



UNIVERSITY OF MARYLAND

UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-7541
301.405.5805 TEL 301.405.5749 FAX
<http://www.senate.umd.edu>

October 9, 2007

MEMORANDUM

TO: Daniel Falvey
Chair, Senate Faculty Affairs Committee

FROM: William Montgomery *WM*
Chair, University Senate

SUBJECT: Special Provisions for Misconduct Subject to
Public Health Service Regulations
(Senate Document Number 07-08-17)

On October 4, President Mote approved an interim policy for scholarly misconduct in the sciences. This policy, developed by General Counsel Susan Bayly, provides an updated policy for reviewing allegations of scholarly misconduct and brings university rules into conformity with the revised rules of the Public Health Service. The interim policy was created to permit a committee of inquiry to investigate a pending complaint from a graduate research assistant within the PHS timeline of 60 days. Attached are the interim policy, Special Provisions for Misconduct Subject to Public Health Service Regulations, and two appendices, Appendix A and Appendix B.

The Provost has asked the Senate to develop a permanent policy for the university. At its meeting on October 4, the Senate Executive Committee voted to send the interim policy to the Senate Faculty Affairs Committee for study. If the policy is acceptable, the Faculty Affairs Committee could recommend adoption of the policy. If not, the committee should modify the interim policy or craft a new policy. The Public Health Service regulations do not differ fundamentally from university rules but do include greater detail than the university's current scholarly misconduct policy. The PHS regulations have a series of specific deadlines for completing the inquiry and additional procedures that are not contained in the university policy. The PHS regulations also include discretionary procedures for appeals.

The Senate has been urged to put consideration of this important policy on a fast track. If possible, send your report to me by November 1 for review of the Senate Executive Committee at its meeting on November 8. The Provost would like the Senate to vote on the Policy on Scholarly Misconduct not later than the December 6 Senate meeting. If you have further questions about this charge, please email Dr. Mary Giles at mgiles@umd.edu or Professor Ellin Scholnick at escholni@umd.edu.

WLM:mdg