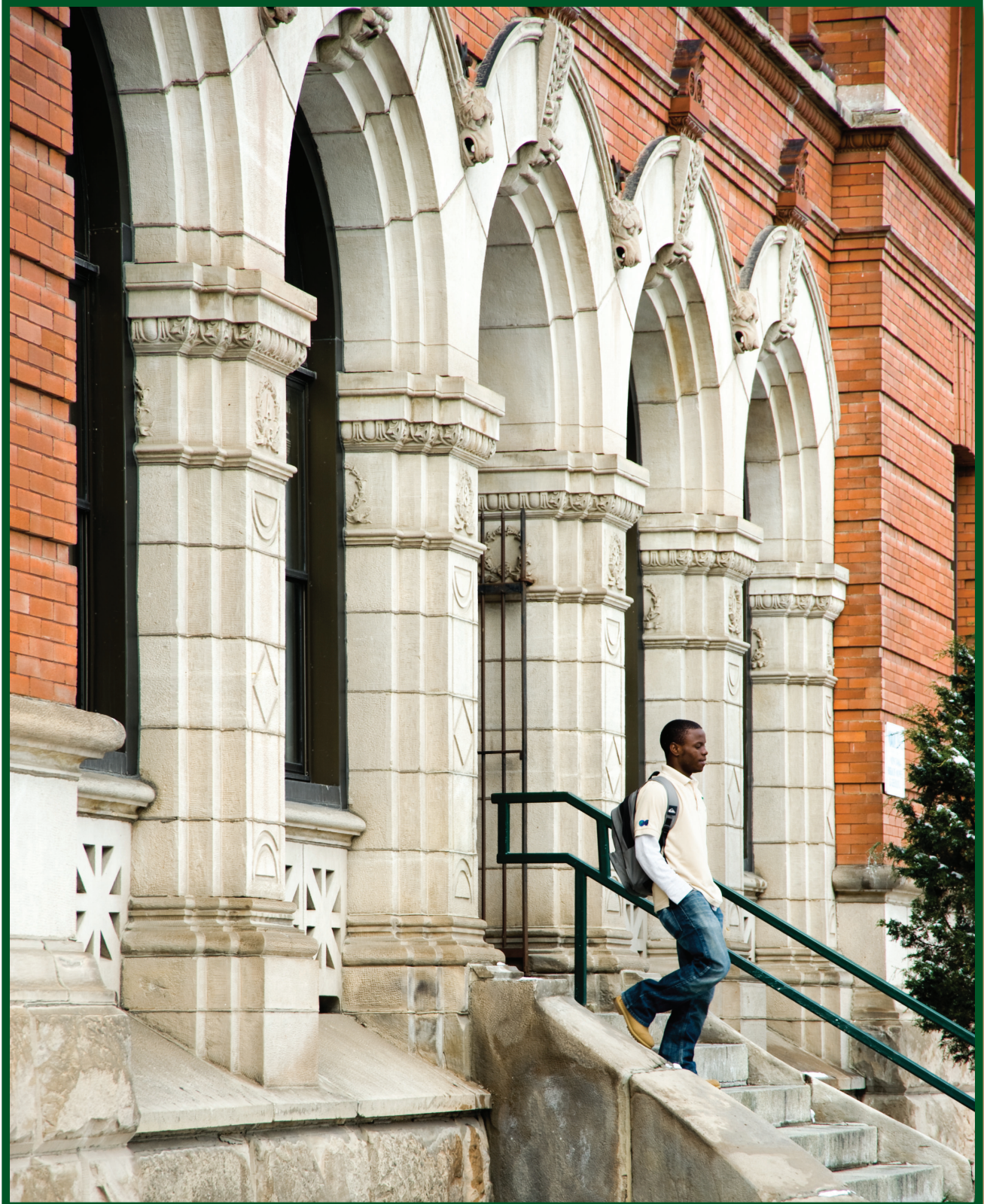


## **S** STANDARD 9 - INSTITUTIONAL INTEGRITY



## INTRODUCTION

Of the many expectations stakeholders have of an institution of higher learning, none is more important than the institution conduct all of its activities - whether in the classroom, in the laboratory, in the boardroom, or on the playing field - according to the ethical norms established for it both by law and by time-tested best practices. Montana Tech continuously strives to meet this expectation in all of its activities. The faculty, administration, staff, students, and others associated with Montana Tech are all expected to observe both the letter and the spirit of the promulgated standards of conduct which apply to them.

## STANDARD 9.A - INSTITUTIONAL INTEGRITY

**The institution adheres to the highest ethical standards in its representation to its constituencies and the public; in its teaching, scholarship, and services; in its treatment of its students, faculty, and staff; and in its relationships with regulatory and accrediting agencies.**

**9.A.1 The institution, including governing board members, administrators, faculty, and staff, subscribes to, exemplifies, and advocates high ethical standards in the management and operations and in all of its dealing with students, the public, organizations, and external agencies.**

The importance that both the Montana University System and Montana Tech place on institutional integrity is reflected in the numerous policies and procedures that address the ethical and professional conduct of administrators, faculty, staff, and of students. In addition to these policies and procedures, many members of the faculty and staff, as licensed or registered professionals in their specific disciplines, voluntarily subscribe to codes of professional conduct that are explicit and, in many cases, legally binding. Moreover, various segments of the institution also subscribe to codes of conduct appropriate to their functions. For example, Student Services adheres to the American College Personnel Association – National Association for Student Personnel Administrators (ACPA-NASPA) Standard of Ethics, and the Business Office adheres to the National Association of College and University Business Offices (NACUBO) Code of Ethics.

As employees of the State of Montana, the administrators, faculty, and staff of Montana Tech are all subject to rules of conduct provided by law. [MCA § 2-2-103](#) prefaces these rules by stating that “the holding of public office or employment is a public trust, created by the confidence that the electorate reposes in the integrity of public officers, legislators, and public employees. A public officer, legislator, or public employee shall carry out the individual’s duties for the benefit of the people of the state.” Rules of conduct are specified in [MCA § 2-2-121](#) and are incorporated by reference in the [Montana Tech Faculty and Staff Handbook](#).

# SELF-STUDY 2010

In addition to the statutory rules, additional rules of conduct are provided by the following key policies on ethical and professional conduct:

- » *Ethics Standards of Conduct for State Employees*. Issued by the Montana Department of Administration, this document covers the rules specified by [MCA § 2-2-121](#) and applies to all employees of the State of Montana. Clearly addressed are items such as conflicts of interest, gifts, and use of public property for private purposes.
- » *Code of Expectations for the Montana Board of Regents of Higher Education*. This statement, adopted by the Board of Regents in 2003, contains a set of principles imposed by the Regents on their own conduct.
- » **Equal educational and employment opportunity**. The equitable treatment of students, staff, faculty, and administrators is embodied in two closely related documents: the Equal Educational Opportunity and the Equal Employment Opportunity Statements, both of which are contained in the catalogs, in the student handbooks, and in the [Montana Tech Faculty and Staff Handbook](#). In addition, the Minority and Gender Equity Achievement Plan and the Access for Persons with Disabilities, contained in the [2009-2010 Student Handbook and Calendar](#) (pages 142 and 146-147, respectively), further expand Montana Tech's commitment to these principles.
- » **Faculty Code of Conduct**. The Faculty Code of Conduct contained in Section II, paragraph 203 of the [Montana Tech Faculty and Staff Handbook](#) addresses how to handle conflicts between the institution and the community and conflicts within the institution. This code of behavior encourages responsibly exercised academic freedom in an atmosphere of collegiality and mutual respect, thereby furthering the mission and objectives of the institution.

**Conflicts of interest.** Issues associated with conflicts of interest are addressed in more detail in Standard 9.A.4 below. As discussed in more detail there, these policies help employees recognize and avoid those circumstances that cause conflicts of interest, and they ensure that any actual or potential conflicts of interest are properly reviewed and, where necessary, are managed according to applicable laws and regulations. Additionally, the Associate Vice Chancellor for Academic Affairs and Research recently completed a campus-wide project in which all faculty members were required to complete Montana Tech's [Conflict of Interest Disclosure Form](#).

- » **Consulting services.** While recognizing the value of engaging in consulting activities, the Board of Regents also makes clear that teaching, research, and public service are the primary responsibilities of faculty members. Both Regents [Policy 401.1](#) and Section II, paragraph 219 of the [Montana Tech Faculty and Staff Handbook](#) (Exhibit 6.C.II) clearly spell out that permission must first be obtained for anyone to engage in consulting activities.
- » **Employment-related actions.** In addition to the equal employment opportunity statement referred to above, Section II, paragraphs 204 through 214, and various paragraphs in Section V of the Montana Tech Faculty and Staff Handbook all cover detailed procedures for employment-related actions.

- » **Intellectual property.** The development, ownership, and use of intellectual property is governed by [Policies 401.2](#) (on inventions and patents), by [401.3](#) (on copyrights), by [406](#) (on ownership of electronic course material), by [407](#) (on technology transfers to business entities), and by [1901.1](#) (on copying and use of computer software) promulgated by the Board of Regents and Section II, paragraphs 217 and 218 of the [Montana Tech Faculty and Staff Handbook](#).
- » **Research activities.** Research and other scholarly activities are addressed by a number of policies which are listed in the [Principal Investigator's Handbook](#) and in its associated supplement. Integrity in these particular activities is specifically addressed in [A Policy to Assure the Integrity of Research and Scholarly Activity](#). Moreover, several of the policies that deal with conflicts of interest also specifically apply to research activities and include the [general policy on conflicts of interest](#).

**Student conduct.** At the beginning of each academic year, each student is given a student handbook that lists expectations for conduct. Included are rules associated with privacy, safety, sexual harassment, with use of alcohol, drugs and tobacco, with use of facilities, firearms, and with information technology. The current edition of the handbook is the [2009-2010 Student Handbook and Calendar](#). Other documents addressing student conduct are:

- » [College Community Expectations Program](#). This document contains procedures to resolve any issues resulting from alleged infringements of individual rights that might arise from student conduct.
- » [Student Judicial Program](#). The student-run Judicial Board (J-Board) acts as a forum for students to settle disputes in a controlled environment. The Dean of Students oversees the J-Board where the majority of disputes are resolved by peers working together to adjudicate the situation.
- » **Academic dishonesty.** Section III, paragraph 308 of the Montana Tech Faculty and Staff Handbook, pages 25-26 of the [Montana Tech 2009-2010 Catalog](#), and pages 138-139 of the [2009-2010 Student Handbook and Calendar](#) all address the issues arising from academic dishonesty. Enrollment at Montana Tech is a voluntary act; by enrolling, a student enters an academic community and assumes the obligations and responsibilities of appropriate academic behavior required by the institution. These obligations and responsibilities are more specific than those imposed on citizens by civil and criminal law. Students who believe that the academic rules have been applied to them unfairly can ultimately appeal their cases to the Academic Standards Committee which is chaired by the Vice Chancellor for Academic Affairs and Research.
- » **Student Expectations.** Within the last year, the campus developed an "Academic Rights and Responsibilities Statement" that is included in the [2009-10 Student Handbook and Calendar](#). This statement addresses the students' rights on campus as well as the expectations that the campus has of them as Montana Tech students.
- » Right to privacy. The protections accorded to student academic records by the

# SELF-STUDY 2010

Family Educational Rights and Privacy Act (FERPA) are restated on page 28 of the *Montana Tech 2009-2010 Catalog* and on page 140 of the *2009-2010 Student Handbook and Calendar*. They are further detailed in Section III, paragraph 306 of the *Montana Tech Faculty and Staff Handbook*.

**Use of information technology.** The use of information technology is governed by a series of policies issued by the Board of Regents and is further governed by a more detailed series of policies issued by Montana Tech's Campus Technology Services. The acceptable use of hardware, software, e-mail, and network resources; privacy; system security; and software piracy are all addressed by these policies.

**9.A.2 The institution regularly evaluates and revises as necessary its policies, procedures, and publications to ensure continuing integrity throughout the institution.**

The Board of Regents reviews and revises its policies and procedures as needed. Board of Regents Policy 103 assigns the responsibility for developing, issuing, and maintaining Board policies to its chief legal counsel.

To ensure their consistency with Montana Tech's mission and goals, their compliance with federal and state laws and regulations, and their conformity with the policies and directives of the Board of Regents, the Chancellor's Cabinet and various campus committees periodically review Montana Tech's policies and procedures. Usually, standing or ad hoc committees draft proposed changes to policies and procedures. Depending on content, any changes are then circulated to the Associated Students of Montana Tech, the Deans Council, the Faculty Senate, and finally to the general faculty for their review and comment. Finalized proposals are subsequently presented to the Chancellor for approval and implementation.

Representative standing committees are listed in Table 9.A.I below.

**TABLE 9.A.I  
MONTANA TECH STANDING COMMITTEES**

REPRESENTATIVE STANDING COMMITTEES	
Academic Freedom and Tenure	Graduate Council
Academic Standards	Grievance
Campus Access	Marketing
Chancellor's Advisory	Professorship/Faculty Salary Supplement
Chancellor's Cabinet	Research Advisory
Computer/Telecommunications Advisory	Safety
Curriculum Review	Staff Senate
Faculty Advisory - College Relations	Student Disciplinary Appeals
Faculty Senate	Web Guidance

As new policies are added or as existing policies are modified, any additions or modifications are reflected on the website, in the *Montana Tech Faculty and Staff Handbook*, and in succeeding editions of the catalog and the student handbook.

## CLOSING THE LOOP

On July 1, 2010, Montana Tech will be a Tobacco Free Campus. Tech was the first campus of the Montana University System that took this step. Numerous forums were held on campus as part of the process of evaluating whether or not the campus should take this step. Faculty, staff, and students were invited to offer their opinions as to whether or not the campus should become tobacco free. Montana Tech received an award from the State of Montana for being the first campus to move towards a tobacco free environment for its students, faculty, staff, and all parties visiting the campus.

### **9.A.3 The institution represents itself accurately and consistently to its constituencies, the public, and prospective students through its catalogs, publications, and official statements.**

To ensure that Montana Tech consistently represents itself in a clear, concise, and accurate manner, the offices of Marketing and Public Relations, Enrollment Services, and Athletics cooperatively develop, distribute, and oversee all communications conducted through electronic and print media, including the website, all major publications, audio and video materials, and media relations. Prior to release, all externally-directed communications are rigorously edited and reviewed by the Director of the Office of Public Relations and Marketing to assure integrity and uniformity, usually following a thorough review by the Chancellor or appropriate Vice Chancellor. An example of Montana Tech's initiative to work with its constituents is provided in the *Vision 2025* document.

Montana Tech has several policies in place on communications with external constituencies. Section VI, paragraph 602 the [Montana Tech Faculty and Staff Handbook](#) provides that:

- » *Any member of the faculty or staff who expresses an opinion on a controversial subject shall preface his or her remarks so as to make clear that he or she is expressing a personal view and is not speaking on behalf of Montana Tech;*
- » *Any member of the faculty or staff who is asked to provide factual information in response to a request from an external constituency may do so, but must do so within the limits imposed by assigned responsibilities;*
- » *All public relations efforts are to be coordinated through the Director of the Office of Public Relations and Marketing; and*
- » *All statements representing the official position of Montana Tech shall come only from the Chancellor, the Director of the Office of Public Relations and Marketing, or from another individual designated by the Chancellor.*

Montana Tech also has adopted an advertising policy and a set of graphics standards, both administered by the Office of Public Relations and Marketing.

While Montana Tech continues to extensively publish recruitment and other publications in printed form, nearly all of these publications are also available on its website. In some cases, such as the catalog, the printed form of the publication is being phased out. This transition to electronic-only publications will permit Montana Tech to ensure the accuracy of its published materials while increasing their availability.

#### **9.A.4 Institutional policy defines and prohibits conflict of interest on the part of governing board members, administrators, faculty, and staff.**

Few items are more detrimental to the ability of an individual or an institution to carry out a mission effectively than the existence of a conflict of interest--regardless of whether that conflict is real or only perceived to be real. To avoid such conflicts, Montana statutes, Board of Regents policy, and Montana Tech policy all discourage or prohibit conduct that creates or gives the appearance of creating a conflict of interest.

As previously noted under Standard 9.A.1, [MCA § 2-2-121](#) covers rules of conduct for all employees of the State of Montana. Much of subsection 2 addresses conflicts of interest by prohibiting a public employee from:

- » *Using public time, facilities, equipment, supplies, personnel, or funds for private purposes;*
- » *Engaging in substantial financial transactions with any person whom the employee inspects or supervises in the course of official duties;*
- » *Assisting any person with fees, contingent fees, or other compensation in return for obtaining a contract, claim, license, or other economic benefit from the employee's agency;*
- » *Performing an official act that directly and substantially benefits a business or other undertaking in which the employee has a substantial financial interest or is engaged as agent, consultant, or counsel; and*

- » *Soliciting, negotiating, or accepting employment from a person whom the employee regulates in the course of official duties without first providing written notification to appropriate supervisors.*

These rules are reinforced by a number of the provisions found in the [Ethics Standards of Conduct for State Employees](#) which is promulgated by the Montana Department of Administration.

The Board of Regents has also addressed conflicts of interest in its [Policy 770](#). Intended to complement the previously noted items, this policy:

- » *Provides definitions of when conflicts of interest exist;*
- » *Requires each campus in the Montana University System to maintain a written conflict of interest policy;*
- » *Requires completion of annual disclosure statements in which all employees are required to state that no conflicts of interest exist or to disclose potential or actual conflicts of interest;*
- » *Requires completion of disclosure statements on potential or actual conflicts of interest before submitting proposals for contracts or grants;*
- » *Requires an independent process for assessing, managing, and for resolving conflicts of interest; and*
- » *Requires annual reports by each campus on all conflicts of interest disclosed, managed, and/or resolved.*

Montana Tech's conflict of interest policies can be found in Section II, paragraph 220 of the [Faculty and Staff Handbook](#) (for all employees) and in the [Principal Investigator's Handbook Inserts and Supplemental Information](#) (for employees engaged in research activities). Section II, paragraph 220 prohibits the following conduct:

- » *Accepting additional compensation for services that are normally part of the assigned duties of the employee;*
- » *Accepting compensation for tutoring students;*
- » *Recommending or approving a purchase from an entity coming from an employee who holds a financial interest in that entity without first making known the financial interest;*
- » *Recommending or approving a personnel action coming from an employee with a business association or a financial interest in the person who is the object of the personnel action without first making known the association or financial interest;*
- » *Distributing or using unpublished institutional research for the benefit of a consulting activity or private client; and*
- » *Supervising work performed by a student or staff member for an external entity during normal work hours.*

**9.A.5 The institution demonstrates, through its policies and practices, its commitment to the free pursuit and dissemination of knowledge consistent with the institution's mission and goals.**

In [Policy 302](#), the Board of Regents adopted the classic, original 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors, as revised both in November of 1989 and in January of 1990 by the American



# SELF-STUDY 2010

Association of University Professors and the Association of American Colleges. It reads as follows:

1. *The portion of the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors set out below is endorsed by the Board of Regents of Higher Education. That statement was revised by the governing bodies of the American Association of University Professors and the Association of American Colleges in November 1989 and January 1990, in order to remove gender-specific references from the original text. Those revisions have been incorporated into the statement.*

## **Academic Freedom**

- (a) *Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.*
- (b) *Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.*
- (c) *College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.*

The Regents place particular emphasis on paragraphs (b) and (c) of the above statement as they relate both to the responsibilities and to the privileges which members of the profession and professional organizations associate with this important concept of American life.

This statement is reiterated in Section II, paragraph 202 of the [Montana Tech Faculty and Staff Handbook](#). Article nine of the Collective Bargaining Agreement between Montana Tech and the North Campus faculty also address the notion of academic freedom on the Montana Tech campus.

As an educational institution and as a public institution, Montana Tech places high value on disseminating knowledge. This is exemplified by language of Montana Tech's publication policy, summarized on page 16 of [Montana Tech's Principal Investigator's Handbook](#) (which governs research activities). The summary reads as follows:

*Montana Tech's sponsored activities are conducted as an integral part of the total educational program, and these activities often form the basis for articles in professional journals, seminar reports, presentations at professional meetings, and for student*

*dissertations and theses. Therefore, Montana Tech will only enter into contracts if the results can be published or otherwise disseminated. For development work that may be competition-sensitive, Montana Tech may enter into an information embargo agreement for duration not to exceed one year. Copyrights and publication rights belong to Montana Tech and/or the author. Montana Tech may allow the sponsor to retain ownership of information, as long as Montana Tech has the full publication rights described above and as long as the Principal Investigator signs a statement acknowledging such terms.*

# SELF-STUDY 2010

## SUPPORTING DOCUMENTATION FOR STANDARD NINE

### REQUIRED EXHIBITS

1. Statement or policies on academic freedom.
  - » Board of Regents [\*Policy 302, "Academic Freedom,"\*](#) (see Exhibit 9.R.I).
  - » "Academic Freedom" (Section II, paragraph 202 of the [\*Montana Tech Faculty and Staff Handbook\*](#)), (see Exhibit 9.R.II).
  - » Collective Bargaining Agreement, (see Exhibit 9.R.III).
2. Statements or policies on conflict of interest.
  - » Board of Regents [\*Policy 770, "Conflicts of Interest,"\*](#) (see Exhibit 9.R.IV).
  - » "[\*Conflict of Interest and Financial Disclosure Policy,\*](#)" (see Exhibit 9.R.V).
  - » Section II, paragraph 220 of the [\*Montana Tech Faculty and Staff Handbook\*](#), "Conflicts of Interest," (see Exhibit 9.R.VI).
  - » [\*Principal Investigator's Handbook Inserts and Supplemental Information\*](#) (pages 16-27), (see Exhibit 9.R.VII).
  - » Board of Regents [\*Policy 401.1, "Consulting Services – Faculty,"\*](#) (see Exhibit 9.R.VIII).
  - » Section II, paragraph 219 and Appendix E of the [\*Montana Tech Faculty and Staff Handbook\*](#), "Consulting," (see Exhibit 9.R.IX).
  - » Board of Regents [\*Policy 760, "Service on Outside Governing Boards,"\*](#) (see Exhibit 9.R.X).
3. Policies which guarantee fair treatment of faculty, administration, staff, and students.
  - » Section V, paragraph 518 of the [\*Montana Tech Faculty and Staff Handbook, "Montana Tech Minority and Gender Equity Achievement Plan,"\*](#) (see Exhibit 9.R.XI).
  - » [\*2009-2010 Student Handbook and Calendar\*](#) (page 2), (see Exhibit 9.R.XII).
  - » Section III,, paragraph 313 of the [\*Montana Tech Faculty and Staff Handbook\*](#), "Equal Education Opportunity Policy," (see Exhibit 9.R.XIII).
  - » Section V, paragraph 501 of the [\*Montana Tech Faculty and Staff Handbook\*](#), "Hiring Procedures," (see Exhibit 9.R.XIV).
  - » [\*2009-2010 Student Handbook and Calendar\*](#), "Montana Tech Minority and Gender Equity Achievement Plan," (page 141), (see Exhibit 9.R.XV).
  - » [\*2009-2010 Student Handbook and Calendar\*](#), "Affirmative Action/EEO and Americans with Disabilities Act" and "Access for Persons with Disabilities," (pages 146-147), (see Exhibit 9.R.XVI).
  - » [\*2009-2010 Student Handbook and Calendar\*](#), "Discrimination Complaints," (page 149), (see Exhibit 9.R.XVII).
  - » Section V, paragraph 507 of the [\*Montana Tech Faculty and Staff Handbook\*](#), "Grievance Policy and Procedure," (see Exhibit 9.R.XVIII).
  - » Section V, paragraph 508 of the [\*Montana Tech Faculty and Staff Handbook\*](#), "Montana Tech Community Expectations Program," (see Exhibit 9.R.XIX).
4. Copies of print and electronic promotional materials.
  - » [\*Montana Tech website\*](#), (see Exhibit 9.R.XX).

- » Montana Tech website pages directed at future students, (see Exhibit 9.R.XXI).
  - » Catalogs (1993-1995 through 2009-2010), (see Exhibit 9.R.XXII).
  - » Issues of MNews (August 2005 to present), (see Exhibit 9.R.XXIII).
  - » Issues of Beyond Marcus (November 2008 to present), (see Exhibit 9.R.XXIV).
  - » Press releases database (May 5, 2008 to present), (see Exhibit 9.R.XXV).
  - » Section VI, paragraph 602 of the Montana Tech Faculty and Staff Handbook, “News Releases and Public Statements,” (see Exhibit 9.R.XXVI).
  - » Media and advertising policies, (see Exhibit 9.R.XXVII).
  - » Graphics standards, (see Exhibit 9.R.XXVIII).
5. Code(s) of conduct, statements of ethical behavior.
- » Ethics Standards of Conduct for State Employees, (see Exhibit 9.R.XXIX).
  - » Section V, paragraph 519 of the Montana Tech Faculty and Staff Handbook, “Standards of Conduct for State Employees,” (see Exhibit 9.R.XXX).
  - » Code of Expectations for the Montana Board of Regents of Higher Education, (see Exhibit 9.R.XXXI).
  - » Section II, paragraph 203 of the Montana Tech Faculty and Staff Handbook, “Faculty Code of Conduct,” (see Exhibit 9.R.XXXII).
  - » 2009-2010 Student Handbook and Calendar, “College Community Expectations Program,” (page 137), (see Exhibit 9.R.XXXIII).
  - » Section V, paragraph 508 of the Montana Tech Faculty and Staff Handbook, “Montana Tech Community Expectations Program (Student Judicial System),” (see Exhibit 9.R.XXXIV).
  - » College Community Expectations Program Manual, (see Exhibit 9.R.XXXV).