

# Important University Policies for Faculty and Academic Staff

## Employment

### [Acceptable Use Policy for MSU Information Technology Resources](#)

The Acceptable Use Policy outlines the university's expectations and responsibilities for both users of MSU IT Resources and managers of the IT environment. It discusses topics including, but not limited to: usage of IT resources for personal activities, partisan political activity, or business or commercial use. Questions about this policy may be directed to the IT Service Desk at 517-432-6200 or [ithelp@msu.edu](mailto:ithelp@msu.edu).

### [Anti-Discrimination](#)

The Anti-Discrimination policy (ADP) sets forth expectations for institutional and individual conduct. It applies to all University community members, including but not limited to, faculty, academic staff, support staff, and students. Unlawful acts of discrimination or harassment are prohibited. In addition, the University community holds itself to certain standards of conduct more stringent than those mandated by law. Thus, even if not illegal, acts are prohibited under this policy if they:

1. Discriminate against any University community member(s) through inappropriate limitation of employment opportunity, access to University residential facilities, or participation in education, athletic, social, cultural, or other University activities on the basis of age, color, gender, gender identity, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight; or
2. Harass any University community member(s) on the basis of age, color, gender, gender identity, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight.

Complaints under this Policy are processed and investigated by the Office of Institutional Equity (OIE) pursuant to the ADP User's Manual. Questions about this policy may be directed to the Office of Institutional Equity at 517-353-3922 or [oi@msu.edu](mailto:oi@msu.edu).

### [Conflicts of Interest in Employment](#)

The Conflicts of Interest in Employment policy discusses the expectations, procedure, and approval requirements regarding the employment of relatives in the same unit or department. The policy also defines the term "relative" as a connection between persons by blood, marriage, adoption, domestic partnership, or other personal relationship in which objectivity might be impaired. Relationship to another individual employed by the University shall not constitute a bar to hiring, promotion or reappointment; provided that employment of relatives in the same unit or department or under the same supervisor is authorized only with the prior written approval of the head of the unit or department and the Office of the Provost or the Office of MSU Human Resources as appropriate.

Questions about this policy may be directed to the Office of the Associate Provost for Academic Human Resources at (517) 353-5300 or [ahr@msu.edu](mailto:ahr@msu.edu).

## **Conflicts of Interest, Faculty**

The Conflicts of Interest policy addresses the disclosure, review, management, and resolution of conflicts of interests relating to performance by faculty of their research, teaching, outreach, and service responsibilities at the University. A conflict of interest exists when a faculty member's financial interests or other opportunities for tangible personal benefit may compromise, or reasonably appear to compromise, the faculty member's independent judgment. Each faculty member is responsible for disclosing his/her own conflicts of interest. Questions about this policy may be directed to the Faculty Conflict of Interest Information Officer in the Office of the Senior Vice President for Research and Innovation at (517) 884-7000 or [fcoio@msu.edu](mailto:fcoio@msu.edu).

## **Consensual Amorous or Sexual Relationships with Students** *(revised in June of 2019)*

The MSU Board of Trustees approved revisions to the Consensual Amorous or Sexual Relationships with Students policy at its meeting on June 21, 2019. It replaces a policy which had not been reviewed since November 8, 1996. While several changes were made, the most significant change is the ban on consensual amorous or sexual relationships between undergraduate students and employees classified as faculty and academic staff. This ban exists regardless of whether or not the faculty member has educational responsibility for an undergraduate student and it exists for as long as the faculty member is employed and the student is enrolled as an undergraduate at MSU. If you have any questions about this policy, please contact the Office of the Associate Provost for Academic Human Resources at (517) 353-5300 or [ahr@msu.edu](mailto:ahr@msu.edu).

## **Criminal Background Checks for Faculty, Academic Staff and Executive Management (Self-Disclosure Requirement)**

The Criminal Background Checks (CBC) policy requires individuals currently employed or engaged by the University (whether paid or unpaid) to notify the Associate Provost and Associate Vice President of Academic Human Resources of certain arrests, convictions, or events within 72 hours or at the earliest possible opportunity by using the [Michigan State University Self-Disclosure Form](#). These include:

1. Professional misconduct or sanctions
2. Any civil rights violation that the individual admitted or was determined by a court or other adjudicative process to have committed
3. Any felony crime for which the individual was arrested and charged or any serious crime for which the individual was convicted or pled "no contest."

Engagement in any such conduct will not, in and of itself, result in termination of the appointment. However, failure to disclose such information, or any misrepresentation made in connection with the disclosure, could be grounds for termination.

If you have any questions about this policy, please contact the Office of the Associate Provost for Academic Human Resources at (517) 353-5300 or [ahr@msu.edu](mailto:ahr@msu.edu).

## [Disability & Reasonable Accommodation Policy](#) *(revised in May of 2020)*

The Disability & Reasonable Accommodation Policy (DRAP) prohibits discrimination and harassment against a qualified individual with a disability and prohibits retaliation against those who report disability discrimination or harassment or who request reasonable accommodations. The DRAP sets forth the University's commitment to ensuring equal employment opportunities and access to University programs, services, and facilities for qualified individuals with disabilities, except when an accommodation poses a direct threat to self or others, fundamentally alters an educational program, service or activity, or causes undue hardship.

**Registering a Disability** - The DRAP sets forth the process for registering a disability and requesting reasonable accommodations. Employees needing an accommodation must register with the Resource Center for Persons with Disabilities (RCPD) and provide medical documentation of their disability and of the need for an accommodation. Medical documentation is kept confidential, except as necessary to administer the accommodation process.

**Employee Accommodations** - The Office of Employee Relations (OER) coordinates the accommodation process for employees. Employee accommodations are set forth in a Statement of Employee Accommodation Determination (SEAD). The SEAD communicates to supervisors an employee's need for an accommodation. Supervisors are responsible for maintaining confidentiality of the SEAD and for facilitating the granted accommodations outlined in the SEAD. The SEAD should be held in a confidential place separate from the employee's personnel file. Modifications or changes to the SEAD may only be made after discussion with OER and the issuance of an amended SEAD, as may be determined necessary by OER. Appeals of OER's accommodation determinations may be made to the ADA & Section 504 Coordinator within thirty (30) days of the accommodation determination.

**Questions** - The ADA & Section 504 Coordinator is designated by the University to coordinate compliance with the DRAP and available to answer questions about the DRAP. The ADA & Section 504 Coordinator can be contacted at [ocr.tracy Leahy@msu.edu](mailto:ocr.tracy Leahy@msu.edu).

## [Diversity, Equity & Inclusion E-Learning Mandatory Requirement](#) *(new in November of 2020)*

The program, DEI Foundations at MSU, introduces our campus community to core DEI principles. It is one of many opportunities all employees will have to further their own knowledge and baseline understanding of how we all can work together toward an equitable and inclusive university for ourselves and future generations of Spartans. It is an expectation that we all will approach this learning opportunity with curiosity and an understanding that creating a positive campus culture in which we all can succeed is our united goal. This module is a first step to introduce concepts and skills that will challenge us, while contributing toward living our values and building an inclusive campus. Each of us have lived experiences that differ from one another, and while we may disagree based on our own individual experiences, including perspectives that will be reflected in the online learning, disagreements can be addressed in ways that are respectful, even where strongly held beliefs and values differ. Questions about these requirements may be directed to the Office for Inclusion and Intercultural Initiatives at 517-353-4563 or [inclusion@msu.edu](mailto:inclusion@msu.edu).

## **Dual Appointments** *(revised in May of 2019)*

The Dual Appointments policy states that no faculty/academic staff member holding a full-time appointment at Michigan State University may, during the term of the appointment, or while on leave of absence, simultaneously hold a paid appointment at another institution. Exceptions to this policy must be approved in advance by the Dean and by the Provost and Executive Vice President for Academic Affairs (or designee). Questions about this policy may be directed to the Office of the Associate Provost for Academic Human Resources at (517) 353-5300 or [ahr@msu.edu](mailto:ahr@msu.edu).

## **Faculty Rights and Responsibilities (FRR)**

The purpose of the Faculty Rights and Responsibilities (FRR) policy is to acknowledge the fundamental rights and responsibilities of faculty in carrying out the mission of the University as members of both the academic and the broader public community. It discusses the rights and responsibilities surrounding academic freedom and responsibility, academic governance, teaching, research and creative activity, service, relations with colleagues, and relations to the University and the community. Questions about this policy may be directed to the Office of the Associate Provost for Academic Human Resources at (517) 353-5300 or [ahr@msu.edu](mailto:ahr@msu.edu).

## **Overload Pay**

The Overload Pay policy discusses the eligibility, process and pre-approval guidelines for performing overload assignments related to teaching, research, outreach activities, and academic and student support activities. Overload pay assignments require prior written approval (a) by the immediate supervisor of the individual who will undertake the proposed overload pay assignment; (b) by the administrator of the major administrative unit ("MAU") in which that individual is appointed; and (c) if the unit in which the overload pay assignment is to be performed is different from the unit in which the individual is appointed, by the administrator of, and the MAU administrator for, the unit in which the overload pay assignment is to be performed. In order to be approved, the faculty or academic staff member must be satisfactorily performing their duties and the proposed assignment represents a substantial increase over the individual's regularly assigned duties. Questions about this policy may be directed to the Office of the Associate Provost for Academic Human Resources at (517) 353-5300 or [ahr@msu.edu](mailto:ahr@msu.edu).

## **Outside Work For Pay**

The Outside Work for Pay policy discusses faculty members' obligation to obtain written approval before engaging in paid work outside the University. The Policy applies to work such as consulting and expert witness testimony, as well as any work for a faculty-owned business. The policy permits faculty to obtain approval to engage in outside work for pay for a total average of four days per month (calculated as one full day for any portion of a day that is spent engaged in outside work), provided that the work will enhance the faculty member's expertise as a teacher and scholar and all other policy requirements are met. MSU's Patent Policy and policy on the Development of Copyrighted Materials will apply to employees' activities as they engage in Outside Work for Pay. If you have any questions about this policy,

please contact the Office of the Associate Provost for Academic Human Resources at (517) 353-5300 or [ahr@msu.edu](mailto:ahr@msu.edu).

### **Relationship Violence and Sexual Misconduct and Title IX Policy** *(revised in August of 2020)*

The University strives to provide an academic and work environment that fosters the values of safety; mutual respect; dignity; equity; responsibility; and clear and timely communication. Relationship violence, sexual misconduct, and stalking are in direct conflict with the University's values and policies and present barriers to fulfilling the University's missions.

All faculty, staff, academic staff, students (including graduate students and professional students) volunteers, and other members of the MSU community are expected to comply with the RVSM and Title IX Policy. The policy prohibits sexual harassment as defined by Title IX (sexual assault, domestic violence, dating violence, and stalking), as well as relationship violence (domestic violence and dating violence), sexual misconduct (sexual assault, sexual harassment, and sexual exploitation) and stalking as defined by the University.

The policy also prohibits retaliation. The University defines retaliation as an act or attempted act taken because of a person's participation (or expectation of participation) in a protected activity that would discourage a reasonable person from engaging in protected activity. Retaliation under Title IX is defined as intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX.

The policy contains a detailed explanation of the process for investigations, hearings, appeals and discipline for violations.

Questions about this policy may be directed to the Office of Institutional Equity at 517-353-3922 or [oi@msu.edu](mailto:oi@msu.edu).

### **University Reporting Protocol: Relationship Violence, Sexual Misconduct, and Stalking** *(revised in August of 2020)*

The University Reporting Protocol states that "responsible employees" and "volunteers" who are not otherwise exempt must promptly report incidents of relationship violence, sexual misconduct, stalking, and retaliation that they observe or learn about in their professional capacity or in the context of their work and that involve a member of the University community or which occurred at a University-sponsored event or on University property.

"Responsible employees" are defined as those persons employed by the University as executive management, faculty, academic staff, support staff (including regular, temporary, and on-call), post-doctoral fellows, graduate student employees (including research assistants, teaching assistants, and lab assistants), leased employees, and contract employees. University employees and volunteers who provide important counseling, health, advocacy, and other support services to members of the University community, may be exempt from the reporting requirement. The protocol contains a list of employees exempt

from the reporting requirement. “Volunteers” are defined as persons performing unpaid services for the University as (i) faculty or academic staff, (ii) a University Extension Gold volunteer, (iii) an advisor to students, or (iv) a volunteer for a University Youth Program.

Undergraduate student employees must also report incidents that they observe or learn about in their working capacity and that involve a member of the University community or which occurred at a University-sponsored event or on University property, to their supervisor. Unless otherwise exempt, their supervisor will then report the incident.

Responsible employees and volunteers must report all details known to them about the incident, including what happened, who was involved, when the incident occurred, and where the incident occurred. Responsible employees and volunteers should not investigate or attempt to determine if alleged conduct occurred. The protocol does not restrict the ability of units on campus to investigate and respond to employment or student related issues where appropriate. Incidents of relationship violence, sexual misconduct, stalking, and retaliation must be promptly reported to the Office of Institutional Equity (OIE). Incidents of relationship violence, sexual violence (including sexual assault), stalking, and sexual exploitation must also be reported to the MSU Police Department.

Individuals who violate the reporting requirement may be subject to corrective or disciplinary action, up to and including dismissal. Potential violations of this policy will be investigated by the Office of Institutional Equity (OIE). OIE will document its findings in a memorandum, which will be sent to the employing unit. Discipline for violations will be handled in accordance with applicable employee disciplinary policies and procedures. OIE will maintain records regarding potential violations of this policy, including any associated discipline or other consequences.

Questions about this policy may be directed to the Office of Institutional Equity at 517-353-3922 or [oiie@msu.edu](mailto:oiie@msu.edu).

## Teaching

### [Code of Teaching Responsibility](#)

The Code of Teaching Responsibility policy sets forth faculty and academic staff members’ instructional obligations, including developing course content and syllabi, informing students of grading criteria, handling testing documents and term papers, holding regularly scheduled classes, and being accessible to students. The policy also prohibits students from commercializing course notes and materials without the written consent of the instructor. Questions about this policy may be directed to the Office of the Ombudsperson at (517) 353-8830.

### [Disability & Reasonable Accommodation Policy](#) *(revised in May of 2020)*

The Disability & Reasonable Accommodation Policy (DRAP) prohibits discrimination and harassment against a qualified individual with a disability and prohibits retaliation against those who report disability discrimination or harassment or who request reasonable accommodations. The DRAP sets forth the University’s commitment to ensuring equal

employment opportunities and access to University programs, services, and facilities for qualified individuals with disabilities, except when an accommodation poses a direct threat to self or others, fundamentally alters an educational program, service or activity, or causes undue hardship.

**Registering a Disability** - The DRAP sets forth the process for registering a disability and requesting reasonable accommodations. Students needing an accommodation must register with the Resource Center for Persons with Disabilities (RCPD) and provide medical documentation of their disability and of the need for an accommodation. Medical documentation is kept confidential, except as necessary to administer the accommodation process.

**Student Accommodations** – RCPD coordinates the accommodation process for students. Student accommodations are set forth in a Verified Individualized Services and Accommodations (VISA). The VISA enables students to validate and communicate their accommodation needs to faculty. Faculty are responsible for facilitating the accommodations and adjustments in the VISA. Modifications or changes to the VISA may only be made after discussion with the student's RCPD Ability Access Specialist and the issuance of an amended VISA, as may be determined necessary by RCPD. Faculty should promptly contact the student's RCPD Ability Access Specialist with questions or concerns regarding the granted accommodations or adjustments in the VISA or their use. Appeals of RCPD's accommodation determinations may be made to the Director of RCPD or to the ADA Coordinator within thirty (30) days of the accommodation determination.

**Questions** - The ADA & Section 504 Coordinator is designated by the University to coordinate compliance with the DRAP and available to answer questions about the DRAP. The ADA & Section 504 Coordinator can be contacted at [ocr.tracyleahy@msu.edu](mailto:ocr.tracyleahy@msu.edu).

### Religious Observance Policy

It has always been the policy of the University to permit students and faculty to observe those holidays set aside by their chosen religious faith.

The faculty and staff should be sensitive to the observance of these holidays so that students who absent themselves from classes on these days are not seriously disadvantaged. It is the responsibility of those students who wish to be absent to make arrangements in advance with their instructors. It is also the responsibility of those faculty who wish to be absent to make arrangements in advance with their chairpersons, who shall assume the responsibility for covering their classes.

As Michigan State University has become increasingly multicultural, the incidence of conflicts between mandatory academic requirements and religious observances has increased. In the absence of a simple and dignified way to determine the validity of individual claims, the claim of a religious conflict should be accepted at face value. Be aware that some degrees of observance may have a more extensive period of observance. Instructors may expect a reasonable limit to the number of requests by any one student. Some instructors attempt to cover all reasons for student absences from required academic events such as quizzes or exams with a blanket policy, e.g., allowing the student to drop one grade or two quizzes without penalty. If this is meant to extend to religious observances, the instructor should state

this clearly at the beginning of the term. If instructors require make-up exams, they retain the right to determine the content of the exams and the conditions of administration, giving due consideration to equitable treatment.

Questions about these requirements may be directed to the Office for Inclusion and Intercultural Initiatives at 517-353-4563 or [inclusion@msu.edu](mailto:inclusion@msu.edu).

### **Requirements Regarding Student's Intellectual Property** *(new in November of 2020)*

MSU's primary goal is to educate and prepare students for a career in their chosen field of study. To that end, MSU and its faculty may provide educational experiences through exposure to a variety of circumstances and opportunities. Often, MSU faculty will engage an outside individual, small business, or corporation (a "Sponsor") to present or support a project for educational purposes and as part of a course. The Sponsor may require each participating student to sign an NDA to protect its proprietary or confidential information and/or an IP Assignment so that the Sponsor may secure rights to incorporate the students' contributions into a product or service of Sponsor.

There are requirements for faculty who are teaching classes that involve student non-disclosure agreements (NDA) and student intellectual property rights assessments (IP Assignment). These apply to both undergraduate and graduate students and affect some colleges more than others.

Questions about these requirements may be directed to the Associate Provost for Undergraduate Education at 517-353-5380 or the Associate Provost for Graduate Education at 517-353-3220 ([gradschool@grd.msu.edu](mailto:gradschool@grd.msu.edu)).

## Research

### **Intellectual Property**

The [Patent Policy](#) and policy on the [Development of Copyrighted Materials](#) govern the ownership, protection, use, and commercialization of University inventions and copyrighted materials created by University faculty, students and staff. Questions about this policy may be directed to MSU Technologies at 517-355-2186.

### **Sponsored Research and Creative Endeavor**

The [general statement](#) and [guidelines](#) concerning sponsored research discuss the standards of procedure in government or industry-sponsored research conducted at the University. These guidelines reference important issues confronting faculty, such as appropriate use of facilities, proper budgeting, or obtaining appropriate approvals for research projects involving use of animals, human subjects or hazardous substances. If you have any questions about these guidelines, please feel free to contact the Office of the Senior Vice President for Research and Innovation at (517) 355-0306.



## **Non-Domestic Disclosure Requirement** *(new in January of 2021)*

In the coming week, an email will be sent to you on a new, non-domestic disclosure requirement for faculty and academic staff who serve as principal investigators and key personnel on sponsored programs, whether or not they have global activities. As an inclusive place of learning, MSU welcomes and promotes international scholarship, partnerships, and exchanges. An essential, common element of scholarship, partnership, and respectful exchanges is candor, a virtue that is also required in extramural funding agreements. Undisclosed working relationships between scholars in U.S. institutions and non-domestic entities (e.g., universities, companies, and governments) have increasingly been a concern of federal agencies. In its absence, legitimate concerns arise over risk to objectivity of research, overcommitment of investigators relative to federal obligations, loss of U.S. intellectual property and attribution, and trade sanctions or export control violations. A requirement for disclosure to MSU of non-domestic resources and affiliations is being instituted to support full disclosure as required by Federal agencies. Please watch for the email with the new information later this week.