

## 5.0 ACADEMIC POLICIES AND RESPONSIBILITIES

*NOTE: In many cases, policies governing the Joan and Sanford I. Weill Medical College and Graduate School of Medical Sciences of Cornell University differ from policies governing Cornell's Ithaca campus. Faculty at the Medical College and Graduate School of Medical Sciences should consult with the Office of the Provost for Medical Affairs for the relevant policies.*

Some of the regulations, guidelines and codes in this section are applicable to the entire university community, but are of primary importance to the faculty. The faculty are responsible for enforcing or complying with the various policies and procedures established by the University Faculty in order to carry out their academic and professional responsibilities.

The following statement on academic freedom and responsibility was adopted by the University Faculty on May 11, 1960:

### Principles of Academic Freedom and Responsibility

Academic Freedom for the Faculty of Cornell University means:

Freedom: of expression in the classroom on matters relevant to the subject and the purpose of the course and of choice of methods in classroom teaching; from direction and restraint in scholarship, research, and creative expression and in the discussion and publication of the results thereof; to speak and write as a citizen without institutional censorship or discipline;

and

Responsibility: to perform faithfully the duties of the position; to observe the special obligations of a member of a learned profession and an officer of an educational institution to seek and respect the truth; to make it clear that utterances made on one's own responsibility are not those of an institutional spokesman.

Academic freedom is valued very highly at Cornell, and the University Faculty defends it tenaciously; nevertheless, the same University Faculty is disinclined to see the concept

abused. Academic freedom does not imply immunity from prosecution for illegal acts of wrongdoing, nor does it provide license for faculty members to do whatever they choose.

Many departments, particularly in the contract units, have commitments to provide services to the people of New York State or to perform studies in areas judged important to the general welfare. Other departments have commitments to maintain broad research programs in certain areas. All departments have obligations to provide advising and balanced programs of instruction for students. Performing the duties of one's position faithfully entails bearing a suitable share in these departmental responsibilities. The initial expectations held of faculty members are usually made clear in the letter of appointment. As time goes on, the faculty member consults with the department chairperson about shifts that may be needed or desired in these duties. It is understood that normally the determination of the precise assignments should not be entirely unilateral but rather by agreement. In case such agreement cannot be reached, the chairperson has the responsibility to exercise his or her authority and decide the matter. If the decision is perceived as unfair, the faculty member can resort to the college-level academic grievance procedures described in this section.

The principles of academic freedom assure wide discretion to the faculty member in determining the thrust of research and scholarship, provided the work continues to fulfill departmental obligation. The presumption is always of self-direction and freedom accompanied by responsibility.

### **Academic Integrity**

Faculty members are responsible for both the maintenance of academic integrity throughout the educational process, and the instruction of students in the meaning and importance of this concept. Classes in each course should be informed at the outset about forms of collaboration that are and are not encouraged or permitted in that course.

On March 13, 2002, the Faculty Senate adopted a resolution strongly urging all instructors to include an explicit statement in their syllabi or other course organizational material, regarding the interpretation of academic integrity in the context of that particular course. In lieu of writing their own syllabus statement, faculty may use the following generic, comprehensive statement on academic integrity, with an optional extension for courses that incorporate collaborative work: "Each student in this course is expected to abide by the Cornell University Code of Academic Integrity. Any work submitted by a student in this course for academic credit will be the student's own

work [*Optional: For this course, collaboration is allowed in the following instances: list instances.*]

Deliberate fraudulence by a student to advance his or her academic status usually merits a penalty of some severity and these cases are governed by the Code of Academic Integrity, reproduced in appendix seven or available on the University Faculty website <http://theuniversityfaculty.cornell.edu/pdfs/AcadIntegCode9.06.pdf>

The *Academic Integrity Handbook* was prepared to provide faculty and others involved in the instructional program with an explanation of the workings of the academic integrity system. A pamphlet entitled, *The Code of Academic Integrity and Acknowledging the Work of Others*, was prepared for students. Copies of both publications are available either in the Office of the Dean of Faculty or on the University Faculty website ([http://theuniversityfaculty.cornell.edu/policies/pol\\_main.html](http://theuniversityfaculty.cornell.edu/policies/pol_main.html)).

The Cornell Law School and the College of Veterinary Medicine have honor codes that provide the means to monitor academic integrity within their own units. These schools are exempt from the general university Code of Academic Integrity.

## **Academic Misconduct**

The following Policy on Academic Misconduct (see also the University Policy website at [http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1\\_2.pdf](http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1_2.pdf)) was adopted by the Faculty Council of Representatives on December 13, 1989, and supersedes the Integrity Policy Statement previously adopted by that body on April 9, 1986. This Policy covers undergraduate, graduate or extramural students only insofar as their actions are not already covered by the Code of Academic Integrity as amended on May 15, 1985.

### Preamble

The search for truth underlies our academic values as an educational institution. Members of the Cornell community, whether faculty, graduate and undergraduate students, or staff, are expected to perform their scholarly and scientific activities with scrupulous honesty and to meet the highest ethical standards. In all academic work they must respect the facts, the appropriate standards of evidence and the contributions and scholarship of others. Each member is expected to promote such standards of integrity in interactions with other scholars and to participate in review procedures and disciplinary actions as may be appropriate in the case of reported violations of these standards.

While taking all reasonable steps to protect the rights and interests of individuals whose work or performance is questioned, the University will vigorously investigate allegations of academic misconduct, for such misconduct on the part of any of its members threatens and subverts the fundamental values of the institution as a whole.

### Academic Misconduct

Academic misconduct includes any act that violates the standards of integrity in the conduct of scholarly and scientific research and communication. This includes, but is not limited to, plagiarizing the work of others, i.e. intentionally or knowingly representing their words or ideas as one's own; deliberately falsifying or fabricating data, citations, or information; forging of academic documents; abusing the confidentiality of information obtained from colleagues or other persons; intentionally or knowingly helping another to commit an act of academic misconduct, or otherwise facilitating such acts; or other practices that seriously deviate from ethical standards that are commonly accepted within the scientific and scholarly communities for proposing, conducting, or reporting research. Academic misconduct does not include honest error or honest differences in interpretations or judgments of data.

### Procedures

#### A. Disclosure of Academic Misconduct

Members of the Cornell University community are obligated to report suspected acts of academic misconduct. The initial report of such an allegation, whether on the part of a faculty member, a member of the staff, a student with a University appointment, or any other person with a University appointment, should be made to the Dean of the Faculty.

#### B. Inquiry

Upon receiving such a report, the Dean of the Faculty shall conduct a preliminary Inquiry into the allegation or other evidence of possible academic misconduct. The purpose of the Inquiry shall be to gather sufficient information and facts to enable the Dean of the Faculty to determine whether an Investigation is warranted. Such an Inquiry should normally be concluded within sixty days of receipt of the initial report of alleged academic misconduct.

In the course of the preliminary Inquiry the Dean of the Faculty shall:

- 1) take all reasonable precautions to protect the interests and the reputation of the individual against whom the allegation was made and the person who made the disclosure;
- 2) conduct interviews with complainant, subject or subjects, and others as necessary or appropriate for purposes of the Inquiry;
- 3) prepare a written report that summarizes the evidence reviewed and interviews conducted and includes the conclusion of the Dean of the Faculty as to whether an Investigation is warranted;
- 4) provide a copy of the report to the subjects of the Inquiry and the complainant for written comment, which comments, if any, together with the report, shall become a part of the record of the Inquiry.

In the event the Dean of the Faculty concludes that further investigation is not warranted, he/she shall terminate the Inquiry. In such case, the report of the Inquiry shall be maintained in the confidential file of the Dean of the Faculty for a period of three years, after which such file will be destroyed.

### C. Investigation

Should the allegations, in the judgment of the Dean of the Faculty, warrant further investigation, he/she, within thirty days of the completion of the Inquiry, shall refer the matter to the Dean of the college or the head of the appropriate administrative unit in which the subject is appointed. The Dean or unit head shall conduct a thorough examination and evaluation of all relevant information to determine if academic misconduct has occurred, and shall advise the Vice Provost for Research (see also the University Policy website at [http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1\\_2.pdf](http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1_2.pdf)) and University Counsel of such action. The Dean or unit head may designate an ad hoc committee, a standing committee, or other personnel to assist in the conduct of the Investigation. The Investigation shall include but need not be limited to:

- 1) examination of pertinent documentation including relevant research data and proposals, publications, correspondence, etc.;
- 2) interviews of all principals and witnesses whenever possible;

- 3) preparation of written summaries of interviews to be provided to the interviewed party for comment and/or revision;
- 4) maintenance of documentation and summaries of interviews as part of the investigative file;
- 5) consultation with experts from within or without the University as deemed appropriate;
- 6) preparation of a written report including documentation and findings regarding academic misconduct, recommended administrative actions to repair any damage misconduct may have caused, and recommended disciplinary actions ranging from reprimand to termination; and
- 7) submission of the investigative report to the subject(s) and the complainant for written comments, which comments, if any, together with the report shall become a part of the record of the Investigation.

A final written report, including the comments, if any, of the subject, shall be submitted by the Dean or unit head to the Dean of the Faculty. The Investigation should normally be completed within one hundred and twenty (120) days after referral by the Dean of the Faculty. If, based upon the report, the Dean of the Faculty concludes that academic misconduct has not occurred, the Investigation is terminated. In such case, the report of the Investigation shall be maintained in the confidential file of the Dean of the Faculty for a period of three years, after which such files will be destroyed.

#### D. Disciplinary Action

Should the Dean of the Faculty, based upon the report, conclude that academic misconduct has occurred, he/she shall recommend such administrative action as may be appropriate to repair any damage the misconduct has caused (notice to publishers, etc.) and such disciplinary penalty as deemed appropriate. Possible penalties range from reprimand to dismissal, depending on the seriousness of the offense. The Dean of the Faculty may, in his or her discretion, accept or reject the findings and recommendations contained in the report and prepare findings or recommendations of his/her own.

Should the Dean of the Faculty conclude that disciplinary action is appropriate, applicable University procedures appropriate to the class of researchers to which the accused belongs will be invoked. For this purpose, he/she shall forward a copy of the

report and his/her recommendation to the appropriate University administrator for imposition of discipline. The subject may appeal any disciplinary action using applicable grievance procedures.

#### E. Confidentiality

Throughout the Inquiry and Investigation of alleged academic misconduct, those conducting the reviews should take all reasonable precautions, consistent with the need for a complete and comprehensive review, to maintain confidentiality and to protect the rights and legitimate interests of both the person making the disclosure and the subject(s) of the reviews.

#### F. Reporting

1) In order to protect the public interest, the interests of the scientific community, a sponsor, or specified individuals, or to insure the integrity of research, persons heading Investigations under this Policy shall inform the Vice Provost for Research (see also [http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1\\_2.pdf](http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1_2.pdf)) of the progress of such reviews in case sponsor or other interactions are required or advisable prior to completion of the Investigation.

2) In cases where it is concluded that academic misconduct has occurred, the Vice Provost for Research (see also the University Policy website at [http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1\\_2.pdf](http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1_2.pdf)) will notify and submit reports to sponsors upon completion of the Investigation, or as required by sponsor regulations.

#### G. Government Procedures

In cases where academic misconduct is alleged to have occurred in the course of research subject to applicable governmental regulations as, for example, violations which may occur in the course of research sponsored by the National Science Foundation and/or the National Institutes for Health (see also the University Policy website at [http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1\\_2.pdf](http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1_2.pdf)), the requirements of such governmental regulations shall apply and supplement and/or, to the extent inconsistent herewith, supersede, the provisions of this Policy. In that event, applicable governmental time periods for conduct of the review process, reporting procedures and other substantive and procedural requirements will be adhered to.

## **Academic Year and Calendar**

The university bylaws define the academic year as the approximately nine-month period beginning two working days before registration in the fall term and ending on the last day of final examinations in the spring term. Faculty members are not free to depart the campus before submitting grades for their spring-term courses. The summer period is defined as the period between the last day of one academic year and the first day of the following academic year.

Faculty members on both nine-month and twelve-month appointments are expected to be present throughout the academic year (barring leaves of absence, university holidays, and legitimate professional travel) to meet their academic responsibilities.

The provost has authority for setting the details of the calendar after consulting with the Student Assembly and the Faculty Senate. Copies of academic calendars are available from the Office of the Dean of Faculty or may be accessed on the University Faculty website at:

<http://www.cornell.edu/academics/calendar/>

Small variations, announced in advance to the university community, are sometimes introduced into this calendar.

## **Advising**

As a rule, faculty members with responsibility for undergraduate instruction are expected to engage in the advising of undergraduate students. The precise form of this advising varies from one academic unit to another and is ordinarily established by the department chair or dean in consultation with individual faculty members. The advising expected of faculty members usually pertains to academic work within their students' college or academic major but frequently includes advice about career objectives as well (see Career Services in section 7.0). Students with emotional or psychological difficulties should seek counseling through the Counseling and Psychological Services (CAPS) at the university health center (See Cornell Health: Cornell University Health Services in section 7.0). Faculty are also encouraged to contact CAPS if they are concerned about a student's health.

## Book Lists for Courses

Faculty members are encouraged to submit textbook orders to the Cornell Store as promptly as possible in order to help the university manage students' total cost of education. Faculty may work with their departments' textbook coordinators or submit orders directly to the store online (<http://www.store.cornell.edu/faculty.html>) or by email ([textbooks@cornell.edu](mailto:textbooks@cornell.edu)). Textbook lists for the fall term are usually due by mid-April, for the spring term by mid-November, and for the Summer Session by late March. (Please check the course material section of the store's website for the actual dates.)

In addition to providing traditional textbook services, The Cornell Store can assist faculty in providing departmentally authored materials, custom course packs and copyright clearance. Deadlines for such services are similar to book list deadlines.

The Cornell Store provides desk copy forms, and a database of publisher information, both are available online at the course materials section of the store's website. Requests for desk copies should be made directly to publishers.

Faculty can help minimize students' textbook expenses in a variety of ways.

Early textbook adoptions enable students to explore multiple purchase options and give students broader access to used books.

Faculty should indicate on their course syllabi and inform the store whether students can use an earlier edition of a required textbook.

University libraries can help ensure that enough copies of every required text are available through the course-reserve system.

Course syllabi should indicate the frequency that students will be using required textbooks so that students can decide whether to purchase or rent the textbooks or rely on the course-reserve system.

Faculty should take advantage of technological resources that can alleviate textbook expenses, including free electronic versions of text and open-access materials when available.

## **Class Schedule and Absences**

*Schedule:* The policy on scheduling was established by the University Faculty and the Faculty Council of Representatives in 1950 and last amended in 1981:

All lectures, laboratories, recitations, or similar exercises start at specified times and continue for durations of 50 minutes, 75 minutes, one hour and 55 minutes, two hours and 25 minutes, or 3 hours. The university times are printed in "Courses of Study."

On Monday, Tuesday, Wednesday, and Thursday the hours of 4:25 p.m. to 7:30 p.m., on Fridays the hours after 4:25 p.m., on Saturday the hours after 12:05 p.m., and all day Sunday shall be free from all formal undergraduate classes or laboratory exercises.

Evening classes shall be used only on Monday and Wednesday and only when regularly scheduled and included in written college announcements; evening lectures, recitations or similar exercises shall start at 7:30 p.m. and 8:35 p.m., and evening laboratories or similar exercises at 7:30 p.m.

No exceptions to the above class schedules—including the provision for free time on Monday, Tuesday, Wednesday, and Thursday between 4:25 p.m. and 7:30 p.m., on Friday after 4:25 p.m., on Saturday after 12:05 p.m., and on Sunday—shall be allowed except by permission of the dean of the college or the director of the school offering the course; such exceptions as are approved shall be regularly scheduled and included in written university announcements.

*Absences.* The obligations of academic employees, such as the teaching of classes, meeting with advisees, directing graduate students, and research or extension services to which the university has made a commitment, should not go unmet.

Accordingly, the occurrence of inadvertent or unforeseeable absences, such as those due to sudden illness, transportation breakdown, or other emergency, should be communicated as soon as possible to the employee's department chairperson or director, who will arrange for a substitute or inform students and others dependent on the employee's presence. During planned absences, provision acceptable to the chairperson should be made for fulfillment of the employee's academic obligations, and such provision communicated to students and others affected.

When an academic employee who has missed holding a class assigns a makeup session at a time when the class is not regularly scheduled, some of the students may have other obligations that prevent attendance at that time. If, in attempting to avoid such conflicts, the instructor arranges to have the class taken by a substitute, that person then faces the problem of maintaining the continuity, coherence, and level of presentation provided by the regular instructor. For these and other reasons, the missing of classes should be held to a minimum, and assignments of makeup classes and coaching of a substitute should be done with care. Having such plans approved by the department chairperson is advised.

Students have an obligation to be present throughout each term at all meetings of courses for which they are registered. In some courses, such as physical education and courses in which participation in classroom discussion is considered vital, there may be penalties for absences per se or defined limits to absences, the exceeding of which leads to the student failing the course or receiving a grade of Incomplete. These rules are set by the department or instructor.

In most courses, however, attendance is not taken, and the student's responsibility is for the work covered in the class rather than for being physically present when the class is held. A student is then not penalized directly for missing a lecture, for instance, but is held responsible (in subsequent tests) for knowledge of material presented in the lecture. There are various means by which students can acquire such knowledge and thus avoid an indirect penalty.

It is harder to make up missed work if the class that was missed was a test or a laboratory session or field trip. Such makeups involve the direct cooperation of the instructor. If the instructor feels the absence was unjustified, he or she is not required to provide the student with the opportunity to make up the missed work.

There is no such thing as a "university excuse" for absence from class that frees a student from responsibility for the missed work. Only the instructor of a course can provide such an exemption to a student. **And even the faculty member is not permitted (by legislation of the University Faculty) to cancel classes just before or after academic recesses without special approval of the dean of the school or college concerned. Each faculty member and instructor has the special responsibility of maintaining the regular quality and content of instruction in classes just before and after university vacations, regardless of the number of students present in the classroom.**

There are some circumstances, however, in which faculty members are not supposed to penalize students directly for missing classes and are urged to try to make opportunities for the students to make up work that was missed. These circumstances include, but are not limited to, the following:

Illness, or family or personal emergency. The University expects that students will be honest with their professors about routine illnesses, injuries, and mental health problems that may lead to missed classes, labs, studios, exams, or deadlines. Academic advising staff and associate deans are available to provide assistance to students or faculty members who have concerns about attendance issues. See also the CU Health Excuse Policy at <http://www.gannett.cornell.edu/services/health-excuses.cfm>

Employment interviews: Students often have limited control over the timing and location of interviews with prospective employers. The University expects that students will be honest with their professors about interviews that require an absence, and also that students will plan ahead as much as possible to facilitate arrangements for making up work missed due to absence.

(See also **Disability Accommodation Procedure for Students** in this section.)

Religious observances. The university is committed to supporting students who wish to practice their religious beliefs. Students are urged to discuss religious absences with their instructors well in advance of the religious holiday so that arrangements for making up work can be resolved before the absence. Faculty are urged to announce at the beginning of the semester all activities which, if missed, would require make up work.

The New York State Legislature (since July 1, 1992) requires all institutions (public and private) of higher education not to discriminate against students for their religious beliefs. Accordingly, the pertinent parts of Sections 3 and 4 of the law state:

*"3. It shall be the responsibility of the faculty and of the administrative officials of each institution of higher education to make available to each student who is absent from school, because of his or her religious beliefs, an equivalent opportunity to make up any examination, study or work requirements which he or she may have missed because of such absence on any particular day or days. . .*

*"4. If ... classes, examinations, study or work requirements are held on Friday after four o'clock post meridian or on Saturday, similar or makeup classes,*

*examinations, study or work requirements . . . shall be made available on other days, where it is possible and practicable to do so. . . ”*

Both Cornell as an institution, and its faculty members, have an obligation to comply with the laws of New York State. The language of the law is vague, and particular situations may need interpretation. The Office of the Dean of Faculty may be contacted either for questions or further clarification.

Weather. During winter weather, "snow days" occasionally cause delay or cancellation of activities at the university. Times for making up missed activities in a coordinated way are publicly announced on such occasions. The local radio stations, *The Cornell Daily Sun*, the *Cornell Chronicle*, and other media convey the news.

Athletics and Extracurricular Activities. Students whose participation in varsity athletics or other recognized extracurricular activities requires occasional absences from the campus may present an appropriate slip or letter with the signature of a responsible official, attesting that the proposed absence is in connection with a recognized activity. In the case of athletics, the Faculty Advisory Committee on Athletics and Physical Education must approve the schedule of events and associated athletic leaves of absence each year, thus assuring that the athletic absences are kept within approved limits and guidelines.

Final examination conflict. See Examination and Academic Activities in this section.

## **College-Level Grievance Procedures**

The university sets minimum standards which are intended to provide appropriate means by which individuals holding academic appointments at Cornell who believe themselves to be aggrieved can obtain consideration and, possibly, redress of their grievance. These minimum standards, available on the University Policy website at [http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/humanresources/upload/vol6\\_2\\_10.pdf](http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/humanresources/upload/vol6_2_10.pdf) , have been implemented to assist the colleges of the university in establishing their specific grievance procedures.

Each college is responsible for establishing grievance procedures that must be published and distributed to all individuals covered by them. Although specific procedures may vary from college to college due to the particular circumstances of each, they must be consistent in their recognition of the interests and responsibilities of the individual, the college, and the university.

A formal grievance procedure may be invoked to seek redress of decisions made and/or actions taken at the departmental, college, and/or university level that the academic employee may consider intolerable to the effective execution of his or her responsibilities. Grievable actions may apply to a number of separate or related components of those responsibilities including: reward; academic freedom; work assignment; working conditions; legally prohibited discrimination involving, but not limited to such factors as race, color, creed, religion, national or ethnic origin, sex, sexual orientation, age, or disability; and the existence of, adequacy of, and adherence to equitable grievance procedures.

Anyone contemplating the initiation of an academic grievance can receive information and counseling from the Office of the University Faculty, the office of the dean of the school or college, or the Office of the University Ombudsman.

### **Commencement Ceremony**

Members of the University Faculty are encouraged to participate in the commencement exercises, which are scheduled on the last Sunday in May. The traditional ceremony begins with an academic procession, which forms on the Arts Quadrangle and proceeds to Schoellkopf Field. In the event of severely inclement weather, the graduation ceremony is shifted to Barton Hall, and there will not be a procession. The president delivers the only address, and no honorary degrees are conferred. A recognition event is held for the doctoral candidates the evening before in Barton Hall. Faculty are encouraged to participate by processing in this formal event to support their doctoral candidates. All other degrees are given out after the ceremony on Sunday in each school or college. The university maintains a supply of gowns, caps, and hoods for faculty members to borrow for ceremonies on this campus or elsewhere (see Academic Regalia in section 7.0).

### **Conflicts of Interest (and Conflicts of Commitment)**

All faculty, staff, directors, deans, executive officers and trustees are expected to serve the educational and public purposes to which the university is dedicated. Accordingly, all such members of the university community are obligated to conduct the affairs of the university in a manner consistent with those purposes and to make all decisions solely on the basis of a desire to promote the best interests of the institution. A conflict of interest may arise when a member of this institution engages in academic, business, administrative, or other decisions in ways that could lead to personal gain or advantage of any kind. A conflict of commitment arises when a member undertakes external commitments, which interfere with primary obligations, and commitments to Cornell.

Therefore, it is incumbent upon all faculty and staff to familiarize themselves with the Conflicts Policy as approved by the Board of Trustees (available at <http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/governance/upload/Conflicts.pdf>) and to complete, each year, the Annual Disclosure Statement of External Interests and Time Commitments.

## **Consulting**

### Principles

Consulting privileges are limited to the professorial staff and there are many reasons why faculty members should engage in outside consulting work. It is desirable that they remain in close communication with the world outside the institution and especially with that part of the world concerned with their area of specialization. Consulting is a means of maintaining this liaison as well as of offering solutions to practical problems and thereby testing the soundness of theories taught in the classroom and laboratories. While consulting activities often enhance a faculty member's value to Cornell, it can result in conflicts of interest and conflicts of commitment which compromise the faculty member and the institution.

In private consulting it must be kept clear that the faculty member does not represent the university. Private consulting activities of faculty members must be viewed in relation to their overall responsibilities to Cornell, and should not become so extensive that they interfere with those responsibilities.

### Policy

Full-time faculty members must inform their department chairpersons of all plans to do private consulting for which they are compensated. Unless the regular duties include consulting services to the public, each full-time professor may engage in private consulting work, provided such work, in the judgment of the department chairperson and in accordance with the principles stated above, enhances the value of the individual to the university and does not interfere with regular university duties. Consulting work of an unusual nature may be undertaken only when approved by the dean of the faculty member's college.

The law establishing the contract colleges requires faculty members in those colleges to perform teaching, research, and extension duties. Faculty members in contract units should therefore check with their

department chairpersons before consulting for a fee with New York State corporations or organizations that may be entitled to extension help without cost.

In general, faculty members may undertake paid consulting for the equivalent of one day a week during the period for which they are paid for service, however, faculty should check with their college, school or division. The time that a faculty member is allowed to consult does not accumulate from year to year. Consulting involving time beyond that allowed, or necessitating an absence from the campus longer than seven consecutive days, may be undertaken only when approved by the dean of the faculty member's school or college..

Note: Individual schools, colleges or divisions may have promulgated additional consulting rules consistent with the Cornell University Conflicts Policy. Such supplemental rules may be obtained from the individual schools, colleges or divisions.

#### *Use of University Equipment for Private Consulting or Research*

The following university guidelines were adopted by the Deans' Council on April 7, 1981:

Faculty members who have external private consulting or research arrangements which involve personal financial gain, may use university equipment for such purposes only after the approval of the department chairperson, director, or dean. Approval will be contingent on the establishment of a service charge by the unit providing the service where such a charge is appropriate. If such charges are on a continuing basis, they should be discussed with the Controller's Office.

#### **Copyright Policy**

Cornell University is committed to providing an environment that supports the research and teaching activities of its faculty, students and staff. As a matter of principle and practice, the university encourages all members of the Cornell community to publish without restriction their papers, books, and other forms of communication in order to share openly and fully their findings and knowledge with colleagues and the public. The Copyright Policy has been prepared in this spirit and with this intent, and is intended to promote and encourage excellence and innovation in scholarly research

and teaching by identifying and protecting the rights of the university, its faculty, staff, and students.

Copyright ownership and the rights thereof are concepts defined by federal law. University policy is structured within the context of the federal copyright law. The long-standing academic tradition that creators of works own the copyright resulting from their research, teaching, and writing is the foundation of the university's Copyright Policy. Exceptions to this rule may result from contractual obligations, from employment obligations, from certain uses of university facilities, or by agreement governing access to certain university resources or when the copyright is related to an invention. The Copyright Policy addresses these exceptions (see <http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/governance/upload/Copyright.html>).

## **Degrees**

The establishment or discontinuance of degrees conferred by the university is a responsibility of the Board of Trustees. The board acts on recommendations of the University Faculty, which, in turn, makes its recommendations with the approval of the school or college concerned. The requirements for the various degrees offered are determined by the individual school and college faculties. The University Faculty has established two universal requirements for all undergraduate degree candidates: the swim test and two semesters of physical education. New York State law mandates that curricula and course work shall be based on an average of thirty credit or semester hours for each year of full-time study.

By tradition, Cornell University does not award honorary degrees. Only two departures have been made from this practice and those occurred in the early days of the university. Honorary degrees were awarded to Andrew Dickson White, the university's first president, and to David Starr Jordan, a member of the first class and the first president of Stanford University.

## **Disability Accommodation Procedure for Students**

Federal and state disability laws mandate that universities make the necessary modifications to their academic requirements to ensure that they do not discriminate or have the effect of discriminating against qualified students with disabilities.

To be considered a "qualified" individual with a disability, Section 504 of the Rehabilitation Act of 1973 requires that a student meet the academic and technical

standards for admission and continued participation in a university's education program or activity. Section 504 and the Americans with Disabilities Act of 1990 (ADA) define an individual with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activities, has a history or record of such an impairment, or is regarded as having such an impairment. Examples of recognized disabilities include but are not limited to, blindness, deafness/hard of hearing, learning disabilities, Attention Deficit Hyperactivity Disorder, chronic medical conditions, and mental health conditions.

Students with disabilities, the office of Student Disability Services (SDS) and course instructors all have roles in the classroom accommodation process.

*The role of students in the disability accommodation process:*

Students who wish to use disability accommodations must self-identify to SDS and provide disability documentation at their own expense. Documentation must meet established university guidelines. Upon request, the SDS office provides registered students with an accommodation notification letter for their instructors. These letters list the approved accommodations for the student. Students must give the notification letter to the instructor and discuss their specific needs for access in the course. Students are responsible for providing sufficient notice to allow the faculty member to make the necessary accommodation arrangements.

*The role of Faculty in the disability accommodation process:*

Faculty members are responsible for ensuring equal opportunity for students with disabilities in their courses by providing the accommodations identified on the accommodation notification letter prepared by SDS for students. Accommodations are approved for the broad academic environment. If an accommodation approved by SDS would fundamentally alter the academic structure or essential requirements of the course, the instructor should contact SDS as quickly as possible to discuss a modification to the approved accommodation. Timeliness is important to the accommodation process because it may affect the student's ability to remain in a course.

Faculty members should provide disability accommodations only for students who have provided notification letters from SDS. Students who request accommodations without an accommodation notification letter should be directed to the SDS office to learn about the university's disability accommodation procedure. The exception to this procedure is students with obvious physical disabilities who may have immediate need for access (e.g. a student using a wheelchair who may need a table rather than a desk in a classroom). Those accommodations should be made immediately and the student should be directed to follow up with the SDS office.

It is reasonable to expect two weeks notice of accommodation requests. However, if arrangements can be provided with less notice, a faculty member should do so. **A small number of students registered with SDS have episodic health conditions in which they may experience unexpected episodes such as seizures or systemic flareups. These episodes may require accommodations such as flexibility with an absence policy and/or the opportunity to take a make-up exam.** Students should disclose the potential for the need of this type of accommodation at the beginning of the semester.

When the instructor includes a statement about the accommodation procedure of the course in the syllabus, the university and the instructor are ensuring that students are well informed of their rights and minimize the potential for last minute requests for accommodations. Faculty members are encouraged to use the statement below:

*Note to students with disabilities: If you have a disability-related need for reasonable academic adjustments in this course, provide the (Instructor, TA, Course Coordinator) with an accommodation letter from Student Disability Services. Students are expected to give two weeks notice of the need for accommodations. If you need immediate accommodations, please arrange to meet with your (Instructor, TA, Course Coordinator) within the first two class meetings.*

*The role of the SDS in the disability accommodation process:*

The SDS staff reviews disability documentation and determines eligibility for disability services and accommodations that ensure equal opportunity and non-discrimination. SDS will confer with the student and instructor about accommodations unique to a specific course to ensure that essential requirements are met while disability barriers are addressed. SDS addresses access needs by providing accommodations such as adaptive equipment, laptops for exams, lab assistants, alternate format materials, assistive listening devices and note taking assistance.

*Confidentiality:*

Students have the right to confidentiality of their disability status. Instructors may share accommodation information with academic support staff for the purpose of the provision of accommodations. Instructors should refrain from making any disability related comments in front of the class or in presence of other students, faculty or staff who are not directly involved in the accommodation process. Disability documentation is maintained in the SDS office and should only be reviewed by the SDS staff.

## **Examinations and Academic Activities**

*Afternoon and Evening Scheduling.* Certain hours shall be free from all formal undergraduate class or laboratory exercises: 4:25 p.m. to 7:30 p.m. on Monday, Tuesday, Wednesday, and Thursday; after 4:25 p.m. on Friday; after 12:05 p.m. on Saturday; and all day Sunday.

*Review Sessions.* Review sessions cannot be scheduled after 4:30 p.m. on any day unless an alternate session is made available for those with conflicts.

### *Preliminary Examinations*

On *Monday and Wednesday evenings* only regularly scheduled courses, and prelims previously approved by the Office of the University Faculty are permitted. Other evening *academic* activities commencing at or after 7:30 p.m. on Mondays and Wednesdays are not allowed. Violation of these rules interferes with other university activities (athletic, musical, theatrical, employment, etc.).

*Evening examinations* may be given on *Tuesday and Thursday evenings after 7:30 p.m.* Large courses (over 30) may schedule evening exams only with prior permission from the Office of the University Faculty. No permission is required for examinations or make-up examinations involving small numbers of students (under 30) if given on Tuesday and Thursday.

*Exceptions.* Permission from the Office of the University Faculty to schedule examinations on evenings other than Tuesdays or Thursdays or at a time prior to 7:30 p.m. will be granted *only on the following conditions:*

- Conditions such as the nature of the examination, room availability, large number of conflicts, etc. justify such scheduling.
- An alternate time to take the exam must be provided for those students who have academic, extracurricular or employment conflicts at the time scheduled.

(See also *Disability Accommodation Procedure for Students* in this section.)

If there is a conflict between an examination listed on the schedule developed at the annual evening prelim scheduling meeting and an examination not on the schedule, the examination on the schedule shall have priority. The course not on the schedule **must**

provide an alternate time to take the examination for those students faced with the conflict.

If a student has conflicting examination schedules, both of which are on the schedule developed at the annual evening prelim scheduling meeting or both of which are not on the schedule, the instructors of the courses involved must consult and agree on how to resolve the conflict. Both instructors must approach this resolution process with a willingness to provide an alternative or early examination.

Courses utilizing evening examinations should indicate this in the course description listed in "Courses of Study," "The Course and Time Roster," and "The Course and Room Roster" and must notify students of the dates of such examinations as early as possible in the semester, preferably when the course outline is distributed.

#### *Final Examinations and Other End-of-Semester Exercises*

Advances in pedagogy and variations in practice across fields have broadened the range of commonly used end-of-semester evaluative exercises beyond traditional sit-own final examinations. The rules and guidelines that follow aim to protect students from unreasonable demands on their time while simultaneously providing instructors the flexibility necessary to design evaluative exercises appropriate to their courses.

The Academic Calendar sets aside, after the last week of classes, a four-day study period followed by a period for final examinations. The Registrar's Office assigns to every course a specific day and time during final-examination period at which time the course's final exam, if any, will take place. The designated final exam days and times are scheduled carefully to minimize conflicts and spread students' workloads as evenly as possible over the exam period.

It is university policy to discourage more than two examinations for a student in one twenty-four hour time period. Members of the faculty are urged to grant student requests for a make-up examination, particularly if their course is the largest of the three involved and thus has the strongest likelihood of offering a makeup for other valid reasons, e.g. a student's illness or a death in a student's family. (See also **Disability Accommodation Procedure for Students** in this section.)

Legislation of the University Faculty (as last amended by the Faculty Senate on May 14, 2008) governing study period and examinations and other end-of-semester exercises is as follows:

1. No final examinations can be given at a time other than the time appearing on the official examination schedule promulgated by the Registrar's Office without prior written permission of the dean of the faculty.
2. No permission will be given, for any reason, to schedule final examinations during the last week of classes or the designated study period preceding final examinations.
3. Permission will be given by the dean of the faculty to reschedule examinations during the examination period itself if requested in writing by the faculty member, but only on condition that a comparable examination also be given for those students who wish to take it at the time that the examination was originally scheduled. The faculty member requesting such a change will be responsible for making appropriate arrangements for rooms or other facilities in which to give the examination.
4. The final due date for a take-home final examination can be no earlier than the date appearing on the official examination schedule promulgated by the Registrar's Office without prior written permission of the dean of the faculty.
5. A course that requires a culminating end-of-semester exercise (for example, a paper, project report, final critique, oral presentation, or conference) in lieu of or in addition to a traditional final examination, must advertise at the beginning of the semester the nature of the exercise.
6. A course that requires a culminating end-of-semester exercise and does not offer a final examination must allow students at least until the date appearing on the official examination schedule promulgated by the Registrar's Office to complete submission of materials associated with the culminating exercise. (For example, a student making a presentation during the last week of classes or during study period will have at least until that scheduled final-exam date to submit a final write-up or equivalent.)

*Return of Exams, Papers, etc.* Although there is no federal or state legislation that pertains to the manner in which graded work is to be returned to students, the returning of such materials should be handled in such a manner as will preserve the

student's privacy. Students have a right to examine their corrected exams, papers, and the like, in order to be able to question their grading. They do not, however, have an absolute right to the return thereof. Exams, papers, etc., as well as grading records, should be retained for a reasonable time after the end of the semester, preferably until the end of the following term, to afford students such right of review.

*Due Date for Submitting Final Grades.* Prompt submission of final grades is essential. Colleges set their own due dates for final grades independently each semester in consultation with the university registrar.

## **Grades**

Only the instructor of the course has the responsibility and authority to judge the quality of a student's work and assess the appropriate grade. No one can overrule instructors and require them to go against their judgment of the work. Grading must not be arbitrary or capricious or influenced by illegal discriminatory considerations. To avoid the influencing of grades by improper consideration or student pressure, a grade, once given, may only be changed if an error in the original grade is claimed by the instructor. The instructor should be willing to review the basis of an assigned grade with an inquiring student and correct the grade if an error is found. The evaluation of the quality of the student's work is solely up to the instructor, but the grade must not contain a punitive element for an offense against academic integrity if the student has been found innocent of this offense by a duly constituted board.

### *Grading System*

In May 1965, the University Faculty adopted the Cornell University Grading System, a letter system of grading with shadings of pluses, minuses, and variations in grade-point values, as well as a system of symbols to be used in lieu of grades. The grading system is attached as appendix 8. It is also available from the Office of the Dean of Faculty and available online at:

<http://www.theuniversityfaculty.cornell.edu/handbook/APPENDIX8.pdf> .

*The S-U System.* Alongside the letter-grade system stands an *S-U* System, in which *S* means satisfactory, as defined by performance that would be graded C- or higher, and *U* means unsatisfactory, as defined by performance that would be graded below C-. Grades of *S* and *U* are not given grade-point values or taken into account in computing grade-point averages. **The purpose of the S-U System is to encourage students to venture into courses outside their main areas of familiarity without great risk to their**

**academic record.** The border between *S* and *U* is not the same, however, as that between pass and fail in the letter-grade system. Credits toward the fulfillment of graduation requirements are earned for courses evaluated *S* but not for those graded *U*. The various schools and colleges differ in the restrictions they place on the election of *S-U* grading over letter grading. But in those courses where college rules and course procedures allow it, the election is a student option that must be exercised within the first seven weeks of the beginning of the term. Students may not defer the decision in the hope of first seeing the letter grade they are likely to earn.

*Incomplete.* The symbol of *Incomplete* is only appropriate when two basic conditions are met: (1) The student has substantial equity at a passing level in the course with respect to work completed; and (2) the student has been prevented by circumstances beyond his/her control, such as illness or family emergency, from completing all of the course requirements on time.

An *Incomplete* may not be given merely because a student fails to complete all course requirements on time. Such a practice would be open to abuse; by deferring completion of some major course requirement, a student could gain advantage over his or her classmates by obtaining additional time to do a superior job. This is not an option that may be elected at the student's own discretion.

While it is the student's responsibility to initiate a request for an *Incomplete*, reasons for requesting an *Incomplete* must be acceptable to the instructor, who establishes specific make-up requirements. **An *Incomplete* allows a specified amount of time determined by the student's college of registry, for completing course work.** The instructor has the option of setting a shorter time limit than that allowed by the student's college. Several colleges require that a statement signed by the instructor be on file indicating the reason for the *Incomplete* and the restriction, if any.

The consequences of failure to complete all course work within the time permitted will depend upon the policy of the student's college of registry. Some colleges convert the *Incomplete* symbol to a grade of *F*; others let the *Incomplete* stand on the student's transcript. In either case, the option to make up the work is lost.

It is the responsibility of the student to see that all *Incompletes* are made-up within the deadline and that the grade change has been properly recorded with the student's college registrar.

**Faculty under no circumstances should give an *Incomplete* due to pressure to meet the deadline for reporting grades.** The symbol *Incomplete* becomes a permanent part of the student's transcript, even when a grade is later submitted.

*Late Grades.* Late grades should be avoided. They often result in unwarranted academic actions or even in students not being able to graduate on time. Furthermore, late grades must be posted by hand at considerable expense and do not appear on grade slips and may prevent students from receiving recognition for academic achievement.

*Changes in Grades.* Each semester's work is an entity and grades are to be assigned for work completed during the normal period of the semester. Subsequent changes in grade may be made only in the event that the instructor made an error in the assignment of the original grade. As a matter of equity, grades must not be changed after the end of a semester because a student may have subsequently done additional work.

*Posting of Grades.* Posting of student grades by name or a personally identifiable number is prohibited under the terms of the Family Educational Rights and Privacy Act of 1974 (FERPA). However, a student waiver authorizing disclosure of educational records by means of a personally identifiable number (e.g. a student ID number) is acceptable provided that such consent is in writing, dated and signed by the student. **[NOTE: A name or social security number must never be used for this purpose.]** If instructors use this method, the waiver must be for a specific course; must be for a specified period of time (semester, academic year, etc.); must specify the records to be disclosed; and must be retained by the instructor of the course for a period of one year after its expiration. **Students should not be coerced into signing a waiver, as the law requires that it be voluntarily given. Instructors may post grades for students who do not want their student ID number used by establishing a unique identifier known only to that student and the instructor.**

### **Intercollege Compensation**

The practice of paying extra compensation to faculty members employed regularly in one division of the university for temporary services in other divisions could, if unregulated, be abused and might easily undermine the salary structure of the university. When it is necessary, however, and under certain clearly defined conditions, the divisions of the university are permitted to pay qualified members of the faculty for specialized teaching, research, and consulting services.

Note: An honorarium is a token payment generally paid as a means of saying “thank you” for one-time participation in a class or event. Under tax law, such payments to Cornell faculty must be processed through payroll. Honoraria generally do not exceed \$500 and these minor, token payments are not subject to the procedures defined below. Please consult the Cornell University Payment and Tax Services Office at <http://www.payments.cornell.edu> for further information.

### University Policy

Limited and temporary service—such as a single lecture to a scheduled class or a single meeting for consultation—rendered by a faculty member of one division to another division is part of the normal obligation of the faculty member to the university and should therefore be rendered without compensation. The work involved should either be of clear benefit to Cornell or render significant service to the community at large. Intercollege consulting and services are subject to the normal college and university policies on outside consulting.

When an endowed college wants to engage a faculty member normally paid for full-time service in another endowed college for a formal research assignment or regular teaching assignment consisting of one or more courses in the resident teaching program for full-time students, arrangements should be made by the deans of the colleges after consulting with the faculty member. An exchange of funds or other appropriate arrangement between the colleges should be made to compensate for the services provided to one college and the loss of services to the other. The payment is not made directly to the faculty member.

Services rendered by a faculty member in one state-supported unit of the university to another state-supported unit of the university are not compensated. Such service is a normal part of the extension responsibility of the staff of the state-supported divisions.

When an endowed college or division wants to engage a faculty member who is normally paid for full-time service in a state-supported college, special arrangements must be made by the deans of the colleges involved, within the framework of policies established by the university controller, the vice president for financial affairs and chief financial officer, and the director of budget. Funds to compensate a state-supported college faculty

member for instruction or consulting services should never be transferred directly from a departmental account in an endowed unit to a departmental account in a state-supported unit.

A college may pay another college or a faculty member of another college for that faculty member's services as an instructor in extension courses or special adult education programs conducted either on campus or outside Ithaca under arrangements similar to those followed by the School of Continuing Education and Summer Sessions in engaging faculty members. These arrangements require the permission of the chairperson and the dean.

Exceptions to these general rules may be necessary in special circumstances. In such instances the provost, the university controller, and the vice president for financial affairs and chief financial officer, and the deans involved work out mutually satisfactory arrangements.

#### Federal Policy

A unique problem arises when intrauniversity consulting fees are paid from federal funds. Federal agency approvals of the use of campus consultants are difficult to obtain and cannot be counted on. Federal policy in this area is stated in circular A-21 from the Office of Management and Budget (available at <http://whitehouse.gov/omb/circulars/a021/a021.html>). When this situation occurs, the Office of Sponsored Programs should be contacted for guidance prior to submitting a proposal to the sponsor.

"In no event will the [faculty] charge to research agreements, irrespective of the basis of computation, exceed the proportionate share of the base salary for that period, and any extra compensation above the base salary for work on government research during such period would be unallowable. This principle applies to all members of the faculty at an institution. Since intrauniversity consulting is assumed to be undertaken as a university obligation requiring no compensation in addition to full-time base salary, the principle also applies to those who function as consultants or otherwise contribute to a research agreement conducted by another faculty member of the same institution. However, in unusual cases where consultation is across departmental lines or involves a separate or remote operation, and the work performed by the consultant is

in addition to his regular departmental load, any charges for such work representing extra compensation above the base salary are allowable provided such consulting arrangement is specifically provided for in the research agreement or approved in writing by the sponsoring agency."

## Procedures

All arrangements for paid intercollege services must have the prior written approval of the deans of the colleges concerned. Appointment forms with their signatures, stating the stipend and the expected extent of service, must be forwarded at least one week in advance of the assignment to the university controller and the vice president for financial affairs and chief financial officer, who consults with the vice provost for research if funds from federal sources are involved.

Funds for extra compensation ordinarily come from other than normal university sources, such as research contracts or grants. If payment is to come from federal funds, permission for such payment must either be included in the contract or grant or be agreed to in writing by the sponsoring agent. Payment of extra compensation must be through the university's payroll system.

## **Inventions and Related Property Rights**

Cornell University requires inventors to assign to the university or its designee all rights and titles of their inventions and related property rights and result from activity conducted in the course of an appointment with the university and/or using university resources, including those provided through an externally funded grant, contract, or other type of award or gift to the university. This policy, [http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1\\_5.pdf](http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1_5.pdf) , describes the process by which fair and equitable distribution of royalties to the inventor and the University is achieved.

**Patent Policy** – See **Inventions and Related Property Rights** above.

## **Photocopying for Classroom Use**

The Cornell Store provides copyright clearance for both course packets sold in the store and to instructors who make photocopies to hand out in their classes. Contact The Cornell Store for fees and information or go to <https://store.cornell.edu/t-publishing->

[copyright.aspx](#) for general rules of law related to copyright and answers to frequently asked questions about photocopying.

## **Research Policies**

*Annual Disclosure Statements of External Interests and Time Commitments* – See **Conflicts of Interest Policy** in this section.

### *Classified Research*

Following is the text of Cornell University Guidelines on Sensitive and Proprietary Research, adopted by the Cornell Research Council on May 20, 1985 and subsequently updated by the Office of the Vice Provost for Research.

#### Guidelines on Sensitive and Proprietary Research

Given the open nature of Cornell University, research projects which do not permit the free and open publication, presentation, or discussion of results are not acceptable. Nor will the university enter into any agreements unless the principal and co-principal investigators have the final authority on what is to be published or presented. In particular, research which is confidential to the sponsor or which is classified for security purposes is not permitted at Cornell University.

The university will accept only sponsored research projects which are expected to further the research and educational mission of the institution. While a sponsor may delineate the areas of research to be supported, the principal and co-principal investigators must have final authority for decisions on the course of the research program within these limits. The principal and co-principal investigators must also have final authority regarding employment of personnel for the project. In particular, research that is subject to a sponsor's approval of personnel is not permitted at the university.

Recognizing the equity due the sponsor in the support of the research, the university will permit the principal and co-principal investigators to agree to present manuscripts to the sponsor for advice and comment thirty days prior to submission for publication. Beyond the thirty days, delays of up to three months are acceptable on the basis of a formal request from the

sponsor. The university will put forth its best efforts to abide by agreements involving delays in publication or presentation.

While the results of all university research are open, principal and co-principal investigators may be given classified or proprietary information by a sponsor when such information would be useful background material to the research effort. Such information must be identified as such in writing when transmitted and the condition of its acceptance specified. The university will use its best efforts to prevent inadvertent disclosure of such information, but cannot accept a legal responsibility for such disclosure.

This policy does not imply restrictions on a Cornell faculty member's doing work individually as a consultant to government agencies and other sponsors on classified matters. Such consulting arrangements will necessarily be developed on an individual basis and should, of course, be in accord with general Cornell policies on consulting (explained in this section). They cannot involve receipt and storage of classified documents on the university campus.

#### *Export Controls Affecting University Research and Scholarly Activities*

“Export Controls” are those federal laws and regulations that govern the transfer (export or import) or disclosure of goods, technology, information, software, services, and funds originating from the United States to persons or entities in foreign countries OR to non-U.S. persons anywhere, including Cornell (which is deemed to be an export to the country of that person’s most recently acquired citizenship). Faculty must understand and abide by the control and licensing regulations. The Office of Research Integrity and Assurance supports faculty in this understanding and in complying with these regulations. Primers, decision trees, references, and contact information to assist faculty can be found at <http://www.oria.cornell.edu/export/>, and faculty should reference this information prior to travelling abroad, purchasing or using research equipment, or sharing technology or technical data with a non-U.S. person.

#### *Freedom in Research*

On May 10, 1989, the Faculty Council of Representatives (forerunner of the current Faculty Senate) adopted a resolution which endorsed the right of faculty to pursue research of their choosing, as long as that research is within the guidelines of scholarly

quality, is accessible to all interested scholars and is in compliance with the laws of the land. They recognized that the research of a faculty member may be controversial from the moral, ethical, sociological or political viewpoint of others and therefore a faculty member should not be seen as implicating others in the university. Likewise, those who oppose research of a particular kind should be free to express their opposition to it.

Individual faculty members are encouraged to speak out on behalf of a fellow faculty member's academic freedom, either individually or through the Faculty Senate and its committees. Further, the provost, in response to this action, has asked the dean of faculty to provide the strongest support for faculty who are threatened or harassed, on the campus or elsewhere, because of research or other scholarly activities. Threatened or harassed faculty should seek assistance through the Dean of Faculty.

### *Openness in Research*

On September 13, 2006, the Faculty Senate affirmed the Policy of Openness in Research and Public Disclosure of Sponsorship of Research. Cornell University has a tradition of free and open research dating from 1948, and a settled tradition since 1954 of publishing a detailed list of research projects. It is the policy of Cornell University that a listing of all Sponsored Program awards will be made publicly accessible and updated on a regular basis (ideally monthly) giving the name of the Principal Investigator, the name of the unit administering the award, the name of the sponsoring agency (or organization) of the award, the project title, and the amount of the award. Cornell University will decline awards if a sponsoring agency is unwilling to be listed by name.

### *Research Involving Biohazardous Materials*

Federal and state regulations specify compliance of all activities involving biohazardous materials and the facilities used to conduct such work. The university is required to maintain a monitoring committee that inspects facilities, gives initial review and approval of proposed experiments, and provides assurance to granting agencies that the regulations and guidelines will be followed. The Institutional Biological Safety Committee (IBC) was established for this purpose, and all work involving hazardous materials must be reviewed and approved by the IBC before the university can accept an award from a granting agency or the research can be initiated. The Office of Research Integrity and Assurance (ORIA) provides the necessary staff and administrative assistance for the committee and Office of Environmental Health and Safety provides technical expertise and advice as necessary. Please see the IBC website at <http://www.ibc.cornell.edu/>.

### *Research Involving Human Participants*

All research that involves human participants (interaction with, observation of and/or accessing data from or about human participants) must be reviewed and approved by the Institutional Review Board for Human Participants (IRB) **before** the research can begin. Research would include the systematic collection of data for use in publications, presentations, and/or inclusion on any website. The IRB operates under the authority of the Federal Wide Assurance that is negotiated with the Office for Human Research Protection. A Cornell University institutional policy provides the same level of protection for all research participants regardless of the sources of support that is used to support the research. The policy is designed to safeguard the health and rights of the research participants, but it also supplies protection to the Cornell investigators and makes the university eligible to accept federal support for research involving human participants. Information on human participant research may be obtained on the IRB web pages at <http://www.irb.cornell.edu/>.

The policy requires that all research activities involving human participants be under the supervision of a Cornell faculty member who has primary responsibility for complying with the requirements of the IRB.

#### Data Collection through Surveys and Questionnaires:

Concern for the protection of the rights of privacy and a respect for human dignity are essential considerations in programs of data collection through surveys and questionnaires.

1. Questionnaires and surveys directed toward employees must be approved in advance by the Vice President for Human Resources in addition to the approval of the IRB.
2. Questionnaires and surveys directed toward members of the University Faculty must be approved in advance by the Dean of the University Faculty in addition to the approval of the IRB.
3. Questionnaires and surveys to which students will be asked to respond must be approved in advance by the Dean of Students' Office in addition to the approval of the IRB.

### *Research Involving Vertebrate Animals*

All research, teaching, testing, and/or use of vertebrate animals must be reviewed and

approved by the Institutional Animal Care and Use Committee (IACUC) before the activities can be initiated. The IRB operates under the authority of the U.S. Department of Agriculture and the Animal Welfare Assurance that is negotiated with the Office for Laboratory Animal Welfare. The policy is designed to safeguard the welfare of vertebrate animals and makes the university eligible to accept federal support for research involving vertebrate animals. Information on the use of vertebrate animals in research, teaching, testing, and/or use may be obtained on the IACUC web pages at <http://www.iacuc.cornell.edu/>.

### *Salary Recovery and Summer Salary*

**Salary Recovery:** Faculty members may charge a portion of their academic year salaries directly to research grants and contracts. This situation in no way modifies the commitment of the university to tenured faculty members.

The salary and fringe employee benefits charged to a research grant or contract during the period (nine or twelve months per year) of a faculty member's full-time appointment do not flow to the faculty member as extra compensation, since they represent remuneration for work done during the time of the faculty member's obligation to the university. If discretionary funds would have normally paid for the academic year salary, with approval of the college and department, all or part of these funds (i.e., the "salary recovered") may be placed in university accounts under the jurisdiction of the faculty member and expenditures therefrom used for any legitimate university purpose.

**Summer Salary:** Faculty members on nine-month appointments may receive a summer salary from sponsored funds for time spent during the summer period on the associated sponsored projects, subject to sponsor approval, restrictions, and available funds. Since these faculty members are not otherwise obligated to the university during the summer months, such salaries are considered to be additional to the annual compensation.

Summer salary is paid at the rate of one-ninth of the ensuing academic year institutional base salary for each month worked during the summer period. The normal maximum period for charging summer salaries to sponsored projects is two and one-half months (see **Supplemental Summer Employment** in section 2.1).

Faculty wishing to receive more than 2.5 months of summer salary, irrespective of source of funds, must complete the University's Summer Salary Request and Attestation form to obtain the explicit approval of their college dean and to verify their compliance with regulations and policy regarding summer salary, including the items

below. Guidance can be found at

[http://www.research.cornell.edu/VPR/policies/images/pdfs/Summer\\_Salary\\_RABMay09.pdf](http://www.research.cornell.edu/VPR/policies/images/pdfs/Summer_Salary_RABMay09.pdf)

and

[http://www.research.cornell.edu/VPR/policies/images/pdfs/Summer\\_Salary\\_RequestAttest.pdf](http://www.research.cornell.edu/VPR/policies/images/pdfs/Summer_Salary_RequestAttest.pdf).

### *Sponsored Research Expenditures*

Research expenditures cover the costs of direct outlays for equipment; stipends and tuition for research assistants; salaries for postdoctoral associates and other members of the research staff; summer salaries and fringe employee benefits for faculty members; and indirect expenditures attributed to libraries, shops, buildings and other general facilities and administrative support services necessary to the research enterprise. Consistent with federal regulations, sponsored funds may only cover the direct costs of the project activity. As such, the cost of proposal preparation, teaching, or administrative activities may not be charged to a sponsored award, unless prior approval has been received from the sponsoring agency.

Some of the grants and contracts are sought and administered by centers and other campus research organizations other than departments or colleges. These grants and contracts support the work of numerous faculty members and provide special shared facilities that would otherwise be unavailable. Nevertheless, faculty members who are active in research must expect to seek and apply for most of their own supporting funds. Those who are about to do this for the first time are advised to consult with their department heads or directors and with senior faculty members concerning the proposed projects, to benefit from their experience in selecting likely sources of support and effective approaches to follow, as well as in designing research proposals. Several of the colleges maintain research offices that assist members of their faculty to attract research funds.

The proposer of a research project is usually named as the principal investigator or coinvestigator on the project. Research grants are made to the university and applied for in the name of the university (rather than to, and in the name of, the individual researcher), with the university's endorsement. Thus the university takes responsibility for the legitimacy of the project and the administration of funds. For this reason the approval of the Office of Sponsored Programs is necessary before a research proposal is submitted to a granting agency. Signatures of approval are also required from the relevant dean and department chairperson or director to ensure that the project's goals and source commitments are consistent with those of the relevant academic units. The Office of Sponsored Programs is also the entity authorized to negotiate and execute

sponsored awards to the institution. The Office of Sponsored Programs publishes a Guide to Proposal Preparation and Submission, copies of which are available to faculty and other interested parties. See the Office of Sponsored Programs website at <http://www.osp.cornell.edu>. To ensure that financial reporting for sponsored projects is consistent with the official records of the university, it is performed by Sponsored Financial Services. For further information, see <http://www.accounting.cornell.edu/sponsored.cfm>.

### *Use of University Facilities*

The use of University facilities for research and other purposes is guided by the following policy, which was adopted by the Board of Trustees in 1970 and subsequently amended in 1986:

a. General

The property, facilities, and services of Cornell University are for the conduct of instruction, research, general university programs and related administrative uses. No use of university property, facilities, or services shall be permitted which interferes with the conduct of these functions or which is inconsistent with university status as a tax-exempt educational institution.

b. Registered Organizations/Nonuniversity Organizations:

Duly registered organizations, or students, faculty or employees in good standing, may use university buildings and grounds for meetings and events which are limited to members of the university community. When these registered organizations desire to use university facilities for meetings or events which are open to persons other than members of the university's faculty, staff and/or student body, they shall first obtain approval from the university administration before any arrangements are made, including the inviting of speakers, performers or other principals.

Nonuniversity organizations may use university facilities for meetings and events if they are sponsored by a recognized campus organization, they have the prior approval of the university administration, and they are consistent with the university's purposes.

c. Use by Nonuniversity Personnel of University Research Facilities:

The public policy of the state and nation now recognizes and encourages cooperation by institutions of higher education with the industrial and manufacturing sectors in the promotion of advanced study and research and the rapid dissemination of knowledge that will enhance productivity and contribute to the economic development of the state and nation. In furtherance of this policy, Cornell is taking steps, utilizing its research centers and other means to forge an interdisciplinary partnership between the university, industry and government. This statement amends and clarifies university policy as it relates to use of university research facilities by non-Cornell personnel.

University research facilities exist primarily to further free and open inquiry by Cornell faculty, students and staff. Other uses are of secondary importance. In general, non-Cornell personnel using university facilities are expected to abide by the same policies as university personnel. Proprietary use of university facilities by such people is therefore not usually permitted. In exceptional cases where the best interests of the university and the other parties would be served by use of university facilities by outside persons for proprietary or confidential purposes, the vice president for research may grant permission by petition after consultation with the vice president for administration and university counsel respectively regarding financial and legal implications. Any such use should be conditioned upon the execution of an agreement by the user which will protect the financial and legal interests of the university. Approval of such petitions shall be regularly reported to the Faculty Council of Representatives' Committee on Research Policies by the Vice President for Research. In considering such requests, the vice president will apply the following criteria:

- i) Such use must support the educational and research mission of the university.
- ii) There must be a clear need to carry out the proposed work at Cornell.
- iii) A proposal or abstract describing in general terms the purpose of the proprietary work to be done must be submitted for review through the normal channels for use of the facility, e.g. a local review committee. The proposal should be judged for merit and appropriateness for the facility in question, on the same grounds as nonproprietary work. If the proposal is

passed, it becomes part of the public record in the facility. That is, the existence of proprietary use of a Cornell facility may not be kept secret.

iv) All details of the proprietary work to be done (including confidential information) that are relevant to the safety of personnel or of the facility must be made available and approved by the university officer in charge of the facility (e.g. the laboratory director) prior to final approval of the project. The university officer will assure that the proposed work conforms to usual safe operating procedures but will not divulge technical aspects of the work which are confidential.

v) Involvement of University Faculty, students or staff in the proprietary work is limited to the normal facility support services provided for all users.

vi) There will be no difference in the operating personnel or procedures of the facility for proprietary or nonproprietary work. There will be no special security precautions, no special access restrictions, no personnel clearance requirements. Users of university facilities for proprietary work will have to accept this risk of disclosure.

vii) The organization performing the proprietary work must pay Cornell appropriate costs of the use of the facility.

viii) Only a small fraction (usually not more than ten percent) of the use of the facility shall be devoted to proprietary purposes.

## **Tutoring**

No member of the instructional staff, including assistants, may engage, for profit or gain, in tutoring a student in a university course taught by himself or herself or by colleagues in the same department. University buildings or equipment are not to be used by any member of the instructional staff for tutoring for profit.

Students seeking tutoring should contact the Learning Strategies Center, <http://lsc.sas.cornell.edu/>.