

August 20, 2018

Christopher Walsh  
Chair, University Senate  
2118 Plant Sciences Building  
University of Maryland  
College Park, MD 20742

Dear Senate Chair Walsh,

I am writing on behalf of the Faculty Affairs Committee (FAC) in regards to its pending charge on the "Interim University of Maryland Policy and Procedures Concerning Research Misconduct" (Senate Document #17-18-07). The FAC was charged by the Senate Executive Committee (SEC) with review of this item and was given a deadline of March 30, 2018. I am writing to respectfully request an extension for the committee's review of this charge.

The Faculty Affairs Committee has been working diligently to consider this charge since January, 2018. After initial discussions between the Vice President for Research and the Senate Leadership on how to conduct the review process, the FAC formed a Working Group of members of the Faculty Affairs Committee and members of the Research Council. The Working Group was tasked with considering the revised policy, reviewing peer institution policies and procedures as well as how peers address implementation and infrastructure for misconduct investigations, and consulting with various University offices and groups.

The Working Group met almost every week in the spring semester of 2018, and continued its work into the summer of 2018. In early February 2018, the Working Group met with the Research Council to discuss concerns with how the policy divides responsibilities between the Provost's Office and the Division of Research. The Working Group also met with a representative of the Office of General Counsel to discuss initial questions on the University's responsibilities as well as a Respondent's procedural and due process rights under the policy. The group reviewed relevant language in similar policies at peer institutions and considered guidance from the Office of Research Integrity in the Department of Health and Human Services. As it developed revisions to the policy, the Working Group considered concerns with the definitions in the policy and revised many definitions to more appropriately address specific types of misconduct; considered the distinctions between research misconduct and scholarly misconduct; discussed whether specific types of misconduct should be considered research misconduct or another form of professional misconduct; and considered the University's abilities and obligations related to restoring the reputation of those cleared of misconduct through this process.

The Working Group submitted proposed revisions to the policy to the Office of General Counsel for review in May 2018. After receiving feedback from the OGC on the distinctions between research and scholarly misconduct, the Working Group revised its draft policy and

requested additional review from OGC. The Working Group intends to report to the FAC in fall 2018 on its progress and share a revised draft with the committee.

In order to allow sufficient time for the FAC to review and refine the draft developed by the Working Group, we respectfully request an extension until January 15, 2019. We hope to complete our work prior to that point, and will submit our recommendations as soon as possible. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Blanchard", with a large, stylized loop at the end.

Jack Blanchard  
Chair, University Senate Faculty Affairs Committee

Enclosure(s): Charge from the SEC, dated January 8, 2018.

JB/seh



**Interim University of Maryland Policy and Procedures Concerning Research Misconduct (Senate Document #17-18-07)**  
**Faculty Affairs Committee | Chair: Patricio Korzeniewicz**

The Senate Executive Committee (SEC) and Senate Chair Falvey request that the Faculty Affairs Committee review the interim University of Maryland Policy and Procedures for Research Misconduct (III-1.10[A]).

Specifically, it asks that you:

1. Review similar policies and procedures for research misconduct at the University of Maryland - Baltimore, Big 10, and other peer institutions.
2. Review the implementation of the University of Maryland - Baltimore, Big 10, and other peer institution research misconduct procedures, to include the infrastructure to support investigations, responsible division(s), and the composition of review committees.
3. Consider how the University's research misconduct policy and procedures should address infrastructure to support investigations, units responsible for the review process, joint appointments with the University of Maryland - Baltimore, and the composition of review committees.
4. Consult with the Associate Provost for Faculty Affairs.
5. Consult with the Vice President for Research and the University Research Council.
6. Consult with representatives of the Intellectual Property Committee.
7. Consult with representatives of the Conflict of Interest Committee.
8. Consult with the Office of General Counsel regarding the interim policy and on any proposed changes to the policy.
9. If appropriate, recommend whether the interim policy should be revised and submit recommended revisions to the interim policy for Senate consideration.

We ask that you submit a report to the Senate Office no later than **March 30, 2018**. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.