



The Florida State University
Tallahassee, Florida 32306-1030

Faculty Senate
904-644-6876

AGENDA
FACULTY SENATE MEETING
Moore Auditorium
November 8, 1989
3:45 p.m.

- I. Approval of the minutes of the October 11, 1989 meeting
- II. Approval of the agenda for the November 8, 1989 meeting
- III. Report of the Steering Committee, A. Mabe
- IV. Reports of Standing Committees
 - a. Library Committee, J. Waggaman
- V. Old Business
 - a. University Center, J. Pitts
 - b. Faculty Misconduct, A. Mabe, F. Leysieffer, M. Young
 - c. Multicultural Component Discussion, P. Wright
- VI. New Business
- VII. University Welfare
- VIII. Announcements of Deans and other administrative officers
- IX. Announcements of the President of the University

ANNOUNCEMENT:

The School of Theatre and the University Club will host the University Club Wednesday Social in the Garnet and Gold University Room (University Union) immediately following the Senate meeting. The University Club will collect \$1.50 to help defray their expenses. Everyone is welcome!

THE NEXT SENATE MEETING WILL BE DECEMBER 6, 1989



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FACULTY SENATE MEETING

Moore Auditorium

November 8, 1989

3:45 p.m.

I. Regular Session

The regular session of the 1989-1990 Faculty Senate met on Wednesday, November 8, 1989 at 3:45 p.m. Senate President Leo Sandon presided.

The following members were absent. Their alternatives who were present are listed in parenthesis. J. Alholz, C. Avery (K. Anderson), H. Baker, M.L. Baker, D. Behrman, G. Buzyna (J. Telotte), W. Cooper, R. Dalton, G. Devore, J. Fenstermaker (D. Kirby), R. Goldsmith, L. Gould, R. Hagen, R. Jenks, K. Kemper, P. Levine, B. Licht, P. Maroney (R. Braswell), J. Mitchell, T. Moerland (W. Outlaw), J. Morse, D. Nast, P. Nelson, B. Newell, J. Piersol, M. Pohl (E. Peters), A. Rowe, E. Schroeder, K. Scott, R. Smith, J. Standley, D. Sumners, B. Tuckman (W. Wager), W. Veal, E. Walker (K. Laughlin), L. Walters (W. Cloonan), L. Weingarden (J. Eyestone).

II. Approval of the Minutes of October 11, 1989

The minutes of the October 11 Senate meeting were not distributed. These minutes will be approved at the November Senate meeting.

III. Approval of the Agenda for November 8, 1989

The agenda was approved as distributed.

IV. Report of the Steering Committee, A. Mabe

The Steering Committee has met weekly since the last Senate meeting. In addition there was a meeting with President Sliger. Items discussed or acted on by the Steering Committee are as follows:

1. The University has announced that stipends for University Fellowships will be increased from \$6,000 to \$10,000 for next year, and the number of fellowships will be increased from 40 to 50. College Fellowships will be studied this year with an increase in stipends expected for the following year.
2. We discussed the new postal codes with Mr. Walter Butler, head of the post office on campus. He indicated that this was part of a plan to move to more automation in the campus postal service. The four digits added to zip codes has not proven effective, so the codes introduced by the post office are a substitute. He indicated usage of the new code was approximately 50% for on-campus mail. He also reported that a new code book would be released soon and that departments would not be charged to have their stationary plates redone to include the new postal code.
3. We discussed the shifting of the inventory control process to departments with the President and the Provost. We emphasized the problem with resources to do the job and the potential security problems with this change. The Provost is reviewing the situation and hopes at a minimum to provide some relief to those departments with special problems due to large equipment inventories.
4. In our discussion with the President and Provost we proposed that a systematic plan for the evaluation of administrators, particularly vice presidents and deans, be put in place. Such a plan could provide for a full scale evaluation every five years, for example. The Provost is considering what form that might take.
5. The Steering Committee provided a list of faculty from which the President will appoint the faculty members of the University Budget Committee.

6. We discussed the new guidelines for the use of GRE scores announced by the Educational Testing Service. Those guidelines would appear to block some of the BOR's current uses of those scores, since they disapprove any summation of verbal, quantitative, or analytical scores unless validity studies are first conducted.

7. The Steering Committee discussed the University Center project with the President and later with Vice Presidents Pitts and Hogan. We urged that more information about the project be made available to the faculty. We also discussed the need for a faculty forum. We have also considered the need for further discussion of this issue among faculty. On behalf of the Steering committee, I move that the Faculty Senate sponsor a faculty forum on the University Center project Wednesday, November 15th at 3:30 p.m. Speakers representing the variety of viewpoints on the project will have an opportunity to express their views. Motion was approved. The meeting will be held in Moore Auditorium.

V. Reports of Standing Committees

a. Library Committee, J. Waggaman

"This is a brief report about the Strozier Library Budget. As you may recall from the budget presentation by Provost Turnbull a few months ago, the library book budget was increased substantially for 1989-1990. That resulted from a unique infusion of funds from the Florida lottery; however, the funds came with the stipulation that they could only be used for books, not serials which generate future subscription and binding costs. Nevertheless, the serials budget has been increased 7.4 percent to \$1,700,679; this allocation contains \$50,000 for new journal subscriptions, as the budget did last year. Presently the Library Committee is working on a fair and equitable formula to allocate the funds for new journals among the various academic departments throughout the University.

The outstanding news is that the 1989-1990 budget for the purchase of individual books has more than tripled to \$1,725,309. This large increase presents us with a once-in-a-decade, maybe even a once-in-a-generation, opportunity to update, expand, and enhance the book collection in Strozier Library and its branches. To participate in this

unusual opportunity, send your book requests to the Strozier Acquisitions Department or talk with a faculty colleague in your department, college, or school, who is the designated liaison person with Strozier Library. We can make a difference in the library collection this academic year.

On another library matter which has come before the Senate over the past several years I can report that Strozier will be open on Veteran's Day from 1:00 p.m. to 10:00 p.m."

President Sandon introduced Professor Paul Piccard as our guest Parliamentarian substituting for Lyndon G. Phifer.

VI. Old Business

a. University Center, Acting Vice President J. Pitts

Acting Vice President Pitts followed up his previous presentation on plans for the University Center by being present to answer questions that senators and other faculty members might have.

A motion to extend the discussion of the University Center was seconded and defeated by a vote of 32-29. Senator Martin Roeder asked that members of the Steering Committee be present at the forum scheduled for November 15 to explain their reasons for supporting this project. Senator Patricia Martin stated that she and other members of the original University Center committee should also be present to explain their recommendations for the center.

b. Faculty Misconduct, A. Mabe, F. Leysieffer, M. Young

Senator Mabe gave a brief explanation for the need for this document (attachment 1). After discussion, Senator Roeder moved to adopt the draft proposal, his motion was seconded. After more discussion President Sandon achieved the agreement of Senator Roeder and the Senate to postpone the action definitely until the December 6 Senate meeting.

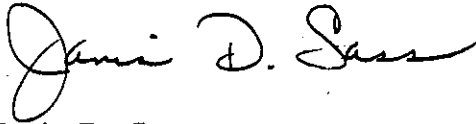
c. Multicultural Component Discussion, P. Wright

Due to the lateness of the hour, Senator Roeder moved to adjourn. This motion was defeated. Senator F. Standley moved that the Senate direct the Steering Committee to arrange a special session of the Senate to discuss the multicultural

component issue only (during this semester). This motion was approved.

VII. Adjournment

The meeting adjourned at 5:15

A handwritten signature in cursive script that reads "Janis D. Sass". The signature is written in black ink and is positioned above the printed name and title.

Janis D. Sass
Secretary to the Faculty

Florida State University

TO: Faculty Senators
FROM: Steering Committee
SUBJECT: Proposed Document on Misconduct in
Research and Creative Activity

This document has been developed to be our procedure for meeting the assurance condition required by the Public Health Service in order for faculty to continue to be eligible for grants from that agency and the other agencies of the Department of Health and Human Services. It also will serve as the procedure which will make possible local investigations rather than investigations directly by the National Science Foundation should there be allegations of misconduct regarding work funded by NSF.

There are three distinct parts to the proposal. The first part, titled "General Policies and Procedures" is meant to be generally applicable; the second part, "Subsection A," contains additional specific requirements from the National Science Foundation, and the third part, "Subsection B," contains additional specific requirements from the Public Health Service of the Department of Health and Human Services.

The general procedure in the first part would be applicable to everyone, Subsection A would be applicable only to cases where the research was funded by the National Science Foundation, and Subsection B would be applicable only to cases where the research was funded by the Public Health Service or an agency of the Department of Health and Human Services.

1 Research Standards at The Florida State University
2 and
3 Procedures for Dealing with Misconduct
4 in Research and Creative Activity

7 General Policies and Procedures

10 1. Policy Statement

12 In fostering academic freedom, it is the policy of The Florida
13 State University to uphold the highest standards of integrity in
14 research and creative activity, and to protect the right of its
15 employees to engage in research and creative activity. Research-
16 ers are expected to adhere to the standards of research in their
17 area of endeavor, and to encourage adherence to those standards
18 by their colleagues and by those under their supervision. Par-
19 ticularly unacceptable are fabrication or falsification of data
20 in scientific research, and plagiarism in any research or crea-
21 tive endeavor. Deviations which are believed to constitute mis-
22 conduct are to be reported to an appropriate University official.
23 Misconduct does not include honest error or honest difference in
24 interpretations or judgment of data.

26 Florida State University is committed to adhering to and enforc-
27 ing applicable federal, state and local laws and to following
28 procedures required by granting agencies from which grant funds
29 are secured. Researchers are to be aware of any special provi-
30 sions regarding standards of research and of procedures required
31 by funding agencies for resolving allegations of misconduct in
32 research. Application for funding from an agency shall indicate
33 that the researcher agrees to the procedures required by that
34 agency should it be necessary to investigate an allegation of
35 misconduct in research.

37 Each department or unit in which research or creative activity is
38 conducted will have a statement of procedures for fostering
39 integrity in research and creative activity. [Such statements
40 should address, among other items, the availability and preserva-
41 tion of research data, and appropriate standards for assigning
42 authorship, and those cases where University faculty are engaged
43 in collaborative work with faculty at other universities which
44 may have different policies regarding these issues.] Each depart-
45 ment or unit will keep a current copy of its statement on file in
46 the Office of the Vice President for Research.

49 2. Procedures for Reporting Allegations of Misconduct in Research
50 and Creative Activity

52 A suspected instance of misconduct in research and creative
53 activity is to be reported to an appropriate University official.
54 Normally this report will be to the departmental chair or the
55 dean of the college (or comparable administrator if the person
56 involved is not under a dean; henceforth this will be understood

1 when the term "dean" is used). Any University official, including
2 departmental chairs, who receives such a report shall communicate
3 the report to the dean of the college in which the alleged mis-
4 conduct occurred. The dean of the college is responsible for
5 informing the departmental chair (if the report is from another
6 source), the Dean of Faculties and the Vice President for Re-
7 search. The dean is also responsible for promptly initiating an
8 inquiry into any suspected or alleged instance of misconduct to
9 determine whether an investigation is warranted.

12 3. Inquiry and Investigation

14 The inquiry will be conducted by a three person committee ap-
15 pointed by the dean. The inquiry will determine whether there is
16 reasonable cause to conduct a full investigation. Upon initiating
17 an inquiry the dean will notify the affected faculty or staff
18 member in writing that an allegation has been made against him or
19 her and that the dean's office is conducting an inquiry to deter-
20 mine whether there is reasonable cause to initiate an investiga-
21 tion.

23 It will be the task of the committee of inquiry to separate
24 allegations deserving further investigation from frivolous,
25 unjustified, or clearly mistaken allegations.

27 If the committee of inquiry recommends that no further action
28 should be taken, no record of the allegation or inquiry is to
29 remain in the accused faculty member's evaluation file.

31 If a full investigation is recommended by the committee of in-
32 quiry, the dean will appoint a three person faculty committee to
33 conduct the investigation. The dean may appoint a larger com-
34 mittee or may appoint members from outside the University if that
35 is deemed warranted by the circumstances of the case. The af-
36 fected faculty or staff member will be given written notification
37 of the charges and will be accorded due process in the investiga-
38 tion. Both the University and the affected faculty or staff
39 member will have an opportunity to present evidence, call wit-
40 nesses and have questions put to witnesses. A record of the
41 proceeding will be available to the affected faculty or staff
42 member at cost. The affected faculty or staff member may have
43 counsel or a representative present during the proceedings. At
44 the conclusion of the investigation, the committee shall provide
45 documented recommendations to the dean regarding whether they
46 think misconduct has occurred. The affected faculty or staff
47 member will have an opportunity to provide the dean with a writ-
48 ten statement regarding the recommendations.

50 The dean, in consultation with the Dean of Faculties and the Vice
51 President for Academic Affairs, will decide either to take action
52 appropriate to his authority or to recommend a course of action
53 to the Vice President for Academic Affairs. The dean can render a
54 judgment that misconduct has not occurred; that misconduct has
55 occurred and the appropriate penalty is within his or her
56 authority; or that misconduct has occurred but an appropriate

1 penalty is not within the dean's authority. The dean may act upon
2 the first two judgments, the third would have to be a recommenda-
3 tion to the Vice President for Academic Affairs. If the affected
4 faculty or staff member is judged not to have engaged in miscon-
5 duct, this will be communicated to all appropriate parties, and
6 diligent efforts will be undertaken, as appropriate, to restore
7 the reputation of anyone alleged to have engaged in misconduct
8 when allegations are not confirmed. If the affected faculty or
9 staff member is judged to have engaged in misconduct this fact
10 should be communicated to the faculty member along with the
11 proposed penalty.

13 A faculty or staff member, at this point, depending on his or her
14 standing and the severity of the proposed penalty will have
15 available one or more avenues of appeal from which to choose as
16 delineated in the BOR-UFF Agreement, the FSU Constitution, the
17 Florida Administrative Code, and any other applicable authority.

19 Those appointed to inquiry or investigatory committees should be
20 free of any conflict of interest and committees should have
21 sufficient expertise to be able to assess the charges before
22 them.

24 University procedures of inquiry and investigation are not to
25 breach pledges of confidentiality or anonymity provided to human
26 subjects of research.

28 Those accused of misconduct shall be afforded confidential treat-
29 ment to the maximum extent possible.

32 4. Protection of those Reporting Misconduct

34 The University will protect employees who make good faith reports
35 of misconduct in research or creative activity from job-related
36 disciplinary reprisals and will make diligent efforts to protect
37 their reputation. Employees who make such good faith reports
38 within the scope of their employment will not be held personally
39 liable in tort or named as a defendant in any action for any
40 injury or damage suffered as a result of such report, as provided
41 in section 768.28(9)(a), Florida Statutes. Confidentiality will
42 be maintained to the extent compatible with law and due process.
43 Once an allegation is made it shall be the responsibility of the
44 University to pursue the matter. Those accused of misconduct in
45 research or creative activity will be informed regarding the
46 person or persons, if known, who made the allegation about their
47 work, unless such knowledge is irrelevant to the evaluation of
48 the allegation. This information will be provided with the
49 notification that an inquiry is to take place.

52 5. Promptness of Procedure

54 Each stage should be completed as quickly as is compatible with a
55 fair and effective process for assessing the allegations. If the
56 allegation involves research funded by certain agencies, a

1 specific timetable will need to be followed.

4 6. Requirement of Notification and Interim Actions

6 Should it be necessary to provide information to external
7 agencies or organizations, the Vice President for Research will
8 be the University official responsible for those notifications.
9 In some instances regulations will require interim actions. The
10 Vice President for Research in consultation with the dean con-
11 ducting the procedure of inquiry and investigation will initiate
12 those interim actions. Those conducting an inquiry or investiga-
13 tion will provide necessary information to the Vice President for
14 Research to allow him to comply with externally mandated actions
15 or reports.

17 [It is the policy of FSU to take legally allowed measures to set
18 the record straight if misconduct is established, by informing
19 journals where the material involved was published and by notify-
20 ing the funding agency supporting the research.]

23 7. Dissemination of Information Regarding Integrity in Research 24 and Creative Activity

26 The Vice President for Research shall publish a document contain-
27 ing all relevant University policy statements, generally ap-
28 plicable federal, state and local requirements, and specific
29 requirements of particular funding agencies regarding integrity
30 in research and creative activity. Each faculty member engaged in
31 research or creative activity shall be given a copy. Staff or
32 graduate students employed in research shall also be provided
33 copies of this document. Those holding relevant administrative
34 positions will likewise be provided copies. This document will be
35 revised periodically so as to remain current.

1 Subsection A: Standards and Procedures for Addressing Allegations
2 of Misconduct in Research funded by the National Science
3 Foundation.

6 These standards and procedures are meant to supplement the
7 University's general procedures for handling allegations of
8 misconduct in research and creative activity in order for the
9 University to meet requirements promulgated by the National
10 Science Foundation. If there are inconsistencies between these
11 processes and the general University processes, provisions of
12 this process supplant the incompatible general University provi-
13 sions, when the research in question is funded by the National
14 Science Foundation.

16 1. The National Science Foundation has specific requirements for
17 conducting investigations of allegation of misconduct involving
18 work which it has funded. It is University policy that an ap-
19 plicant for funding from NSF or anyone working on a project
20 funded by NSF agrees to be bound by the University's process of
21 inquiry and investigation which implements NSF's requirements.

23 2. For NSF "Misconduct" means (1) fabrication, falsification,
24 plagiarism, or other serious deviation from accepted practices in
25 proposing, carrying out, or reporting results from research; (2)
26 material failure to comply with Federal requirements for protec-
27 tion of researchers, human subjects, or the public or for ensur-
28 ing the welfare of laboratory animals; or (3) failure to meet
29 other material legal requirements governing research.

31 3. NSF provides specific definitions of "inquiry" and
32 "investigation": An "inquiry" consists of information gathering
33 and preliminary fact-finding to determine whether an allegation
34 or apparent instance of misconduct warrants an investigation. An
35 "investigation" is a formal examination and evaluation of
36 relevant facts to determine whether misconduct has taken place or
37 if misconduct has already been confirmed, to assess its extent
38 and consequences or determine appropriate NSF action.

41 4. The University will take action necessary to ensure the in-
42 tegrity of research, the rights and interests of research sub-
43 jects and the public, and the observance of legal requirements
44 and responsibilities.

46 5. The University will inform NSF immediately if an initial
47 inquiry supports a formal investigation, and will keep NSF in-
48 formed during such an investigation.

50 6. The University will notify NSF before deciding to initiate an
51 investigation or as required during an investigation (i)if the
52 seriousness of the apparent misconduct warrants; (ii)if immediate
53 health hazards are involved; (iii)if NSF's resources, reputation,
54 or other interests need protecting; (iv)if Federal action may be
55 needed to protect the interests of a subject of the investigation
56 or of others potentially affected; or (v)if the scientific com-

1 munity or the public should be informed.

3 7. In order to defer independent inquiry or investigation by NSF,
4 the University will decide whether an investigation is warranted
5 within 90 days, and will complete an investigation and reach a
6 disposition within 180 days after initiating an investigation.
7 Should additional time be needed, the University will seek a
8 continuing deferral from NSF, however NSF may require submission
9 of periodic status reports.

11 8. The University will provide NSF with a final report from any
12 investigation.

14 9. The investigatory phase shall be deemed completed for the
15 purpose of reporting the results of the investigation to NSF when
16 the dean or the Vice President for Academic Affairs either finds
17 the faculty or staff member innocent of the charges or finds
18 misconduct to have occurred and proposes an appropriate penalty.
19 Any such report to NSF must contain an account of any additional
20 processes the affected person may invoke and the bearing those
21 processes may have on the issue of misconduct.

23 Florida State University may ask for an extension for reporting
24 the results of an investigation in certain specified instances.
25 If any of the following penalties are contemplated, a faculty
26 member has a right to a peer hearing as specified in Rule 6C2-
27 4.0335, Florida Administrative Code: to suspend with or without
28 pay, reduce the compensation or rank of, terminate the annual
29 appointment of a tenured faculty member; to immediately suspend
30 or to terminate the appointment of a non-tenured faculty member
31 prior to the expiration of the non-tenured faculty member's
32 current employment contract. If an accused faculty member exer-
33 cises this right, the University will request an extension, if
34 needed, and provide an accounting of the current status of the
35 case, and an estimation of the time needed to complete the peer
36 hearing required by 6C2-4.0335.

38 10. Based on required reports to NSF, NSF may order that interim
39 actions be taken to protect Federal resources or to guard against
40 continuation of any suspected or alleged misconduct. Any interim
41 action by NSF will be reviewed periodically during an investiga-
42 tion and modified as warranted. An interested party may request a
43 review and modification of any interim action.

1 Subsection B: Standards and Procedures for Addressing Allegations
2 of Misconduct in Research funded by the Public Health Service of
3 the Department of Health and Human Services.

6 These standards and procedures are meant to supplement the
7 University's general procedures for handling allegations of
8 misconduct in research and creative activity in order for the
9 University to meet requirements promulgated by the Public Health
10 Service of the Department of Health and Human Services. If there
11 are inconsistencies between these processes and the general
12 University processes, provisions of this process supplant the
13 incompatible general University provisions when the research in
14 question is funded by the Department of Health and Human Services
15 or its institutes or agencies. These standards and procedures are
16 necessary to meet the assurance conditions promulgated by the
17 Public Health Service of HHS.

19 1. The Public Health Service of HHS has specific requirements for
20 conducting investigations of allegations of misconduct involving
21 research, research training or related activities which they have
22 funded or for which funds have been requested. It is University
23 policy that an applicant for funding from HHS or anyone working
24 on a project funded by HHS agrees to be bound by the University's
25 process of inquiry and investigation which implements the Public
26 Health Service's requirements.

29 2. For PHS of HHS "misconduct" or "misconduct in science" means
30 fabrication, falsification, plagiarism, or other practices that
31 seriously deviate from those that are commonly accepted within
32 the scientific community for proposing, conducting or reporting
33 research. It does not include honest error or honest difference
34 in interpretations or judgments of data.

36 3. PHS provides specific definitions of "inquiry" and
37 "investigation": "Inquiry" means information gathering and ini-
38 tial fact-finding to determine whether an allegation or apparent
39 instance of misconduct warrants an investigation; "Investigation"
40 means the formal examination and evaluation of all relevant facts
41 to determine if misconduct has occurred.

43 4. The University will inquire immediately into an allegation or
44 other evidence of possible misconduct. An inquiry is to be com-
45 pleted within 60 calendar days of its initiation. A written
46 report shall be prepared that states what evidence was reviewed,
47 summarizes relevant interviews, and includes the conclusions of
48 the inquiry. The individual(s) against whom the allegation was
49 made shall be give a copy of the report, and if they choose to
50 comment their comments will be part of the record. If cir-
51 cumstances clearly warrant, a longer period may be involved, but
52 in that case the record of inquiry should include documentation
53 of the reasons for exceeding the 60-day period.

55 5. Sufficiently detailed documentation of inquiries will be
56 maintained for at least three years so as to permit a later

- 1 assessment of the reasons for determining that an investigation
2 was not warranted.
- 4 6. An investigation must be undertaken within 30 days if the
5 findings from the inquiry provide sufficient basis for doing so.
- 7 7. The decision to initiate an investigation must be reported in
8 writing to the Director, Office of Scientific Integrity on or
9 before the date the investigation begins.
- 11 8. The investigation normally will include examination of all
12 documentation, including but not necessarily limited to relevant
13 research data and proposals, publications, correspondence, and
14 memoranda of telephone calls. Whenever possible, interviews
15 should be conducted of all individuals involved either in making
16 the allegation or against whom the allegation is made, as well as
17 individuals who might have information regarding key aspects of
18 the allegations; complete summaries of these interviews should be
19 prepared, provided to the interviewed party for comment or revi-
20 sion, and include as part of the investigatory file.
- 22 9. An investigation should ordinarily be complete within 120 days
23 of its initiation. Included in this time frame are the conducting
24 of the investigation, preparing the report of findings, obtaining
25 comments from subject(s) and submitting the report to the Office
26 of Scientific Integrity. If the investigation cannot be completed
27 in 120 days, the University will submit a request for an exten-
28 sion to the funding agency. This request will include an interim
29 report on the progress to that point and an estimate of the date
30 for completion of the report and other necessary steps. The
31 University will file periodic reports as requested by the agency.
- 33 10. The University will notify the funding agency of the final
34 outcome of the investigation. The final report will describe the
35 policies and procedures under which the investigation was con-
36 ducted, how and from whom information was obtained relevant to
37 the investigation, and include the findings, documentation to
38 substantiate the investigation's finding, and the actual text or
39 an accurate summary of the views of any individual(s) found to
40 have engaged in misconduct. This report will be made available to
41 the Director, Office of Scientific Integrity who will decide
42 whether the Office will either proceed with its own investigation
43 or will act on the institution's findings. If they can be iden-
44 tified, the person(s) who raised the allegations will be provided
45 those portions of the report which address their role and
46 opinions in the investigation.
- 48 11. If the decision is made to terminate an inquiry or investiga-
49 tion for any reason without completing all relevant requirements,
50 a report of such planned termination, including a description of
51 the reasons for such termination, shall be made to the Office of
52 Scientific Integrity.
- 54 12. The University will notify the Office of Scientific Integrity
55 if it ascertains from the inquiry or investigation that any of
56 the following conditions exist:

- 1 (1) There is an immediate health hazard involved;
- 2 (2) There is an immediate need to protect Federal funds or
- 3 equipment;
- 4 (3) There is an immediate need to protect the interest of the
- 5 person(s) making the allegations or the individual(s) who is the
- 6 subject of the allegations as well as his/her co-investigators
- 7 and associates, if any;
- 8 (4) It is probable that the alleged incident is going to be
- 9 reported publicly.
- 10 (5) There is a reasonable indication of possible criminal
- 11 violation. In that instance, the institution will inform the
- 12 Office of Scientific Integrity within 24 hours of obtaining that
- 13 information.

15 13. The investigatory phrase shall be deemed completed for the
16 purpose of reporting the results of the investigation to HHS when
17 the dean or the Vice President for Academic Affairs either finds
18 the faculty or staff member innocent of the charges or finds
19 misconduct to have occurred and proposes an appropriate penalty.
20 Any such report to HHS must contain an account of any additional
21 processes the affected person may invoke and the bearing those
22 processes may have on the issue of misconduct.

24 Florida State University may ask for an extension for reporting
25 the results of an investigation in certain specified instances.
26 If any of the following penalties are contemplated, a faculty
27 member has a right to a peer hearing as specified in Rule 6C2-
28 4.0335, Florida Administrative Code: to suspend with or without
29 pay, reduce the compensation or rank of, terminate the annual
30 appointment of a tenured faculty member; to immediately suspend
31 or to terminate the appointment of a non-tenured faculty member
32 prior to the expiration of the non-tenured faculty member's
33 current employment contract. If an accused faculty member exer-
34 cises this right, the University will request an extension, if
35 needed, and will provide an accounting of the current status of
36 the case, and an estimation of the time needed to complete the
37 peer hearing required by 6C2-4.0335.

39 14. The University will take interim administrative actions, as
40 appropriate, to protect Federal funds and insure that the pur-
41 poses of the Federal financial assistance are carried out.