Providing Highest Quality Education through Student Integrity

UAB is committed to excellence in teaching, research, and other learning interactions. Trust between UAB’s students and faculty is vital for a university to nurture educational growth and development. UAB’s reputation for credentialing world-class graduates in multiple academic disciplines is based on the confidence that its students have done the work required and that faculty have fairly assessed students’ academic performance.

UAB’s Academic Honor Code sets forth the expectation that all members of our academic community adhere to the highest ethical and professional standards. While defining the types of academic misconduct that can occur, the Code also outlines procedures for investigating academic misconduct and imposing consequences in cases where academic misconduct is found to have occurred.

Technological advances and changes in cultural norms in the learning environment have posed new challenges in maintaining academic integrity and multiplied the potential for and changed the nature of academic misconduct. Therefore, an initiative to revise the Academic Honor Code will address the ethical concerns that institutions of higher education have faced since the advent of the internet, personal devices, and online curricula.

To take on these and other academic integrity challenges, the Office of the Provost has convened a policy drafting committee with specific goals oriented towards

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Student Integrity continued from page 1

consolidating best practices across campus. Under the guidance of Committee Chair, Gregg Janowski, the Academic Misconduct Policy Review Committee has been charged with creating a new policy that:

- Applies to as much of UAB as possible by unifying undergraduate and graduate practices and processes across all schools and the college;
- Adheres to current best practices for due process with guidance from the Offices of Compliance & Risk Assurance and Counsel; and
- Sets forth uniform, fair, and measured consequences and promotes equity and consistency in their application.

“The value of a UAB degree and the reputation of our graduates depends on maintaining high standards of academic integrity.”

- Gregg Janowski, Chair, Academic Misconduct

The Committee also seeks to expand upon and clarify UAB’s current definitions of academic misconduct and to codify University-wide appeals processes. The proposed revision may incorporate University-wide procedures that include steps all faculty should take when a charge of academic misconduct is alleged, from investigation through outcome, and for addressing findings of actual academic misconduct. And in the spirit of shared governance and transparency in the educational process, broad discussion among students and faculty will also inform the new code’s content.

The current UAB Academic Honor Code can be found in the 2019-2020 UAB Undergraduate Catalog (see pages 100-101).

Update on NIH Sexual Harassment Reporting Requirement: How to Notify

In April, Compliance 411 reported on the National Institutes of Health’s (NIH) requirement to report any changes in the status of grantee research key personnel resulting from any investigation due to a sexual harassment concern (see article on page 3, April 2019 Compliance 411). To provide a convenient mechanism for reporting, NIH announces a new webform that allows those in the biomedical research community to report information related to a case of sexual harassment by grantee key personnel directly, and anonymously, if so desired. Notifiers may also contact NIH via their dedicated harassment inbox at GranteeHarassment@od.nih.gov.

To report any instance of sexual misconduct through UAB channels, contact UAB’s Title IX Office, or use the University of Alabama System UAB Ethics Hotline, where one may report anonymously or identify themselves.

These resources are available for more information:

- NIH Anti-Sexual Harassment website;
- NIH February 2019 statement addressing sexual harassment in science;
- Dept. of Health and Human Services Office for Civil Rights (OCR);
- UAB Title IX Sexual Violence and Sexual Misconduct Policy;
- UAB Violence Prevention and Response Policy;
- UAB Equal Opportunity and Discriminatory Harassment Policy;
- UAB Policy Concerning Consensual Romantic Relationships;
- Procedures for the Resolution of Sexual Misconduct Complaints against Faculty, Staff, Affiliates, and Non-Affiliates and Procedures for the Resolution of Sexual Misconduct Complaints against Students;
- A Guide for Victims of Sexual Assault;
- Resources for Victims of Sexual Assault, Dating/Domestic Violence, and Stalking; and
- UAB Behavioral Threat Assessment and Management Program.
Rigorous Compliance Programs Can Merit DOJ Consideration — In Some Cases, Waiver of Prosecution

A university’s compliance program is designed to help prevent wrongdoing, whether intentional or unintentional, through its policies, education & training, and its risk assessment, mitigation, and monitoring processes. It also helps timely and efficiently remediate any problem that does arise. Following the guidance from the U.S. Department of Justice (DOJ) on effective organizational compliance programs may positively impact fraud and false claims investigation outcomes and mitigate sanctions in such cases. In some cases, prosecution has been waived entirely when the organization under investigation can evidence a top-down, rigorous commitment to compliance.

In its April 2019 guidance, Evaluation of Corporate Compliance Programs, the DOJ states that, “U.S. Sentencing Guidelines advise that consideration be given to whether the corporation had in place at the time of the misconduct an effective compliance program for purposes of calculating the appropriate organizational criminal fine.” This approach intends to incentivize organizations to voluntarily disclose misconduct and meaningfully assist the government to investigate and resolve identified issues.

While the 2019 document released by DOJ replaces and supplements their 2012 guidance, its underlying principles remain the same. Overall, the compliance program must be

1. Well designed,
2. Applied in good faith, and
3. Work well in daily operations.

The 2019 document elaborates on these basic premises, providing more precisely-defined recommendations that address all key areas of organizational compliance.

☐ Makes measurable progress over time;
☐ Provides its constituents with real-world examples of misconduct;
☐ Focuses on leveraging metrics to test its effectiveness;
☐ Retains the proper staff and budget resources to carry out its implementation, including risk-area audit, action plans, and results analysis;
☐ Establishes a line of reporting by compliance officers directly to the President;
☐ Integrates operations proactively to work with other organizational units, especially internal audit, procurement, and third-party vendor management;
☐ Adopts a risk-based approach to distribute its efforts commensurately among low- and high-risk areas;
☐ Evidences monitoring and metrics that measure compliance program effectiveness especially in areas such as policies and procedures, risk assessments and management, and education and training;
☐ Establishes obligated gatekeepers who have been trained on responding to high-risk activities;
☐ Adopts stringent third-party controls including auditing, periodic due diligence, and communication of organizational policies and procedures through training and certification;
☐ Implements whistle-blower protection and an appropriate complaint submission process, both of which are publicized to its workforce;
☐ Provides its compliance officers with unobstructed access to reporting and investigative information; and
☐ Conducts thorough, expert-designed evaluation of the compliance program to determine the effectiveness of efforts to address risk areas sufficiently.
In context of the multiple roles that UAB’s culture of collaboration and innovation confers upon many faculty, researchers, and scholars, the President’s Risk Cabinet has established an initiative to explore a coordinated approach to identifying and managing conflicts of interest (COI) in UAB activities. It is increasingly important to study risks associated with complex professional relationships to ensure there are no gaps in current COI-related oversight, policies, and processes.

The Comprehensive Conflict of Interest Committee has been charged with this task and comprises individuals representing the interests of the Provost, Research Administration, Financial Affairs & Administration, Human Resources, and the Offices of Compliance & Risk Assurance and Counsel. Responsibilities of the Committee include:

- Working with UAB faculty and staff to promote an organizational culture that honors transparency and objectivity;
- Leading a cohesive, comprehensive approach to identifying and managing actual, perceived, and potential conflicts of interest; and
- Engaging and partnering with management to build awareness of conflict of interest risks to employees and the institution.

While UAB has several different policies specific to COI in Human Resources, research, and the Institutional Review Board, the policy governing them all is the **UAB Enterprise Conflict of Interest and Conflict of Commitment Policy**. This overarching policy describes UAB’s commitment to conducting its activities in ways that maintain the public trust and requires employees to take initiative in identifying and appropriately managing any conflicts. See the comprehensive list of COI policies below for area-specific information. For some examples of potential conflicts of interest, see page 5.

<table>
<thead>
<tr>
<th>UAB Conflict of Interest Policies &amp; Procedures</th>
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<tbody>
<tr>
<td><strong>General</strong></td>
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<tr>
<td>UAB Enterprise Code of Conduct</td>
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<tr>
<td>UAB Enterprise Conflict of Interest and Conflict of Commitment Policy</td>
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<tr>
<td>External &amp; Internal Activities (Faculty Handbook)</td>
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<tr>
<td>Policy Concerning the Use of UAB Resources by External Entities</td>
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<tr>
<td>Acceptance of Gifts, Awards, and Prizes</td>
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<td><strong>Human Resources</strong></td>
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<td>HR Policy 123: Nepotism</td>
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<td>HR Policy 128: Employment &amp; Other External Activities</td>
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<td><strong>Research/IRB</strong></td>
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<tr>
<td>Institutional Conflict of Interest Policy</td>
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<td>UAB Policy on Conflicts of Interest (IRB POL023)</td>
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<tr>
<td>Procedure for Identifying &amp; Managing Investigator and Institutional Conflicts of Interest (IRB PRO123)</td>
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<tr>
<td>UAB Policy on IRB Member and Consultant Conflicting Interest (IRB POL009)</td>
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<tr>
<td>Procedure for Identifying and Managing IRB Member &amp; Consultant Conflicting Interest (IRB PRO109)</td>
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**COMPLIANCE Challenge**

Read the hypothetical scenario below, and click on an answer A.-C. to enter a drawing for one of two $10.00 Publix gift certificates to be held Oct. 1, 2019. Only those with addresses ending in uab.edu or uabmc.edu qualify.

An investigation into an allegation of academic misconduct resulted in a finding that a student plagiarized a term paper. To address this academic misconduct, the faculty member who taught the course assigned the student an ‘F’ as a final grade.

According to UAB’s Academic Honor Code, in cases where F is given as a consequence, the student will be allowed to:

A. Repeat the course at a later date.
B. Appeal the decision by letter to the chair of the department.
C. Withdraw from the class in exchange for no consequences imposed by the department.

See UAB’s Academic Honor Code on pages 100-101 of the 2019-2020 Undergraduate Academic Catalog.
Grants and Gifts: Understanding Differences Ensures Appropriate Stewardship of Funds

Grants and gifts are significant sources of financial support for UAB core missions. As UAB’s Fundraising Policy and Gift Acceptance Guidelines outlines, the differences between the two are judged on the basis of the intention of the donor or awarding agency, the legal obligations incurred by the institution in accepting the funding, and the way in which the funds are handled and accounted, including application of UAB’s established indirect cost reimbursement rates. Sometimes the words ‘grant’ and ‘gift’ are used interchangeably by third parties, but it is important to understand the differences and treat them appropriately to avoid non-compliance with laws, regulations, or policies that can result in penalties and fines.

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<tr>
<th>Differences Between Grants and Gifts</th>
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<tbody>
<tr>
<td><strong>Grants</strong></td>
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<tr>
<td>Funded by sponsors</td>
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<td>Sponsors expect that completion of the transaction is dependent upon completion of the project.</td>
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<td>Specific objectives, scheduled milestones, and a budget are part of the agreement.</td>
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<td>Detailed accounting and periodic reporting are required by the agreement.</td>
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<tr>
<td>Spending must be within the scope of the project and limited to activities included in a statement of work.</td>
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<tr>
<td>A sponsor may revoke a grant and may require a return of unexpended or unearned funds.</td>
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<tr>
<td>Sponsors may include other terms, such as publication, insurance, or indemnification.</td>
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For questions about grants, contact the Office of Sponsored Programs. For more information on gifts, contact the Office of Development & Alumni.

Examples of Potential Conflicts of Interest

- Personal ← Research
- Personal ← Patient Care
- Personal ← HR Employment
- Personal ← Contracting & Purchasing
- Personal ← Education
- Institutional ← Research
- Institutional ← Education

Questions? See article on page 4, which includes a list of general, HR, and research/IRB conflict of interest policies and procedures. Or contact the Office of Compliance & Risk Assurance at (205) 996-6540.

iThenticate Plagiarism Detection System

As part of its Responsible Conduct of Research risk mitigation initiative, in 2018, the President’s Risk Cabinet approved the implementation of a plagiarism prevention platform for research. You may be familiar with Turn-It-In, which UAB faculty have long used for detecting plagiarism in non-research and student papers. Created by the same company as Turn-It-In, iThenticate’s features are geared towards research and unpublished material. By comparing the texts of research papers to 80% of all existing research journals, iThenticate can detect plagiarism before going to press to prevent reputational and financial consequences of such research misconduct. iThenticate benefits University authors post-publication as well. Once an article is published, that article enters the database of material to be compared to other pre-published items to detect whether it has been plagiarized. Faculty desiring to use iThenticate for research purposes outside of Canvas can visit https://www.uab.edu/ithenticate.
Guide to Protecting Research Data, IP from Foreign Interference

U.S. research institutions continue to learn more about expectations the NIH, NSF, and other funding agencies have for protecting research data and intellectual property from foreign influence and interference. To date, more than sixty institutions have received more than 180 communications from the federal government inquiring about undisclosed foreign affiliations or research support.

UAB is committed to maintaining a research community that adheres to the highest standards of integrity, and a UAB taskforce is working to develop more detailed guidance for addressing federal regulatory requirements related to outside interests and other support. In the meantime, UAB researchers can take the following steps now to ensure they follow UAB best practices:

1. Obtain approval for all external activities, whether located within or outside of the U.S. Begin by completing the Request for External Activity Approval form.

2. Ensure Other Support pages to NIH and other federal agencies, Progress Reports, and Biosketches include all sources of support and commitments of time (even if not receiving salary support) for your UAB appointment, any international affiliations or collaborations, support from entities outside the U.S., outside relationships with foreign institutions, and other adjunct or part-time appointments.

3. Before traveling outside the U.S. or Canada on UAB business, complete the UAB-Related International Travel Registration Form.

4. If your work involves the shipment, transfer, or transmission of export-controlled items or information, you must obtain an export control license. Contact the Office of Compliance & Risk Assurance for more information and next steps.

5. If in doubt, contact the Office of Sponsored Programs or your school’s executive administrator.

Inaugural Research Administration Forum to Be Held September 20

You are invited to attend the inaugural Research Administration Forum, hosted by the Research Administration Network Group (RANG). There will be updates from central administration research offices, continuing education, hot topics, and best practices. Light refreshments will be served, and you will be registered to win a door prize (must be present to win). For details, visit the RANG webpage.

Code of Conduct Corner

Provide Quality Education, Research, and Business Interactions

UAB is committed to providing high-quality services to our students, families, visitors, business partners, colleagues, and the community, whether those services are provided through teaching, research, or business interactions. In performing duties, UAB community members are expected to:

- Promote academic freedom, including the freedom to discuss all relevant matters in the classroom and to explore all avenues of scholarship, research, and creative expression;
- Propose, conduct, and report research with integrity and honesty;
- Protect people and humanely treat animals involved in teaching or research;
- Undertake human subjects research only in accordance with approved protocols;
- Learn, follow, and demonstrate accountability for meeting requirements of regulatory bodies, sponsors, and partners;
- Faithfully transmit research findings;
- Protect rights to individual, UAB, and third-party intellectual property;
- Ensure originality of one’s work and provide credit for the ideas of others upon which work is built;
- Be responsible for the accuracy and fairness of information reported and/or published; and
- Fairly assign authorship credit on the basis of significant contributions.
Congratulations to Compliance Challenge Winners!

By participating in last issue’s Compliance Challenge, Cindy Stoffregen and Martha Graham entered and won a drawing for two $10.00 Barnes & Noble gift certificates. To participate in this issue’s Challenge and enter a drawing for one of two $10.00 Publix gift certificates, see the Compliance Challenge on page 4. This issue’s Compliance Challenge topic is UAB’s Academic Honor Code.

Access information on these Compliance & Risk Assurance areas of focus by clicking on a topic below:

- Alabama Ethics Law
- Conflicts of Interest/Commitment
- Effort Reporting
- Export Control
- External Activities
- Federal Open Payments Law
- International Travel
- Records Retention
- University Policy Review & Development

What are the hallmarks of integrity?

Find nine words below naming things that contribute to integrity.

ABLARINUZPMANEMOCN
CREDIBILITYINRLVWE
CCRETIRINOODAIRXFK
OIWAPROSCBJOUBELQO
UHOHNTHIONKYVISQUU
NUZOBRSOJCAPTIPXAO
TRANSPARENCYQGOHLI
AKDEMEOFEERDSONJIT
BUPSAKRSPLSUPISITU
IXETYVOBJECTIVITYL
LYTOWXOLESEYXBOIH
ITHUSENOJYSISIRGG
TVSNEAJUWUYUWEURLF
YGHWERIZAVERACYE
KULXRMRFUOMIFITUOUD
YSYQRELIABILITYIBC

See answers at the bottom of this page.