference proceedings.
- Creative Achievement: acceptance of works in juried exhibitions, and/or at peer-reviewed conferences, and/or for display in major arts museums
- Application: a lead or critical role in the development and implementation of new processes and/or applications and/or models for digital media, especially those related to the educational and/or cultural mission of the program

The following criteria, although not essential, will be considered especially relevant:

- External Support: a record of external funding from research grants appropriate to the person’s specialty and seniority, especially for projects related to the educational mission of the program. [For promotion to Professor must be listed as Principal Investigator]
- Awards: awards (to the individual or a collaborative group) and other forms of formal recognition from professional organizations
- Presentation of Research at peer-reviewed conferences

ITEM #7
For promotion to Associate Professor with tenure, creative productivity and professional achievement will be evaluated in accordance with the following guidelines:

- The candidate has selected research or creative projects which will lead to significant results in the field.
- The candidate has demonstrated excellence and provided evidence of achieving at least a regional recognition according to the criteria of Publication/Dissemination of Research, Creative Achievement, or Application.
- **The candidate has a record that would typically justify promotion to Associate Professor in a comparable program at a peer university.**

For promotion to the rank of Professor with tenure, creative productivity and professional achievement will be assessed as follows:

- Scholars in related fields recognize as notable the contributions of the candidate.
- The candidate has made a significant impact in the field through Publication, Creative Achievement and/or Application.
- The candidate has achieved a national reputation for excellence.
- **The candidate has a record that would typically justify promotion in comparable programs at peer universities.**
CHAPTER 49  STUDENT DISCIPLINE AND CONDUCT

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 49.03 DEFINITIONS

(a) In this chapter, unless the context requires a different meaning,

(1) "class day" means a day on which classes or reading periods before semester or summer session final examinations are regularly scheduled or on which semester or summer session final examinations are given;

(2) "weekday" means Monday through Friday, excluding any day that is an official holiday of the university, or when regularly scheduled classes are suspended due to emergent situations;

(3) "day" means a calendar day;
(3) "day" means a calendar day except for days on which the University is officially closed or when regularly scheduled classes are suspended due to emergent situations;

(4) "dean" means the Dean of Students or a delegate of the Dean;
(5) "vice president" means the Vice President for Student Affairs;
(6) "president" means the President of The University of Texas at Dallas;
(7) "student" means a person enrolled or formerly enrolled at the university or a person accepted for admission or readmission to the university;

(8) “faculty” means any tenured or non-tenured, full or part-time instructor whose responsibility includes teaching;

(8) "university" means The University of Texas at Dallas;
(9) "System" means The University of Texas System;
(10) "university rule" means a rule, a regulation or instruction contained in the university's Handbook of Operating Procedures or other official publication or document;
(11) "Regent's Rule" means a rule or regulation contained in the Rules and Regulations of the Board of Regents, The University of Texas System;
(12) "hearing officer/committee" means the individual or individuals selected in accordance with procedures adopted by the university pursuant to the recommendation of the Chief Student Affairs Officer to hear disciplinary charges, make findings of fact, and, upon a finding of guilt responsibility, impose an appropriate sanction(s);

(13) "campus" consists of all real property, buildings, or facilities owned or controlled by UT Dallas.

(14) “faculty” means any tenured or non-tenured, full or part-time instructor whose responsibility includes teaching;

(15) “hearing advisor” means the individual who is responsible for oversight of administrative duties during or prior to the hearing;

(16) “complainant” is defined the University of Texas at Dallas or the person making a referral to the Judicial Affairs Office, Dean of Students;
(17) “respondent” is defined as the student or group alleged in an official complaint filed with the Judicial Affairs Office Dean of Students;

(18) “sanction” is defined as the response to a violation of the university rules, policies or procedures

**SUBCHAPTER B. ADMINISTRATION OF DISCIPLINE**

**SECTION 49.06 FACULTY ROLE IN SCHOLASTIC ACADEMIC VIOLATIONS**

(a) Judgments of academic dishonesty are distinguished from academic judgments concerning whether a student has or has not completed an assignment as required. The former involve considerations of misconduct and punishment sanctioning and are the responsibility of the Dean of Students. Under authority delegated by the dean, a faculty member who has reason to suspect that a student has engaged in scholastic academic dishonesty may do either of the following:

(b) Conduct a conference with the student in compliance with the following procedures:

(1) if the cheating was directly witnessed by the faculty member or if the faculty member has clear documentary evidence, the case should be referred directly to the dean with the reasons and/or evidence for the charge and a recommendation for punishment. The dean shall proceed under Subchapter C; or

(1) the student will be informed that he/she is believed to have committed an act or acts of academic dishonesty in violation of the Conduct of Conduct;
(2) the student will be presented with any information in the knowledge or possession of the instructor which tends to support the allegation(s) of academic dishonesty;
(3) the student will be given an opportunity to present information on his/her behalf;
(4) after meeting with the student, the faculty member may choose not to refer the allegation if he/she determines that the allegations are not supported by the evidence; or,
(5) after meeting with the student, the faculty member may refer the allegation to the dean of students along with a referral form and all supporting documentation of the alleged violation. Under separate cover, the faculty member should forward the appropriate grade to be assessed if a student is found to be responsible for academic dishonesty;
(6) the faculty member may consult with the dean of students in determining the recommended grade;
(7) the faculty member must not impose any independent sanctions upon the student in lieu of a referral to the dean of students;
(8) the faculty member may not impose a sanction of suspension or expulsion, but may make this recommendation in the referral documentation; or,
(2) if the cheating was not directly witnessed by the faculty member or if, in the case of plagiarism, the documentary evidence is ambiguous, the faculty member may meet with the student(s) involved and discuss the alleged violation and the evidence that supports the charge. After conferring with the student, the faculty member may refer the allegations to the dean with a recommendation for a penalty, or choose not to refer the allegations to the dean if the faculty member determines that they are not supported by the evidence.

(c) Choose not to meet with the student and must forward the appropriate documentation to Judicial Affairs the dean of students. The instructor should attempt to inform the student of the allegation and notify the student that the information has been forwarded to the Office of Judicial Affairs dean of students for investigation.

(b d) Upon receipt of the evidence referral form and recommendation supporting material/documentation from the faculty member, the dean shall proceed under Subchapter C. If the student is found in violation of the code of conduct, the dean will review the student’s prior disciplinary record and assess a penalty sanctions that is appropriate to the circumstances. The dean will then affirm the grade as submitted by the faculty and share this information with the student. In a course in which a failing grade has been assessed for scholastic academic dishonesty, the student will not be allowed to withdraw as a way of preventing the grade from being entered on their record. The dean will inform the student and the faculty member of the decision.

In the event a student disputes the facts and/or allegations of academic dishonesty, and at the discretion of the Office of Judicial Affairs, a hearing before the Discipline Committee may be arranged. If the student is found responsible for the allegation(s) of academic dishonesty, sanction(s) as determined by the Office of Judicial Affairs will be imposed. In addition, the student’s grade, as provided by the faculty member, will be assessed. Should the student be absolved of the allegations of academic dishonesty by the Discipline Committee, the faculty member will reassess the student’s grade based on this finding.

Subchapter F. STUDENT STANDARDS OF CONDUCT
Section 49.36 Scholastic Dishonesty-Academic dishonesty
(a) The university expects all students to maintain a high level of responsibility with respect to academic honesty. Because the value of an academic degree depends on the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his or her scholastic work.
(b) The dean may initiate disciplinary proceedings under Subchapter C against a student accused of scholastic dishonesty academic dishonesty upon complaint by a faculty member or a student.

(e) The student, pending disciplinary action, remains responsible for all academic exercises and syllabus requirements.
(f) The student may remain in class, if the student’s presence in the class does not interfere with the professor’s ability to teach the class or the ability of other class members to learn. (See Section 49.07 for additional information regarding the removal of a student from class)

SECTION 49.11 ADMINISTRATIVE DISPOSITION

(d) In the event a student disputes the facts and or allegations of academic dishonesty, and at the discretion of the dean of students, a hearing before the Discipline Committee may be arranged. If the student is found responsible for the allegation(s) of academic dishonesty, sanction(s) as determined by the dean of students will be imposed. In addition, the grade, as provided by the faculty member, will be assessed. Should the student be absolved of the allegations of academic dishonesty by the Discipline Committee, the faculty member will reassess the student’s grade based on this finding.

SECTION 49.12 APPOINTMENT OF HEARING OFFICERS

In those cases in which the accused student respondent disputes the facts and/or allegations upon which the charges allegations are based, such charges allegations shall be heard and determined by a fair and impartial hearing officer panel comprised of UTD faculty and students. The president shall appoint the hearing officer.

SECTION 49.13 HEARINGS

(a) Hearings shall be conducted in accordance with the procedures contained in this chapter which assure both the university and the accused student respondent the following rights:

(1) both parties will exchange lists of witnesses, a summary of witness testimony statements, and copies of documents to be introduced presented at the hearing at least five (5) days prior to hearing.

(2) each party shall have the right to appear, present testimony of witnesses and documentary evidence, cross-examine question witnesses and be assisted by an advisor of his/her choice. The advisor may be an attorney. If the accused student’s respondent’s advisor is an attorney, the dean's advisor may be an attorney from the Office of General Counsel of the System. If the student chooses an advisor who is an attorney, the student must give written notice of the name and address of the attorney to the dean at least three (3) week days before the time set for commencement of the hearing. An advisor may confer with and/or advise the dean or accused student respondent, but shall not be permitted to question witnesses, introduce evidence, make objections, or present arguments to the hearing officer panel.

(3) The dean may recommend a penalty sanction to be assessed by the hearing officer panel. The recommendation may be based upon past practice of the university for violations of a similar nature, the past disciplinary record of the student, or other factors
deemed relevant by the dean. The accused student shall be entitled to respond to the recommendation of the dean. In addition, the grade, as provided by the faculty member, will be assessed.

(4) The hearing will be video recorded. If either party desires to appeal the decision of the hearing officer, the official record will consist of the recording of the hearing, the documents received in evidence and the decision of the hearing officer. At the request of the president, the recording of the hearing will be transcribed and both parties will be furnished a copy of the transcript.

(b) Such hearings shall be closed to all persons other than the student charged, the dean, an advisor for each of them, the hearing officer, members, witnesses while they are presenting evidence, and the person designated to record the hearing advisor.

SECTION 49.14 NOTICES

(a) The dean shall prepare notices as appropriate to the student charged.

(b) A student will be sent a written request notice of from the dean for requiring a meeting for purposes of the investigation and/or to discuss the allegations. The written request notice shall specify a place and time for the meeting, and a time at least three (3) weekdays after the date of the written request. If the request notice is sent regular mail, at least three (3) weekdays notice must be given, or at least two (2) weekdays after the date of the request if the request notice is sent by e-mail or hand delivered. The written request notice may be mailed to the address appearing in the records of the registrar, e-mailed to the student at the student’s UTD e-mail address on record with UT Dallas, or may be hand delivered to the student.

(c) If a student fails to respond to a summons the written notice without good cause, as determined by the dean, the dean may withdraw, bar or cancel the student’s enrollment or otherwise alter the status of the student’s enrollment until the student complies with the summons notice, or the dean may proceed to implement hearing procedures.

(d) Except in those cases where immediate interim disciplinary action has been taken, the dean shall initiate hearing procedures against an student charged by providing the student at least ten (10) days written notice of the date, time, and place of the hearing and the names of the hearing officer of those individuals who may participate on the panel. The notice letter shall provide a statement of the charge(s) and a summary statement of the evidence supporting such charge(s).

(e) The notice of hearing shall be delivered in person to the student or mailed to the student at the address appearing in the registrar’s records. A notice sent by mail will be considered to have been received on the third day after the mailing, excluding any intervening Sunday. The date for a hearing may be postponed by the hearing officer for good cause or by agreement of the student and dean of students.

(f) A summons or a written notice sent to the address listed in the registrar’s records shall
constitute full and adequate notice. The failure of a student to provide the registrar with a current address, or forwarding address, the refusal to accept delivery of the letter, or failure to read mail or e-mail shall not be a good cause for failure to respond to the summons or notice. 

(g) If a student fails without good cause, as determined by the dean, to comply with a hearing notice sent under Subsection (d), the hearing will proceed as scheduled and the student will be notified of the decision of the hearing officer Discipline Committee in accordance with Section 49.17(c)(5) and(6).

SECTION 49.15 CHALLENGES TO THE HEARING OFFICER PANEL DISCIPLINE COMMITTEE

(a) The accused student respondent may challenge the impartiality of the hearing officer panel Discipline Committee. The challenge must be in writing, stating the reasons for the challenge, and be submitted to the hearing officer panel Discipline Committee through the Office of the Dean of Students at least three (3) days prior to the hearing.

(b) The hearing officer panel member Discipline Committee member(s), in consultation with the dean of students or designee, shall be the sole judge of determine whether he or she can serve with fairness and objectivity. In the event the hearing officer disqualifies himself or herself, a substitute will be chosen by the president.

SECTION 49.16 PROCEDURE

The hearing officer panel Discipline Committee shall proceed, generally, as follows during the hearing:
(a) the dean hearing panel Discipline Committee reads the charge(s) allegation(s);
(b) the hearing officer panel Discipline Committee informs the accused student respondent of his or her rights in accordance with Section 49.13;
(c) the dean presents the university's case opening statements;
(d) the accused student respondent presents his or her defense opening statements;
(e) the dean and the student present rebuttal evidence and argument witnesses and/or statements;
(f) the hearing officer deliberates in private to decide the issue of guilt or innocence and assess an appropriate penalty or penalties in the event of a finding of guilt.
(f) the Discipline Committee will have the opportunity to question all parties and witnesses involved;
(g) All parties will be excused and the Discipline Committee will determine whether or not the student is responsible.
(h) If the student is found responsible, the Discipline Committee will determine sanctions.

SECTION 49.17 CONDUCT OF HEARINGS
(a) The hearing officer Discipline Committee must rule upon objections that are made to the admissibility of evidence offered at the hearing. No evidence other than that admitted at the hearing shall be considered by the hearing officer Discipline Committee. In ruling upon the admissibility of evidence, the following criteria will be considered:
(1) in order to be admissible, documents and testimony of witnesses must be relevant to the issues to be decided by the hearing officer Discipline Committee. Generally, evidence is relevant if it tends to prove or disprove the facts at issue. There must be some logical connection between the evidence offered and the facts that are in dispute. Upon objection, evidence that is not relevant should be excluded.
(2) testimony statements of witnesses should be based upon the personal knowledge or observation of the witness. If such testimony is based upon what the witness has read or has been told by someone, it is hearsay and the hearing officer should give it little or no consideration in deciding the issues. Hearsay does not rebut or contradict the testimony of a witness with direct knowledge of the subject nor will hearsay be sufficient to prove or disprove a matter at issue.
(3) evidence that is merely cumulative of evidence already in the record should be excluded by the hearing officer Discipline Committee upon objection or upon a determination by the hearing officer Discipline Committee that it is merely repetitious. The hearing officer Discipline Committee has the discretion to determine when further evidence on an issue becomes repetitive.
(b) Upon a hearing of the charges, the dean has the burden of going forward with the evidence and has the burden of proving the charges by the greater weight of credible evidence. The standard of proof required for a finding of a violation of the student code of conduct shall be the preponderance of the evidence.
(c) The hearing officer Discipline Committee shall:
(1) make all rulings decisions on matters relating to the conduct of the hearing including matters regarding admission of evidence and testimony of witnesses;
(2) have the right to question witnesses and parties;
(3) have the right to the advice and assistance of legal counsel from UT Dallas attorneys and/or the Office of General Counsel of the UT System;
(4) maintain an orderly hearing and permit no person to be subjected to abusive treatment and may eject or exclude anyone who refuses to be orderly;
(4) have the right to the advice and assistance of the hearing advisor;
(5) maintain an orderly hearing and permit no person to be subjected to abusive treatment and may eject or exclude anyone who refuses to be orderly;
(5) 6) render and send to the dean and the accused student a written decision that contains findings of fact and a conclusion as to whether the accused student is responsible for the violations as charged;
(6) 7) upon a finding of responsibility, assess a penalty or penalties the relevant sanction(s); when an accused student is found responsible for the illegal use, possession, or sale of a drug or
narcotic on campus, the assessment of a minimum penalty, as stated in Subsections 49.25 (a) (7) and (10), is required;

(7) in instances involving academic dishonesty, the dean will refer to the faculty member’s grade assessment;

(7 8) in cases involving a crime of violence, notify the alleged victim of the decision. The alleged victim, upon receipt of information regarding the decision, shall be bound to keep in confidence such information.

(9) refer to the faculty member’s grade assessment in instances involving academic dishonesty.

(6 9) render and send to the dean and the accused student a written decision that contains findings of fact and a conclusion as to whether the accused student is responsible for the violations as charged.

(d) Consolidated Hearings

(1) where more than one student is charged with conduct arising out of a single occurrence, or out of connected multiple occurrences, a single hearing may be held for all of the students. So charged. Such students may request that their case be consolidated with others, or separated from others.

(2) the hearing officer Dean of Students shall make determinations regarding consolidation. All cases affected shall be rescheduled for hearing.

SUBCHAPTER E. APPEAL OF DECISIONS

SECTION 49.30 PROCEDURES

(a) A student may appeal a disciplinary sanction assessed by the dean. A student and/or the dean may appeal the hearing officer's decision to the president by following the procedures set forth in this section.

(b) The appealing party must submit a written appeal statement (hardcopy only; no electronic submissions), stating the specific reasons for the appeal and any argument, to the president of the university, with a copy to the other party. The appeal must be stamped as received by the President’s Office no later than fourteen (14) days after the appealing party has been notified of the sanction assessed by the dean, the Discipline Committee, or the decision of the hearing officer. If the notice of penalty assessed by the dean, the Discipline Committee, or the decision of the hearing officer is sent by mail, the date the notice or decision is mailed initiates the fourteen (14) day period for the appeal. The non-appealing party may submit a response to the appeal, which must be received by the President’s Office no later than five (5) days after the receipt of the appeal with a copy to the other party.

(c) The appeal of the decision of the hearing officer or Discipline Committee will be reviewed solely on the basis of the record from the hearing.

(d) Should the president so request, the dean shall cause the recording of the hearing to be
transcribed and shall send the record to the president with a copy to the student. At the
discretion of the president both parties may present oral argument in an appeal from the
decision of the hearing officer or Discipline Committee.
(e) Upon consideration of the appeal, the president may approve, reject, or modify the
decision, or may require that the original hearing be reopened for the presentation of
additional evidence and reconsideration of the decision. If the finding as to responsibility is
upheld by the president in a case involving the illegal use, possession, and/or sale of a drug or
narcotic on campus, the penalty may not be reduced below the minimum penalty prescribed by
Subsection 49.25(b) of this Chapter.
(f) The action of the president shall be communicated in writing to the student and the dean
within thirty (30) days after the appeal and related documents have been received. The
decision of the president is the final appellate review.

SUBCHAPTER F. STUDENT STANDARDS OF CONDUCT

SECTION 49.36 SCHOLASTIC ACADEMIC DISHONESTY

(a) The university expects all students to maintain a high level of responsibility with
respect to academic honesty. Because the value of an academic degree depends on the
absolute integrity of the work done by the student for that degree, it is imperative that a
student maintain a high standard of individual honor in his or her scholastic work.
(b) The dean may initiate disciplinary proceedings under Subchapter C against a student
accused of scholastic academic dishonesty upon complaint by a faculty member or a student.
Research Investigator Financial Disclosure - UTDPP1029

Policy Statement

The U.S. Public Health Service (42CFR Part 50) and the National Science Foundation (GPM310) have issued regulations and policies requiring institutions that apply for research funding to assume responsibility for ensuring that the financial interests of the employees of the institution do not compromise the objectivity with which such research is designed, conducted, or reported. In recent years, in order to achieve objectivity in research, the issue of conflict of interest has become increasingly important. University faculty and some staff members have taken on new and different functions in addition to the traditional roles of teaching, research and public service. Spin-off companies transferring technology developed in the laboratory, extensive consultative activities, and various types of public service involvement are encouraged by both federal and state agencies, and by the university as necessary for the public good. Governmental agencies, becoming more concerned about the extent and type of these activities as they relate to funded and proposed research and scholarly activities of faculty and some staff, have issued regulations which require universities to develop, publish, and enforce institutional policies which comply with certain federal mandates. Key in these policies is the requirement for regular, timely, and full disclosure of actual or potential conflicts of interests as they relate to significant financial interests which could reasonably be seen by an impartial observer as affecting the design, conduct or reporting of research or educational activities funded or proposed for funding by an external sponsor. To meet the requirement of federal regulations, The University of Texas at Dallas has adopted this policy on Research Investigator Financial Disclosure, which became effective on October 1, 1995, and shall continue in effect until rescinded or modified by appropriate University authority. This policy applies to all Investigators who submit proposals to and/or direct sponsored projects supported wholly or in part by U.S. Public Health Service, the National Science Foundation, and other U.S. Government agencies that adopt conflict of interest, financial disclosure, and objectivity in research requirements similar to those herein. This policy also applies to and is passed down to subgrantees, including commercial contractors, who contract with the university under a grant or contract that is supported wholly or in part by the U.S. Health Service, the National Science Foundation, and other U.S. Government agencies that adopt conflict of interest, financial disclosure, and objectivity in research requirements similar to those herein.

For the purposes of this policy, the following definitions shall apply:

A. "INSTITUTION," "UNIVERSITY," and "UTD" mean The University of Texas at Dallas.

B. "INVESTIGATOR" means the principal investigator, co-principal investigator, director, co-director, research scientist, or research associate and any other person at U.T. Dallas who is responsible for the design, conduct, or reporting of research or educational activities. This definition includes anyone who is paid by or whose work is supported by a grant or contract whether the support is internal or external (e.g., graduate students, postdoctoral fellows, but not technicians or clerical employees) and includes the spouse and dependent children of the Investigator.
C. "RESEARCH" means a systematic investigation designed to develop or contribute to generalizable knowledge. As used in this policy, "RESEARCH" includes any such activity for which research funding is available from a federal agency through a grant, cooperative agreement, contract, or other assistance award.

D. "CONFLICT OF INTEREST" or "SIGNIFICANT FINANCIAL INTEREST" means anything of monetary value, including but not limited to:

1. salaries or other payments for services (e.g. consulting fees or honoraria);
2. equity interests (e.g., stocks, stock options or other ownership interests); and,
3. intellectual property rights (e.g., patents, copyrights and royalties from such rights).
4. The term does not include:
   a. salaries, royalties, or other remuneration from UTD;
   b. income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
   c. income from service on advisory committees or review panels for public or nonprofit entities; or,
   d. financial interests in business enterprises or entities if the value of such interest does not exceed $10,000 per annum in salary, fees or other continuing payments or represent more than a five percent (5%) ownership interest for any one enterprise or entity when aggregated for the Investigator and the Investigator's spouse and dependent children.

A. Each Investigator is required to disclose the following Significant Financial Interest(s):

1. Any Significant Financial Interest of the Investigator that would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an external sponsor; or
2. Any Significant Financial Interest of the Investigator in an entity whose financial interest would reasonably appear to be affected by the research or educational activities funded, or proposed for funding, by an external sponsor.

B. Regardless of the above minimum requirements, a faculty or staff member, in his or her own best interest, may choose to disclose any other financial or related interest that could present an actual conflict of interest or be perceived to present a conflict of interest. Disclosure is a key factor in protecting one's reputation and career from potentially embarrassing or harmful allegations of misconduct.

C. Each Investigator who has Significant Financial Interest requiring disclosure shall complete an Annual Certification of Compliance Conflict of Commitment and Interest form and attach all required supporting documentation. A copy of the form is attached to this policy memorandum.
The completed certification of compliance form must be submitted to the Director of the Office of Research Administration (ORA) annually or as changes occur.

A. Each UTD Investigator must:
   1. Read and understand the policies and procedures contained in this policy memorandum and its regulatory basis pertaining to conflict of interest and objectivity in research and significant financial interests.

   2. Accept his or her responsibility to disclose significant financial interests to the Director of ORA and the University Research Integrity Committee by completing, signing, and submitting the certification of compliance form on or before a date which allows adequate time for preliminary review prior to the proposal deadline date.

   3. Update the certification of compliance form as changes occur, or at a minimum annually, so that the statement of significant financial interests on file is current and accurate while an award is pending or while an award is in force.

   4. Make the following certification to UTD and to the federal agency prior to proposal submission:
      a. "I have read and understand The University of Texas at Dallas Policy Memorandum 95-III.21-69, Research Investigator Financial Disclosure, and I have disclosed all significant financial interests as required by it. I will comply with the provisions of the policy to report changes in my significant financial interests and will comply with conditions or restrictions imposed by UTD to manage, reduce or eliminate actual or potential conflicts of interest and commitment."

   5. Should any Investigator disagree with the findings and/or decisions of the University Research Integrity Committee, that Investigator may appeal those findings/decisions to the UTD Executive Vice President and Provost (Provost). In such cases, the Provost shall review all of the materials relating to the action in question, shall discuss the findings/decisions with the Investigator and Director of ORA and shall make a final decision as to the action.

B. Certification of Compliance
   1. The Certification of Compliance Conflict Commitment and Interest form will be reviewed for potential conflict of interest and/or commitment. If a potential conflict appears to exist the Director of ORA will forward a copy of the form with supporting documentation to a subcommittee of the University's Research Integrity Committee. This subcommittee, through the Director of ORA, shall discuss the conflict with the Investigator(s) and then recommend to the full Research Integrity Committee appropriate action that should be taken by the full Committee to manage, reduce or eliminate that conflict. The full committee shall decide appropriate action to be taken and advise the Director of ORA. The Director of ORA shall then:
a. Notify the Investigator(s) of the requirements of the Committee.

b. Assist the Investigator(s) in taking appropriate action to manage, reduce or eliminate the actual or potential conflict of interest.

c. Certify to the awarding component of the federal agency regarding the existence of significant financial interests and management thereof prior to expenditure of any federal funds.

d. Notify the awarding component of the federal agency, within 60 days of a conflict report to the Director of ORA, of the identification and management, reduction, or elimination of any significant financial interest that originates or becomes known to UTD after an award has been made and funds are being expended.

e. Maintain confidentiality, to the extent permitted by law, on all disclosures and records of actions taken to manage significant financial interests for at least three years beyond the termination or completion of the award or until resolution of any action by a federal agency involving the records, whichever is longer, and make these records available for audit by authorized agencies.

2. Examples of conditions or restrictions that might be imposed to manage actual or potential conflicts of interest include:
   a. Public disclosure of significant financial interests;
   b. monitoring of research by independent reviewers;
   c. modification of the research plan;
   d. disqualification from participation in all or a portion of the research funded by the federal agency;
   e. divestiture of significant financial interests; and/or
   f. severance of relationships that create actual or potential conflicts.

C. Enforcement and Penalties for Failure to Comply Enforcement of the requirements of this policy is the responsibility of Academic Deans and Directors, the University Research Integrity Committee and the Provost. Assessing the nature of a violation and administering a penalty to a UTD faculty or staff member who violates this policy are the responsibilities of the Provost or the Vice President to whom that employee is accountable. Penalties for violation of this policy range from a reprimand and immediate corrective action to dismissal from the university for falsely certifying that no action or potential significant financial interests exist. The procedures followed in cases involving a faculty member are found in the University's Policy Memorandum 94-III.21-61, University Policy on Faculty Conduct. In cases involving a staff member, the procedures followed are found in the University's Administrative Policies and Procedures Manual, ([http://www.utdallas.edu/utdgeneral/business/admin_manual/](http://www.utdallas.edu/utdgeneral/business/admin_manual/)) Section D,
Subsection D8, Policy and Procedures For Discipline and Dismissal and Grievances of Employees.

Policy Form: PM 95-III.27-69 The University of Texas at Dallas Annual Certification of Compliance
Conflict of Comment and Interest

Policy History

• Issued: October 1, 1995
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• Editorial Amendments: September 1, 2000
• Editorial Amendments: June 29, 2006

Policy Links

Permalink for this policy: http://go.utdallas.edu/utdpp1029

Link to PDF version: http://provost.utdallas.edu/policy/pdf/utdpp1029

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