

Institutional Integrity **9** Integrity



9 Institutional Integrity

Integrity



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Standard 9.A. – Integrity

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 dealings with students, the public organizations, and external agencies.

The relationship between the university and its constituents is the foundation upon which Montana State University's (MSU) reputation is built. At MSU, institutional integrity is taken seriously and is exemplified in its policies and practices. State law and the policies of the Montana University System

(MUS) Board of Regents (BOR) and MSU govern the behavior of all MSU employees. These laws and policies are communicated to, and form the basis of, the expectations for faculty, staff, students, and the public in their interaction with the university.

State Law

The State of Montana has adopted a code of ethics and standards of conduct which apply to all state employees, including MSU administrators, faculty, and staff. MSU applies and enforces these ethical requirements through its policies and procedures. The standards of conduct applicable to state employees in Montana can be found in *Title 2, Chapter 9, Montana Code Annotated*.¹

MUS Board Of Regents Policy And Procedures

The BOR maintains a written Policy and Procedures Manual that includes all policies applicable to the units of MUS. These policies provide the framework for the university system's policies regarding academic freedom, ethical conduct, and conflict of interest. These policies articulate a balanced and fair approach for MSU's dealings with the public, its students, and its employees. These policies are adopted and, when necessary, revised by the BOR or the State of Montana.

Msu Policies And Procedures

MSU maintains written policies and [procedures](#)² that govern all aspects of MSU's operations and governance. These policies are adopted through a campus-wide procedure that allows for dissemination of proposed policies for campus comment and for opportunities to propose new or revised policies. See, e.g., [Development of an Operating Policy/Procedure](#).³

Specific Policies And Procedures Related To Institutional Integrity

MSU is committed to fulfilling its mission with integrity and in full compliance with state and federal ethics and conflict-of-interest laws and regulations, and with BOR policy. MSU employees' ethical conduct is governed by:

- Montana law, Standards of Conduct—Code of Ethics, Title 2, Chapter 2, Part 1 [M.C.A.](#)⁴ These statutes “set forth a code of ethics prohibiting conflict between public duty and private interest as required by the constitution of Montana.”
- Federal regulations governing sponsored research. The National Institutes of Health requires institutions receiving funding to have a conflict-of-interest policy that complies with its regulations found [online](#).⁵
- BOR Policy § 770, Conflicts of [Interest](#).⁶ This policy requires each unit of the MUS to adopt a conflict-of-interest policy and requires annual disclosure of conflicts by employees.
- BOR Policy § 407, Approval of MUS Employee Equity Interest and/or Business [Participation](#).⁷ This policy authorizes university inventors to hold equity interests and to participate in the company that licenses the inventor's technology from MSU.
- MSU's Conflict-of-Interest [Policy](#).⁸ This policy establishes MSU's commitment to fulfilling its mission with integrity and in full compliance with state and federal ethics and conflict-of-interest laws and regulations, and with BOR Policy. “It is the policy of the University that in all of its activities—the education of students; the design, methods of analysis, interpretation, and reporting of research; the hiring and supervision of staff; the procurement of materials and services; and all other tasks incidental to its mission—it shall endeavor to be free of undue influence or bias that may result from conflicts of interest.” This policy, which applies to all MSU employees, sets forth guidance on identifying potential conflicts of interest and requires annual disclosure of conflicts of interest for faculty and contract professional employees.
- MSU's Nepotism [Policy](#).⁹ This policy puts into place protections to prevent nepotism in MSU employment and contracting.
- BOR Policy § [401.1](#)¹⁰ and MSU's Consulting Policy, Faculty Handbook § 1130 et [seq.](#)¹¹ These policies govern faculty private consulting and professional practice outside of MSU.

Faculty

Specific policies governing the ethical and professional standards of the faculty are also found in the *Faculty Handbook*¹² [Section 420.00](#).¹³ These policies specify that the faculty and administration of MSU are responsible for assuring the highest ethical and professional standards and behavior in:

1. working with undergraduate and graduate students, including the elimination of racial, ethnic, and sexual prejudice and harassment from the classroom and the entire university community;

2. working with faculty and staff;
3. performing their contracted responsibilities, including the employment and use of graduate assistants or adjunct faculty and staff;
4. working with public and private agencies, organizations, and businesses;
5. preventing conflicts of [interest](#)¹⁴ and reporting work done outside [MSU](#);¹⁵
6. conducting peer review for all faculty members;
7. conducting research, creative activity, and research [misconduct](#);¹⁶
8. adhering to standards for bio-safety, research utilizing human and animal subjects, and the use of radioactive [materials](#);¹⁷
9. respecting confidentiality and privacy in the use of information [systems](#);¹⁸
10. respecting copyright and patent [requirements](#);^{19, 20}
11. participating in university planning and governance; and
12. reporting alleged breaches of ethical standards to appropriate [bodies](#).²¹

Classified and professional contract employees

Montana State law establishes standards of conduct for public employees, including university employees. Under state law, university employees may not:

- use public time, facilities, equipment, supplies, personnel, or funds for private business purposes;
- engage in a substantial financial transaction for private business purposes with a person whom the employee inspects or supervises in the course of official duties;
- assist any person for a fee or other compensation in obtaining a contract, claim, license, or other economic benefit from the university;
- assist any person for a contingent fee in obtaining a contract, claim, license, or other economic benefit from any agency;

- perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which the employee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent; or
- solicit or accept employment, or engage in negotiations or meetings to consider employment, with a person whom the officer or employee regulates in the course of official duties without first giving written notification to the officer's or employee's supervisor and department director.

The professional and ethical behavior of faculty, classified, and professional contract employees are also addressed in the *MSU Personnel Policies and Procedures Manual*.²² Specific guidelines are given regarding sexual harassment, outside consulting, equal opportunity/affirmative action, and drug and alcohol abuse. Standardized employment procedures are provided for recruitment, hiring, training, probation, evaluation, retirement, and termination of employees.

Students

Policies governing student ethics and integrity are described in the *Student Academic Conduct and Grievance Guidelines*.²³

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

MSU's standards for developing operating policies and procedures require a regular schedule for review and revision. The standards also allow for any person to recommend "updating, revising, or canceling" an operating policy. See, Section 220.00, Operating Policies and Procedures for Montana State University [Campuses](#).²⁴ The MSU Faculty Handbook is revised annually and revisions are posted on the MSU website as well as announced through Faculty Senate as described in the Faculty [Handbook](#)²⁵ and Faculty Handbook — [Appendices](#).²⁶ The

undergraduate and graduate catalogs are revised at least biannually.

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.

MSU is committed to open, honest, and direct communication with students, faculty, staff, and the public regarding the operations of MSU and its accomplishments, achievements, and challenges. State law specifically provides for rights of public participation and requirements for open meetings and records that create the basis for MSU's actions and interactions with the public regarding its operation as a state land-grant university. The Montana Constitution specifically incorporates the public's right to participate in the operations of [government](#)²⁷ and the right to examine documents and observe [deliberations](#).²⁸ These provisions are also incorporated in state statutes governing open [records](#),²⁹ open [meetings](#),³⁰ and public [participation](#).³¹ MSU has also adopted specific policies regarding public [participation](#)³² and open [meetings](#).³³

MSU maintains an open, public budgeting and planning process through the University Planning, Budget, and Analysis Committee ([UPBAC](#)).³⁴ The committee's website is designed to help keep constituents of MSU informed of current activities of committees that are part of these planning and

budgeting processes. This website contains documents outlining the process concepts, committee agendas and minutes, and other pertinent information.

MSU is committed to shared governance and encourages employee, student, and public involvement in university decision making. The Office of Planning and Analysis (OPA) maintains a website that is used to provide data to the public about MSU, its budget, and its programs as described in the Finance and Budget [Data](#).³⁵ All MSU policies are communicated to faculty, staff, students, and the public through the MSU Policy and Procedure [website](#).³⁶ MSU has also adopted expectations regarding both students and faculty regarding [responsibilities](#).³⁷

The *MSU Undergraduate Catalog*³⁸ and *Graduate Catalog*³⁹ are the primary publications for communicating with students. The catalogs are reviewed regularly and kept current with the most accurate information available.

The Office of Communications and Public Affairs ([OCPA](#))⁴⁰ manages MSU communications with external constituents, promoting the accomplishments of students, faculty, staff, and alumni. These communications activities utilize print and broadcast media, the MSU website, as well as printed publications. MSU is committed to providing consistent and accurate information to the media on a timely basis even if it is in regard to incidents and issues of a potentially negative [nature](#).⁴¹

OCPA provides oversight of general campus marketing efforts, and represents MSU in media relations and campus emergency information services. The Vice President of the OCPA acts as the official MSU spokesperson and serves as the liaison to the state legislature for MSU.

Institutional policies also govern the content and presentation of information online. This web policy requires appropriateness, currency, and accuracy.

All official, institutional, local, and personal webpages represent MSU; therefore, all information presented must comply with existing law and university policy, including:



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- Acceptable Use [Policies](#)⁴² for MSUnet and Summitnet,
- BOR Information Technology [Policies](#),⁴³
- MSU-Bozeman Website [policy](#)⁴⁴ and Web Format and Content [Guidelines](#).⁴⁵

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

BOR Policy [770](#)⁴⁶ governs conflicts of interest for MUS employees and supplements state ethics laws. Employees of the MUS “must endeavor to avoid actual or apparent conflicts of interest between their university system duties and obligations and their personal activities, and between their university system duties and obligations and their professional activities outside the university system.”

Each unit of the MUS is required to maintain a written conflict-of-interest policy consistent with BOR policy and state law. Annual disclosures of conflicts are required as well as the management and oversight of disclosed conflicts. An annual report is sent to the BOR which summarizes campus conflicts management statistics.

MSU has adopted a Conflict-of-Interest [Policy](#)⁴⁷ which applies to all employees. The policy requires disclosure of conflicts of interest and, if appropriate, written plans for conflict management when conflicts are disclosed.

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

BOR Policy [302](#)⁴⁸ endorses academic freedom for the MUS. The portion of the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors (AAUP) set out below is endorsed by the BOR.

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 that 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. Therefore they should at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they are not speaking for the institution.

The BOR places particular emphasis on paragraphs (b) and (c) of the above statement relating to the responsibilities as well as the privileges that members of the profession and professional organizations associate with this important concept of American life.

MSU has adopted this policy which is described in **Section 410, MSU Faculty Handbook**.⁴⁹ Academic freedom is honored at MSU and it should be noted that 78.3% of faculty responding to the faculty survey agreed that they are allowed academic freedom to pursue research and creative activity, while 17.4% neither agreed nor disagreed. Only 4.4% of faculty disagreed.

Since the last accreditation, MSU has accomplished specific projects that reflect and enhance institutional integrity. These include:

1. Establishing a strong system of shared governance, assessment, and [accountability](#);⁵⁰
2. Developing the Five-year Vision [Document](#)⁵¹ prepared with input through shared governance committees, and emphasizing institutional accountability;
3. Developing and implementing a coordinated system for identification, reporting, and management of conflicts of interest. Extensive training of all employees was undertaken as set forth in the required training plan under the BOR conflict-of-interest policy;
4. Establishing [UPBAC](#)⁵² to guide university planning, establish university priorities, and guide budget decisions;
5. Establishing a Research Compliance [Committee](#)⁵³ responsible for “designing, implementing, and overseeing a Research Compliance Program at MSU” in accordance with generally accepted elements of effective compliance programs;
6. Establishing a Fiscal Misconduct [Policy](#)⁵⁴ and establishing an Internal Audit [web-site](#)⁵⁵ to assist departments in maintaining fiscal integrity; and
7. Reporting to the legislature the university’s progress on shared policy goals identified by the legislature and the MUS.

Standard 9 – Summary and Analysis

Strengths

- MSU maintains high ethical standards for the conduct of university business. These standards have been revised recently to address revisions of the conflict of interest requirements established by the Montana Board of Regents.
- In 2008, MSU provided in-person training to 700-800 employees concerning conflict of interest and ethics.

- MSU has implemented employee reporting requirements for conflicts of interests and develops appropriate management plans for conflicts reported.

Challenges

- MSU will need to maintain regular education and training on issues of ethics for administration, faculty, and staff.
- MSU will need to incorporate appropriate ethical standards as part of the faculty collective bargaining agreements it will begin to negotiate in the fall of 2009.

Standard 9 – Supporting Documentation

Appendix 9-A

- BOR Policy and Procedures Manual: <http://mus.edu/borpol/default.asp>
- MSU Policies and Procedures: <http://www2.montana.edu/policy>

Appendix 9-B

- MSU Faculty Handbook: http://www2.montana.edu/policy/faculty_handbook

Appendix 9-C

- Business Procedures Manual: http://www2.montana.edu/policy/business_manual/

Appendix 9-

- Personnel Policies Manual: <http://www2.montana.edu/policy/personnel/>

Appendix 9-E

- Principal Investigator Guide: <http://www.montana.edu/wwwvr/grants/piman.html>

Appendix 9-F

- Board of Regents Policy 302, Academic Freedom: <http://www.montana.edu/accreditation/accredLinks/st9/mus.edu/borpol/bor300/302.htm>

Appendix 9-G:

- Board of Regents Policy 770, Conflict of Interest: <http://mus.edu/borpol/bor700/770.htm>

Appendix 9-H

- Promotional Materials: <http://www.montana.edu/level2/prospectivestudents.php>

Appendix 9-I

- Faculty Handbook 420, Ethical and Professional Standards: http://www2.montana.edu/policy/faculty_handbook/fh400.html

Appendix 9-J

- MSU Conduct Guidelines and Grievance Procedures for Students: http://www2.montana.edu/policy/student_conduct/student_conductc-code.htm

Appendix 9-K

- Promotional Material News Releases and Statements: MSU Points of Excellence - <http://www.montana.edu/cpa/poe/learning.php>
<http://www.montana.edu/accreditation/accredLinks/st9/www.montana.edu/cpa/news/msuinmedia.php>

Appendix 9-L

Web Policy: <http://www.montana.edu/cpa/webcom/>

Endnotes for Standard 9

- ¹ http://data.opi.mt.gov/bills/mca_toc/2_2.htm
- ² <http://www2.montana.edu/policy/>
- ³ http://www2.montana.edu/policy/operating_policy/
- ⁴ http://data.opi.state.mt.us/bills/mca_toc/2_2_1.htm
- ⁵ http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm
- ⁶ <http://www.mus.edu/borpol/bor700/770.htm>
- ⁷ <http://www.mus.edu/borpol/bor400/407.htm>
- ⁸ http://www2.montana.edu/policy/conflict_of_interest/coi_policy_04_2008.htm
- ⁹ <http://www2.montana.edu/policy/personnel/per400.html#430.00>
- ¹⁰ <http://www.mus.edu/borpol/bor400/401.htm>
- ¹¹ http://www2.montana.edu/policy/faculty_handbook/fh1100.html#1130.00
- ¹² http://www2.montana.edu/policy/faculty_handbook/
- ¹³ http://www2.montana.edu/policy/faculty_handbook/fh400.html
- ¹⁴ http://www2.montana.edu/policy/faculty_handbook/fh400.html#440.00
- ¹⁵ http://www2.montana.edu/policy/faculty_handbook/fh1100.html#1130.00
- ¹⁶ http://www2.montana.edu/policy/faculty_handbook/fh400.html#430.00
- ¹⁷ <http://www.montana.edu/wwwvr/osp/institutionalreview.html>
- ¹⁸ <http://www.montana.edu/wwwvr/osp/institutionalreview.html>
- ¹⁹ http://www2.montana.edu/policy/faculty_handbook/fh900.html#910.00
- ²⁰ http://www2.montana.edu/policy/faculty_handbook/fh900.html#920.00
- ²¹ http://www2.montana.edu/policy/faculty_handbook/fh400.html#434.01
- ²² <http://www2.montana.edu/policy/personnel/>
- ²³ http://www2.montana.edu/policy/student_conduct/student_conductc-code_2007-2008.htm
- ²⁴ http://www2.montana.edu/policy/operating_policy/
- ²⁵ http://www2.montana.edu/policy/faculty_handbook/
- ²⁶ http://www2.montana.edu/policy/faculty_handbook/fhapp.html

- 27 <http://data.opi.mt.gov/bills/mca/Constition/II/8.htm>
- 28 <http://data.opi.mt.gov/bills/mca/Constition/II/9.htm>
- 29 http://data.opi.mt.gov/bills/mca_toc/2_6.htm
- 30 http://data.opi.mt.gov/bills/mca_toc/2_3_2.htm
- 31 http://data.opi.mt.gov/bills/mca_toc/2_3_1.htm
- 32 http://www2.montana.edu/policy/public_participation_policy_03_2008.htm
- 33 http://www2.montana.edu/policy/open_meetings/
- 34 <http://www.montana.edu/upba/>
- 35 <http://www.montana.edu/opa/financebudgetindex.html>
- 36 <http://www2.montana.edu/policy/>
- 37 http://www2.montana.edu/policy/student_conduct/student_conductc-code_2007-2008.htm
- 38 <http://www.montana.edu/wwwcat/>
- 39 <http://www.montana.edu/gradstudies/catalog.shtml>
- 40 <http://www.montana.edu/cpa/>
- 41 http://www2.montana.edu/policy/media_policy/
- 42 http://www2.montana.edu/policy/computing_manual/comp400.html
- 43 <http://www.mus.edu/borpol/bor1300/bor1300.asp>
- 44 http://www2.montana.edu/policy/computing_manual/comp300.html
- 45 <http://www.montana.edu/misc/guidelines.html>
- 46 <http://www.mus.edu/borpol/bor700/770.htm>
- 47 <http://mus.edu/borpol/bor300/302.pdf>
- 48 <http://www.mus.edu/borpol/bor300/302.pdf>
- 49 http://www2.montana.edu/policy/faculty_handbook/fh400.html
- 50 <http://www.montana.edu/president/prescomm/leadership.html>
- 51 <http://www.montana.edu/vision/>
- 52 <http://www.montana.edu/upba/index.html>
- 53 <http://www.montana.edu/wwwvr/RCC/rcc%20index.html>
- 54 http://www2.montana.edu/policy/internal_audit/audit200.html
- 55 <http://www.montana.edu/wwwaudit/internalcontrol.html>