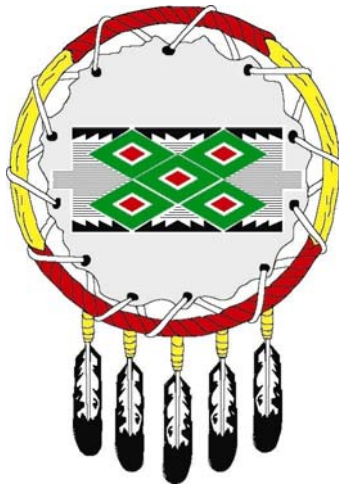


United Tribes Technical College

Research Policies



Approved by the UTTC President on 06/19/2009
United Tribes Technical College
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Bismarck, North Dakota 58504
701.255.3285
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Research Preamble

We, United Tribes Technical College, believe that research is an inherently Native process. We believe in the value of research as it pertains to education, our students, their families, their individual Tribal communities, and the larger world in which we live. We believe in the value of research to answer questions, provide answers and evaluate what is best for Indian people and Tribes. As an intertribal, residential post-secondary institution, we believe Native-centered research is an important part of the educational process and enables our students to become effective citizens and leaders in their individual Tribal communities. We believe in research as a tool to strengthen Tribal Sovereignty. The answers to research questions allow us to make good decisions regarding our People and resources. We believe that research is a tool we must use to both build stronger communities and protect our People and way of life.

We believe that research is an intrinsically spiritual process that must take into consideration the impact on our generation and the generations to come. As stated in our vision statement, *UTTC envisions skilled, knowledgeable, culturally-grounded, healthy graduates who will achieve their educational goals, empower their communities, and preserve the environment, tribal land, water, and natural resources.* We believe that, as an inherently Native process, research must be conducted “in a good way”. This means that we must adhere to the principles of respect, wisdom, honesty, generosity and bravery in research.

Further, as a Tribal Land Grant College authorized under the Equity in Educational Land Grant Status Act (Section 354 of P.L. 103-382), United Tribes Technical College supports and affirms the three traditional tenets of land grant institutional mission: teaching, extension, and research. We are committed to the institutional values of **Unity, Native Americans, Integrity, Trust, Education, Diversity, Traditions, Respect, Independence, Bravery, Environment, and Spirituality.**

Section I

Policy Title: Principal Investigator/Researcher Qualifications
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to establish guidelines for persons conducting research on the UTTC campus.

Section III

This policy shall be enacted to ensure quality research.

Section IV

Serving in the role of Principal Investigator/Researcher on a sponsored project is a privilege granted to certain people associated with United Tribes Technical College and carries with it important responsibilities. The principal investigator/researcher is the individual bearing primary responsibility for all essential aspects of the work being carried out, including technical aspects and completion of programmatic work, compliance with government, sponsor, and university policies and regulations, fiscal stewardship of sponsored funds, and all administrative requirements of the project.

With the oversight responsibility implicit in the college's acceptance of outside funds for a project, UTTC must be in a position of authority over the principal investigator/researcher's actions. Therefore, an individual's participation in research is dependent upon that individual's relationship with the institution. To that end, certain guidelines must be met for the consideration of granting status as a Principal Investigator/Researcher to any individual.

The Principal Investigator/Researcher must meet the following requirements:

A. Be an individual to whom UTTC has issued and the individual has signed an annual contract, whether or not the individual receives funding through the college from internal sources of funding; through outside sources such as grants and/or contracts; or an individual is employed by a Federal agency with which the college has an ongoing relationship, pursuant to other formal agreements such as cooperative agreements, or;

B. Be a UTTC student who has provided proof of satisfactory completion of either the UTTC IRB/RAC Native Research Training or at least one UTTC research course (for full list, please see

Appendix) as well as formal approval by a supervising faculty member who meets the criteria set out in A (above), or;

C. Be (a) visiting Professor(s) who have a formal relationship with UTTC, or;

D. Be an external researcher sponsored by a UTTC faculty/staff/administration member through a formal partnership, mentorship or programmatic association, and;

E. Have on file a signed copy of the Research Agreement and documentation of completion of the UTTC IRB/RAC Native Research Training.

Section V

Step 1: Researcher/PI must read the UTTC Office of Research policy manual.

Step 2: Researcher/PI must sign the Research Agreement at the front of the manual

Step 3: Researcher/PI must submit a signed, original copy of the form to the following address:

United Tribes Technical College
Office of Research, Bldg. 11
3315 University Drive
Bismarck, ND 58504

Section VI

Attachment 1 of 1: Research Agreement

Research Agreement

I, _____, do hereby affirm that I have read the United Tribes Technical College manual of Research Policies and that I understand the contents. Further, I agree to adhere to the principles and policies contained within this manual and to seek further clarification from the Office of Research and Resource Development in case of any discrepancies, oversights or questions.

Signature

Date

Section I

Policy Title: Approval of Research Conducted on Campus
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to establish guidelines for approval to conduct research on the UTTC campus.

Section III

This policy shall be enacted to ensure proper documentation and monitoring of research.

Section IV

Research can be defined as “a study that is done to answer a question”. Research can be both qualitative and/or quantitative in nature. Other words that describe research are *clinical trial*, *protocol*, *survey* or *experiment*.

Any research activities conducted on the campus of United Tribes Technical College are subject to approval of the Research Director and/or the Research Advisory Committee and/or the Institutional Review Board (see attached flowchart).

Any research project utilizing human subjects shall adhere to the regulations (45 CFR 46) issued by the U.S. Department of Health and Human Services (HHS) for protecting the rights and welfare of human-research subjects and shall be subject to the policies and procedures of the UTTC Institutional Review Board #1 (OHRP registration number IRB00005063).

As per federal regulations (45 CFR 46), unless otherwise required, research activities in which the only involvement of human subjects will be in one or more of the following categories are exempt from the IRB policy and procedures:

- (1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as
 - (i) research on regular and special education instructional strategies, or
 - (ii) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

- (2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless:

(i) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (ii) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior that is not exempt under paragraph (2)(i) of this section, if:

(i) the human subjects are elected or appointed public officials or candidates for public office; or

(ii) federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine:

(i) Public benefit or service programs;

(ii) procedures for obtaining benefits or services under those programs;

(iii) possible changes in or alternatives to those programs or procedures; or (iv) possible changes in methods or levels of payment for benefits or services under those programs.

(6) Taste and food quality evaluation and consumer acceptance studies,

(i) if wholesome foods without additives are consumed or

(ii) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.

Research activities conducted on the campus of UTTC that are exempt from federal regulations regarding human subjects are subject to all other general policies and procedures outlined herein.

The UTTC Office of Research, IRB and administration reserve the right to final judgment as to whether a particular activity is covered by this policy.

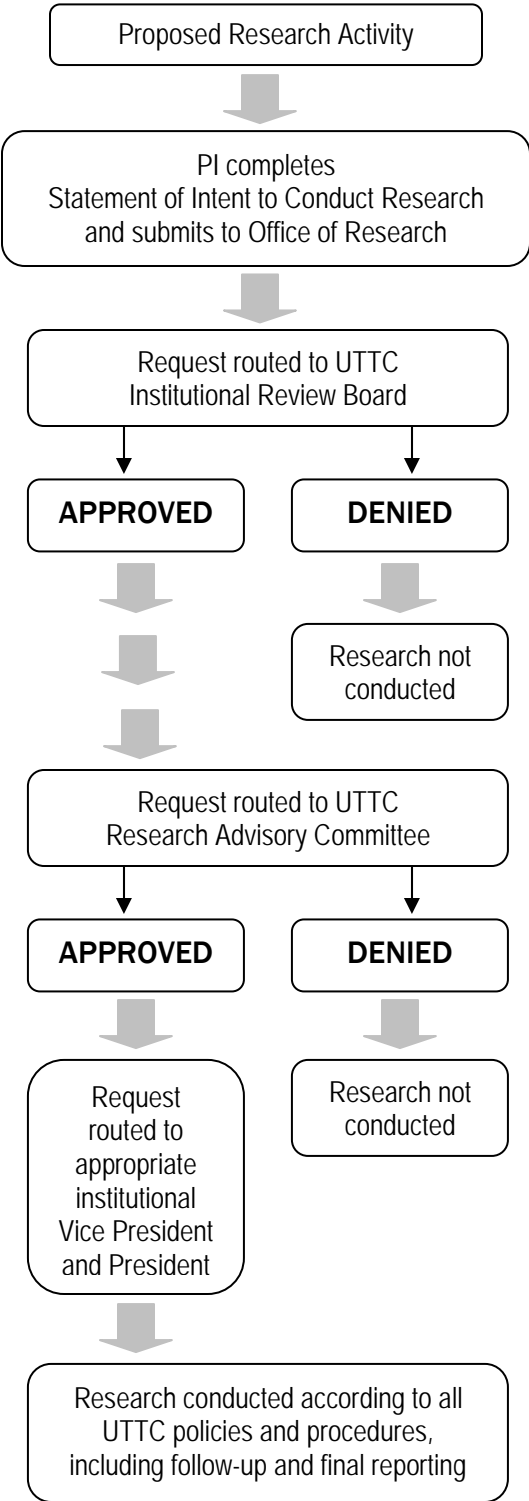
Section V

Specific procedures described in flowchart (see Section VI)

Section VI

Attachment 1 of 1: Research Activities Flowchart

United Tribes Technical College
Research Activities Flowchart



Section I

Policy Title: Engaging in Ethical Research
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to establish guidelines the conducting of ethical research on the UTTC campus.

Section III

This policy shall be enacted to ensure ethical research as the responsibility of researchers.

Section IV

It shall be the responsibility of any given researcher(s) to engage in the responsible practice of research by adhering to and being accountable for the following principles and practices as they relate to our relationships with the public as a whole, with colleagues and with the students and member Tribes of the United Tribes Technical College.

In fulfilling the research obligation to the public as a whole, it is expected that all individuals engaged in research activities within the UTTC research community shall:

- promote and follow research and professional practices that enhance the public interest and well-being;
- use public and private funds responsibly in the pursuit of research endeavors;
- adhere to government and institutional regulations for research such as those ensuring the welfare of human subjects, the welfare of fellow researchers, the comfort and humane treatment of animal subjects and the protection of the public and the environment; and
- report research findings in a full, open, and timely fashion to the relevant research community;

In fulfilling the research obligations to colleagues, it is expected that all individuals engaged in research activities within the UTTC research community shall:

- have actually carried out experiments, projects and other scholarly activity in the manner reported;
- represent their best understanding of the work in their descriptions and analyses of it;
- accurately describe experimental methods utilized in sufficient detail to help insure their replicability by others;
- not report the work of others as if it were their own;

- strive to insure that due recognition is given where credit is due to collaborators including students and member Tribes;
- adequately summarize previous relevant work and ideas with proper attribution to those who pioneered the work; and
- disclose financial and other interests that might present a conflict-of-interest, and make every effort to avoid such conflicts perceived or real.

In fulfilling obligations to students and member Tribes, it is expected that all individuals engaged in research activities within the UTTC research community shall:

- provide training and experience to advance students' and trainees' scholarly skills and their understanding of the importance of ethical practice and behavior;
- provide appropriate support in advancing the careers of students and trainees;
- recognize publicly and appropriately the scholarly contributions of the trainees;
- encourage and support the publication of results of trainees' research in a timely fashion without undisclosed limitations; and
- work together to create and maintain a working environment that is safe and that encourages individual integrity, plurality, open communications, and fairness with regard to gender, race or belief.

Section V

Not applicable

Section VI

Not applicable

Section I

Policy Title: Conflict of Interest
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

_____	_____
Representative, Administrative Council	Date
_____	_____
Representative, UTTC President/Board of Directors	Date

Section II

The purpose of this policy shall be to establish guidelines for conflict of interest issues in research conducted on the UTTC campus.

Section III

This policy shall be enacted to ensure proper documentation and monitoring of any and all cases of conflict of interest.

Section IV

Researcher(s) must be aware that outside obligations, financial interests and/or other employment may result in a conflict of interest and could therefore affect the objectivity of decisions and the effectiveness of performance. It is the purpose of this policy to set forth principles for identifying potential conflicts of interest and the procedures for reviewing and addressing conflicts of interest that occur.

No statement in this policy restricts researcher(s) from choosing the subject matter of their research, scholarly work or other activities. Similarly, this policy is not intended to limit the types of external activities or business transactions of researcher(s) as long as those activities do not present conflicts of interest.

A conflict of interest exists when any researcher(s) or associate(s) is in a position to influence any business transaction, research activity or other decisions in ways that could lead to any manner or form of personal gain for the researcher(s) or associate(s), or for his/her family members regardless of source.

Section V

Not applicable

Section VI

Not applicable

Section I

Policy Title: Potential or Actual Conflicts of Interest
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to establish guidelines for conflict of interest issues in research conducted on the UTTC campus.

Section III

This policy shall be enacted to ensure proper documentation and monitoring of any and all cases of conflict of interest.

Section IV

This Policy establishes a process which is self-identifying. Any given researcher, in applying to the IRB for approval of research or conducting research on the UTTC campus, must complete an Absence of Conflict of Interest Form that will remain on electronic file in the Office of Research.

In the event that a conflict of interest arises after the initiation of the project, the researcher must notify the Research Director, in writing, immediately. Third parties may report alleged conflicts, in writing, if a researcher fails to do so or do so adequately. Reports by a third party shall be held in confidence by the recipient.

Reports of alleged conflict of interest shall be made to the UTTC Research Advisory Committee (RAC). In the event that the allegations involve any individual serving on the RAC at the time, the report shall be made to the UTTC administration.

A Disclosure Form must be completed and may be submitted any time an employee or an employee's relative is or may be involved in any transaction (see below for types of transactions); has or may have a substantial interest as defined in this Policy; or is involved in any actual or potential conflict of commitment or interest which involves remunerative, part-time or full-time employment, self-employment, consulting or advising, whether or not done on college premises or during college business hours.

This policy governs three types of transactions:

- **Business Transactions** involving any contracts not based on a sponsored activity.
- **Personnel Transactions** concerning appointment, retention, promotion or compensation of a relative or responsibility for managing or evaluating the work of a relative.

- **Sponsored Transactions** cover participation by an employee in sponsored activities which includes but is not limited to research, training, testing, clinical trials, patient care or services provided to the University in connection with sponsored activities in the form of: grants, contracts, and gifts from any government agency or unit, for profit, or not-for-profit entity.

Both the procedures for imposing sanctions and the sanctions used shall be governed by existing policies and procedures. Should the sanction of dismissal be proposed, it sets into motion the protections of a dismissal proceeding. Violations of this policy relating to participation in sponsored research shall also be reported to the employee's funding agency, if applicable. Any penalties imposed by an external funding agency shall be deemed separate from any imposed by UTTC.

Section V

Step 1: Researcher/PI must read the UTTC Office of Research policy manual.

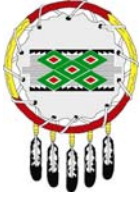
Step 2: Researcher/PI must sign the Absence of Conflict of Interest form.

Step 3: Researcher/PI must submit a signed, original copy of the form to the following address:

United Tribes Technical College
Office of Research, Bldg. 11
3315 University Drive
Bismarck, ND 58504

Section VI

Attachment 1 of 1: Absence of Conflict of Interest form



Absence of Conflict of Interest Form

United Tribes Technical College
3315 University Drive
Bismarck, ND 58504

Name and Contact Information of Researcher/PI:

Title and Focus of Research Project/Activity:

I, _____, do hereby attest that I, and any of the research assistants for whom I maintain supervision, are NOT aware of any real or potential conflicts of interest in the above-described research project/activity. I further affirm that should a real or potential conflict of interest arise during the course of the research project/activity, I will immediately notify, in writing, the Research Director at United Tribes Technical College.

Signature

Date

Section I

Policy Title: Reporting Potential or Actual Conflicts of Interest
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to establish guidelines for conflict of interest issues in research conducted on the UTTC campus.

Section III

This policy shall be enacted to ensure proper documentation and monitoring of any and all cases of conflict of interest.

Section IV

In the case that a conflict of interest allegation must be made, the following shall occur:

1. If a real or apparent conflict of interest exists, a Conflict of Interest Disclosure Form must be submitted to the Chairperson of the UTTC Research Advisory Committee (RAC) or Institutional Review Board (IRB). In the event that the allegations involve any individual serving on the RAC or IRB at the time, the report shall be made to the UTTC administration.
2. The reporting party shall complete the Conflict of Interest Disclosure Form, place it in a sealed envelope with any supporting documentation, mark it confidential and forward it to the appropriate office.
3. Upon receipt of the Conflict of Interest Disclosure Form, the RAC or IRB Chairperson or the UTTC administration will notify the primary researcher(s) of the allegation and all research activities, if currently in progress, will be immediately suspended.
4. Upon review, if the UTTC RAC or IRB determines that no conflict exists, it shall notify the employee in writing.
5. If the UTTC RAC or IRB determines that a conflict does exist, it shall notify the primary researcher in writing and allow him or her to provide it with information and present the matter before a quorum of the RAC or IRB. Upon request, the RAC or IRB meeting may be open to the public. If a conflict is found, commencement of research activity will proceed only after the adjustment of the conflict.

6. If the matter is not resolved, the RAC or IRB shall recommend one or more of the following: the proposal be: (1) directed to be revised in a manner that results in compliance; or (2) granted an exemption; (3) any other resolution which results in compliance with this policy by both the institution and the employee. The recommendations shall be in writing and a copy sent to the employee.

7. The RAC or IRB shall decide on the appropriate course of action, including, but not limited to the options set forth in No. 6 above.

8. The employee may not appeal the decision; the RAC or IRB decision shall be final.

Section V

See Section IV

Section VI

Not applicable

Section I

Policy Title: Indigenous Knowledge in Research
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to establish guidelines for understanding Indigenous knowledge in Research.

Section III

This policy shall be enacted to ensure adequate understanding of Indigenous knowledge to facilitate proper protocols in working with the UTTC Tribal populations.

Section IV

Indigenous knowledge, traditional resources, and properties are central to the maintenance of identity for Indigenous peoples. Traditional resources include plants, animals, and other material objects that may have sacred, ceremonial, heritage, or aesthetic qualities.

Property for indigenous peoples has intangible and spiritual manifestations. The term Traditional Resource Rights (TRR) is used to define the many 'bundles of rights' that can be used for protection, compensation, and conservation of resources and properties of indigenous peoples. TRR includes basic human rights, the right to self-determination, collective rights, land and territorial rights, intellectual property rights, rights to protection of cultural property, folklore and cultural heritage, the recognition of cultural landscapes, and recognition of customary law and practice. Every indigenous community has its own customs and laws covering privacy, respect, permission, and compensation for its people during research, exploitation or non-indigenous uses of traditional resources or properties.

The TRR of indigenous peoples must be considered by any faculty, staff, students or visiting researchers before any research activity is undertaken involving TRR. Any PI(s) seeking to conduct research involving Indigenous peoples have primary ethical obligations to the people with whom they work. These obligations can supersede the goal of seeking new knowledge, and can lead to decisions not to undertake or to discontinue a research project when the primary obligation conflicts with other responsibilities, such as those owed to sponsors or clients. These ethical obligations include (1) to avoid harm/wrong, understanding that the development of knowledge can lead to change which may be positive or negative for the people worked with or studied; (2) to work for the long-term conservation of archaeological, fossil, and historical records; and (3) to consult actively with the affected individuals or group(s), with the goal of establishing a working relationship beneficial to all.

Researchers must do everything in their power to ensure that their research does not harm the safety, dignity, or privacy of the people with whom they work, conduct research, or perform other professional activities. In addition, researchers must:

- determine in advance whether their providers of information wish to remain anonymous or receive recognition, and make every effort to comply with those wishes;
- not exploit individuals, groups, animals, or cultural or biological materials. They should recognize their debt to the societies in which they work and their obligation to reciprocate with people studied in appropriate ways;
- upon request, be prepared to certify that advance permission has been obtained from appropriate individuals or groups of the indigenous peoples to be studied and that the research procedures comply with all applicable tribal, state, and federal laws (e.g. Tribally-based IRBs or TRBs).

Section V

Not applicable

Section VI

Not applicable

Section I

Policy Title: Dissemination of Data
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to establish guidelines for the dissemination of data acquired on the UTTC campus.

Section III

This policy shall be enacted to ensure proper representation of data acquired on the UTTC campus and among campus populations.

Section IV

I. Public Access to Research

Research is of limited value if the data and information from the study are not made publicly available, especially to the community that might be affected by the results. Publication of data should ideally be made by reports in peer-reviewed scientific publications, providing an opportunity for independent experts who are not directly involved in the research to review and critique the data and conclusions prior to publication. However, publication of data may also be made through other avenues. Any research conducted on the UTTC campus must be made publicly available through the following avenues (in descending order of preference):

1. publication in a peer-reviewed scientific journal;
2. publication in the Tribal College Journal or other tribally-based periodical;
3. printed and bound publication distributed via mail to UTTC Office of Research;
4. web copy posted to UTTC website (approval of Office of Research required); and/or
5. original report filed in Office of Research with public access.

In addition, it shall be the policy of the institution that the PI shall be responsible for a timely, community-based, language-appropriate, public presentation of the findings and recommendations made through the research. The public presentation shall attempt to include the community and/or participants affected by the research.

The community affected by the research has the prerogative not to participate in research unless assurances are provided that the results of the study will be presented and/or published in a peer-reviewed journal in a timely fashion. Potential research participants and research investigators should receive (written) assurances that all data from the study will be made available for

scientific review by all participating investigators who will have free and unfettered access to publish these data. In certain cases, research participants and research investigators should also make (written) provisions for advance permission to review materials that have the potential to be controversial or harmful to Native people or communities.

Prospective research investigators and research participants should not engage in research if assurances about free, timely and unrestricted right to review and publish data are not explicitly guaranteed. Such guarantees from research sponsors are made through explicit written assurances and legal contracts. Any other agreement should be viewed as an act of faith without the possibility of enforcement.

II. Authorship Rights

It is expected that research that is completed and deemed publishable by a UTTC student will be submitted for publication in a suitable professional journal. It is the student's right to have first authorship on all papers published from his/her course work. If the student has not submitted a paper for publication within one year following completion of coursework and the work is considered significantly publishable, then a manuscript may be drafted by the student's instructor of record to be submitted for publication. The student may remain as first author, depending on the student's level of involvement in the final product.

In most cases the instructor of record will be second author on student publications. Any other order of authorship should be clarified in writing prior to development. Other contributing members may share authorship as appropriate based on the amount of time, effort, and expertise contributed to study question development, research activities, and preparation. Advisors, principal investigators, and other research personnel have special responsibilities to assure the overall cohesiveness and validity of the publications on which they appear as coauthors. All authors have a shared responsibility for the published results and should have the opportunity to review all sample preparation procedures and data, as well as all data acquisition and analysis procedures. Each author should have access to the manuscript prior to its being submitted for publication, and should agree to his or her inclusion as a coauthor. All authors should know that the paper is being prepared for publication.

Financial support by any UTTC, federal, state or Tribal program must be acknowledged within the publication. Any author(s) seeking publication must provide the UTTC Office of Research with a copy of the draft manuscript at the time of submission and two copies of published copies (reprints) for the records.

Section V

Not applicable

Section VI

Not applicable

Section I

Policy Title: Academic Misconduct in Research
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to define and prohibit academic misconduct in research conducted on the UTTC campus.

Section III

This policy shall be enacted to ensure the highest academic standards for research.

Section IV

All members of the UTTC community are expected to observe high standards of academic integrity and ethical behavior in research and publication. Any practice or conduct by a member of the UTTC community that seriously deviates from those ethical standards for proposing, conducting and publishing research that are commonly accepted within the professional community constitutes academic misconduct in violation of policy.

Academic misconduct includes, but is not limited to:

1. Fabrication or falsification of data, including intentionally misleading, selective or deliberately false reporting of credentials or other academically related information;
2. Unacknowledged appropriation of the work of others, including plagiarism, the abuse of confidentiality with respect to unpublished materials, or misappropriation of physical materials;
3. Evasion of, or intentional failure, after notice by the UTTC, federal, state or other appropriate agency, to comply with research regulations or requirements, including but not limited to those applying to human subjects, laboratory animals, TRR and to general safety; and
4. Other conduct which seriously deviates from accepted ethical standards in scholarship.

Differences of interpretation or judgment, or honest error, do not constitute academic misconduct. Allegations and instances of academic misconduct will be addressed through administrative procedures including internal investigation, verbal and written warnings, suspension of duties and/or dismissal.

Section V and VI

Not applicable

Section I

Policy Title: Ownership of Data and Findings
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to define and establish guidelines for the ownership of data acquired on the UTTC campus.

Section III

This policy shall be enacted to protect Indigenous Knowledge, govern respectful behavior within Native populations, and develop capacity within UTTC.

Section IV

Research data is defined broadly as recorded information necessary for the reconstruction and evaluation of reported results of research and the events and processes leading to those results, regardless of the form or the media on which it may be recorded. The term includes technical data, project progress reports, final project reports, and computer software, but does not include other information associated with contract administration, such as financial, administrative, cost or pricing, or management information.

Examples of research data include, but are not limited to, the following:

1. Raw numbers and field notes or observations, detailed experimental protocols, procedures for data analysis and/or reduction, and data obtained from instrumentation, interviews, or surveys;
2. Computer files and databases, research notebooks or laboratory journals, tables, charts, slides, videotapes, sound recordings, and photographs;
3. Physical collections, biological specimens, cell lines, derived reagents, marine life, drilling core samples, genetically-altered microorganisms, or other tangible artifacts.

Research data do not include drafts of scientific papers, future research plans, peer reviews, or communications with colleagues; trade secrets, commercial information, or materials necessary to be held confidential by a researcher until they are published, or similar information protected under law; personnel, medical, and similar information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The PI for any given research project/activity has custodianship (see definitions); he or she is responsible for all aspects of procuring and maintaining research data, including collection and/or recording, secure retention, provision of adequate accompanying documentation, and provision

for timely access to essential records. Data must be maintained in sufficient detail and duration to allow appropriate response to questions about research accuracy, authenticity, primacy, and compliance with laws and regulations governing the conduct of research. Of particular importance are issues involving confidentiality of data obtained from human subjects, general management of data from human or animal subjects, and instances where the College must ensure timely access to research data, including situations wherein a PI leaves the employ of the College.

A PI shall retain actual ownership (see definitions) of any research data generated from research projects/activities unless:

1. The PI performed the research project/activity while supported by College funds in the form of salary, wages, or stipend, including externally-sponsored funds;
2. The PI used College facilities or equipment for the research project/activity, other than the library and/or similar facilities available to the general public, or occasional use of general office equipment and space.
3. There is a legal obligation that otherwise restricts ownership of research data by virtue of a prevailing sponsored research, material transfer, confidential disclosure, or other legally binding written agreement accepted in the College's name on behalf of the PI.

In these excluded instances, the College retains primary ownership and stewardship of research data. UTTC retains a non-exclusive, irrevocable, royalty-free license to use all research data for purposes of internal research, education, and/or protection of intellectual property when the data are generated at or under the auspices of the College. Copies of any and all research findings and/or recommendations from research conducted on campus under the ownership and stewardship of the College must be forwarded to the Office of Research within thirty (30) days upon completion of the research project/activity. In addition, there may be instances in which it is necessary for the College to access or appropriate research data. To facilitate necessary, timely and proper access to research data, the College reserves the right to take physical possession of such data with or without prior notification.

The policy regarding "Ownership of Tribal Data and Findings" supersedes this policy in any and all instances of research involving Tribally-specific research and data.

Section V

Not applicable

Section VI

Not applicable

Section I

Policy Title: Ownership of Tribal Data and Findings
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to define and establish guidelines for the ownership of tribally-specific data acquired on the UTTC campus.

Section III

This policy shall be enacted to ensure proper respect and protect the ownership of data acquired on the UTTC campus and among tribally-specific campus populations.

Section IV

UTTC, as a non-profit vocational and technical education institution owned, operated and controlled by the Standing Rock Sioux Tribe, the Spirit Lake Nation, the Mandan, Hidatsa & Arikara Nation, the Sisseton Wahpeton Oyate and the Turtle Mountain Band of Chippewa, may find it necessary to conduct research for, on behalf of, or for the benefit of, said Tribes.

In instances where Tribal representatives, Tribally-specific populations or Tribally-specific UTTC students are subjects of a research project/activity, it is required that a written and signed MOU/MOA be in place prior to the conduct of research. This agreement must delineate and state clearly:

1. the owner of raw data;
2. the owner of either aggregated and/or disaggregated data;
3. the owner of findings or final recommendations;
4. the final authority for approval of any research findings and publications; and
5. the final authority for permission to use the data and the process for granting approval.

Research projects/activities which involve the above-named parties and do not have an MOU/MOA in place prior to the conduct of research will be considered improper research and may have any gathered data confiscated.

Section V and VI

Not applicable

Section I

Policy Title: Use of Institutional Review Board (IRB)
Author(s): Cheryl Long Feather, Research Director
Initial Review: 06/19/09
Effective: 06/19/09
Review: 00/00/00
Department: Research

APPROVAL:

Representative, Administrative Council

Date

Representative, UTTC President/Board of Directors

Date

Section II

The purpose of this policy shall be to establish guidelines for the use of the UTTC IRB.

Section III

This policy shall be enacted to ensure proper documentation and use of research on the UTTC campus.

Section IV

The UTTC Institutional Review Board (IRB) #1 (OHRP* registration number IRB00005063) shall be the IRB of first choice in any research project/activity conducted on the campus that involves the use of human subjects (an in accordance with research exceptions outlined in 45 CFR 46 §46.101(b)).

If a PI desires to utilize another OHRP-registered IRB for approval because of expediency, grant requirements and/or affiliation, he or she must make a formal request in writing to the Office of Research. The Office of Research will make the final determination of IRB use. In cases in which the approval of the UTTC IRB is required, the PI may also request in writing that the application for approval forms completed for an alternate IRB be used in lieu of UTTC-specific forms to avoid duplication of effort.

**The Office for Human Research Protections is located within the United States Department of Health and Human Services (<http://www.hhs.gov/ohrp>)*

Section V

Not applicable

Section VI

Not applicable

Research Policy Definitions

RESEARCH

Research is an investigation undertaken to gain knowledge and understanding, including that conducted in the classroom setting. An investigation may be conducted to address an immediate need or without any particular application or generalization in mind, for possible future application or generalization.

PRINCIPAL INVESTIGATOR/RESEARCHER

The principal investigator is the individual who has decision-making responsibilities for the design, conduct, evaluation, monitoring, expenditures of funds and reporting of a sponsored research project. The PI/R includes any co-principal investigators/researchers.

EMPLOYEES

All paid members of the UTTC community including faculty, administration, appointed personnel, and student employees, whether full-time, part-time or contract employees.

FACULTY

Employees who are responsible for and whose performance evaluations are based primarily on the teaching, research and public service goals and objectives of UTTC.

CONSULTING and OUTSIDE EMPLOYMENT

External, professional activities including, but not limited to, any activity that is performed on an individual contractual basis for any individual, firm or agency other than UTTC; is based upon one's professional knowledge, experience and abilities; and is undertaken for personal gain beyond the payment of a nominal honorarium and/or reimbursement for expenses.

Conflicts of interest and commitment do not include professional and academic activities which are uncompensated or include only a minimal honorarium (less than \$100), such as site visits, academic panels, promotion and tenure activities, program reviews, recruiting, journal editing, attendance at or preparations for conferences or other professional activities.

NON-COMPLIANCE

Non-compliance includes failure to: (1) comply with this Policy, (2) report accurately on the Disclosure Form, and/or (3) comply with decisions under the policy. Non-compliance may result in disciplinary action, up to and including termination from employment.

RESEARCH INTEGRITY

Integrity in research includes not just the avoidance of wrongdoing, but also the rigor, carefulness, and accountability that are hallmarks of good scholarship. All persons engaged in research are responsible for adhering to the highest standards of intellectual honesty and integrity in research. Faculty and other supervisors of research activities have a responsibility to create an environment which encourages those high standards and integrity in research. Open publication and discussion, emphasis on quality of research, appropriate supervision, maintenance of accurate and detailed research procedures and results, and suitable assignment of credit and responsibility for research and publications are essential for fostering intellectual honesty and integrity in research.

MISCONDUCT

Misconduct means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scholarly and scientific community for proposing, conducting, or reporting research. Misconduct does not include honest error or honest differences in interpretations or judgments of data.

SPONSORED ACTIVITIES

Academic, research or educational programs funded by any outside source or entity including state, federal or tribal government, for-profit, or not-for-profit entities.

OWNERSHIP

Ownership is that condition under which an organization, individual(s), or any combination of the foregoing has (have) all rights and title to specific property owned (e.g. research data).

CUSTODIANSHIP

Custodianship is the physical possession of and direct responsibility for protecting research data, including accurate recording and proper retention, maintenance, access, sharing, and disposition of the data.

STEWARDSHIP

Stewardship is the college's overarching responsibility to develop, maintain, and ensure adherence to appropriate policies for data ownership and management.