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## 2015-16 FACULTY RESOURCE GUIDE

### Have you ever had to:

- Decide whether you could show a movie clip in one of your classes?
- Travel internationally with sensitive data on a flash drive?
- Evaluate the merits of forming a start-up company?
- Comply with "FERPA" without understanding what "FERPA" is?

Dealing with situations that require specialized regulatory knowledge or resources can be challenging. Fortunately, many UMD departments are available to help faculty members navigate these and similar situations.

This 2015-16 Faculty Resource Guide is a special inaugural issue of the Office of General Counsel Newsletter. It presents FAQs related to teaching, supporting students, conducting research, and other common scenarios, and provides hotlinks to relevant web-based information and to offices that can provide assistance.

Your teaching, research and outreach are the engine that drives the University of Maryland, and we want to support your success in all of these endeavors. We welcome your comments, suggestions and questions at [ogcguide@umd.edu](mailto:ogcguide@umd.edu).

Have a great school year! We look forward to working with you.

Sincerely,  
The UMD Office of General Counsel



## FAQs: TEACHING

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### **1. When and how can I use third party materials (print, web, or video) in my class?**

See the [University Libraries' Copyright Guide](#) and, in particular, the materials under "[Using Copyrighted Materials](#)," "[Exemptions and Fair Use](#)" and "[Tools and Resources](#)."

### **2. How do I learn about development and delivery of an online course?**

Article VIII of the [University of Maryland Policy on Intellectual Property](#) requires that online courses be developed under a written agreement among the instructor, the department chair, the dean and the Provost's Office. Contact the [Associate Provost for Learning Initiatives/Executive Director of the Teaching and Learning Transformation Center](#) or schedule an appointment with instructional designers from the [Learning Technology Services](#) team in the [University's Division of IT](#). You may also contact the [Office of General Counsel](#) for more information.

### **3. What procedures apply to choosing textbooks?**

For guidance on choosing textbooks, review the [Faculty Handbook](#) and applicable policies including the [Policy on Textbook Affordability](#). You may also wish to consult [the open educational resources](#) web site. If you want to assign a book you authored, comply with the UMD [Policy on the Use of Self-Authored Course Materials](#).

### **4. What can I do if I find my course materials for sale on line?**

Consult the guidance on [Commercial Use of Course Materials](#) on the [Office of General Counsel](#) web site.

### **5. How do I make technologies accessible to students with disabilities?**

Make an appointment with one of the instructional designers from the [Learning Technology Services](#) team in the [Division of IT](#) for assistance. Students may want to contact the Adaptive Technology Lab in the [Disability Support Service](#) for software support.

### **6. Do I have to allow an animal accompanying a student into my classroom or office?**

Yes, if the student has a disability and is using a dog that has been trained to perform tasks for the student. For specific questions, please contact the [Disability Support Service](#) in the University Counseling Center.

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### **7. Am I required to accommodate student Religious Observances?**

Students should be allowed to make up academic assignments that are missed due to absences for religious observances. See [UMD Policy on religious observances](#).

### **8. Are there special considerations for teaching or interacting with student athletes?**

Student athletes are subject to the same academic and conduct rules as other students. See [UMD Policy on Conduct and Ethics for Student-Athletes](#). To discuss academic issues, contact [Dr. Nick Hadley](#), Faculty Athletics Representative, or the [Academic Support & Career Development Unit](#). Contact the [Athletics Compliance Office](#) with questions about NCAA rules interpretation and compliance.

### **9. How are cheating, plagiarism, and other forms of academic misconduct addressed?**

Consult the [Code of Academic Integrity](#). Contact the [Office of Student Conduct](#) for assistance.

### **10. What can I do to address disruptive classroom behavior?**

The [Behavioral Threat Assessment Team](#) (BETA) evaluates reports about students who are concerning, disruptive, or threatening.

### **11. How are grade disputes handled?**

See [UMD Procedures for Review of Alleged Arbitrary and Capricious Grading for Undergraduate Students](#). For graduate students, see [UMD Graduate Policy and Procedures for Review of Alleged Arbitrary and Capricious Grading](#).



## FAQs:

### SUPPORTING STUDENTS

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#### **1. What must I do to keep student information private?**

[The Family Educational Rights and Privacy Act](#) (FERPA) is a Federal law that protects the privacy of student education records. [The UMD Policy and Procedures On The Disclosure Of Student Education Records](#) implements FERPA on campus. Contact the [Office of the Registrar](#) or the [Office of General Counsel](#) for guidance.

#### **2. Should I obtain a written consent from a student who has asked me to write a recommendation?**

If information within an education record (grades, GPA, and other non-directory information) will be included in the recommendation, it is a best practice to obtain the student's written permission using a [form like this one](#). However, personal observations and impressions may be shared without the student's written permission. Contact the [Office of General Counsel](#) for guidance.

#### **3. What should I do if I see a person who may be a threat to themselves or others?**

For emergencies and other imminent situations, contact the UMD Police Department from campus phones at 911 or 301-405-3333. Dial #3333 from any Verizon Wireless, AT&T, Sprint or T-Mobile cell phone. For non-emergencies, contact 301-405-3555.

#### **4. What can I do if I am concerned about a campus community member's health?**

Community members with physical health concerns should be referred to the [University Health Center](#). For mental health concerns, contact the [Mental Health Service](#) or the [Counseling Center](#).

#### **5. How can I assist a student who reports being subjected to discrimination or harassment?**

[The Office of Civil Rights & Sexual Misconduct](#) is a resource to all members of the UMD community on all forms of discrimination. You may have an obligation to make a report to that office under UMD Policy and Federal law if you qualify as a ["Responsible University Employee."](#)

#### **6. What should I do if a student reports to me (or I become aware) that he/she has been sexually assaulted?**

Review the [resources](#) on the web site of [the Office of Civil Rights & Sexual Misconduct](#) and determine if you qualify as a ["Responsible University Employee"](#) and have an obligation to make a report to that office under [UMD policies and procedures](#).

#### **7. What if the sexual assault victim wants to talk with someone confidentially?**

The [Care to Stop Violence Program](#) in the [University Health Center](#) offers confidential services to victims of sexual assault.

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**8. What should I do if a student reports to me (or I become aware) that he/she has been the victim of child abuse or neglect?**

[Maryland law](#) imposes a mandatory reporting requirement on health practitioners, police officers, educators, or human service workers who come to believe, while acting professionally, that a child has been subjected to abuse or neglect. Consult the UMD Policies and Procedures on the [Reporting of Suspected Child Abuse and Neglect](#) for reporting deadlines and procedures.

**9. What resources are available to me for accommodating students with disabilities?**

The [Disability Support Service](#) in the University Counseling Center assists units in coordinating reasonable accommodations, including services related to testing, reading, deaf and hard of hearing services, para-transit, and advocacy support.

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## FAQs: RESEARCH

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### **1. Where can I get assistance in developing a proposal for research funding?**

Contact your college/departmental business office (if applicable) and review the [Office of Research Administration's](#) Proposal Development [Quick Reference Guide](#).

### **2. Can someone help me address issues involving copyright, authorship, or other publication issues?**

See the [University Libraries' Copyright Guide](#) and, in particular, the materials under "[Author Rights](#)" or contact the [Office of General Counsel](#).

### **3. Where can I get assistance for an invention or in seeking patent protection?**

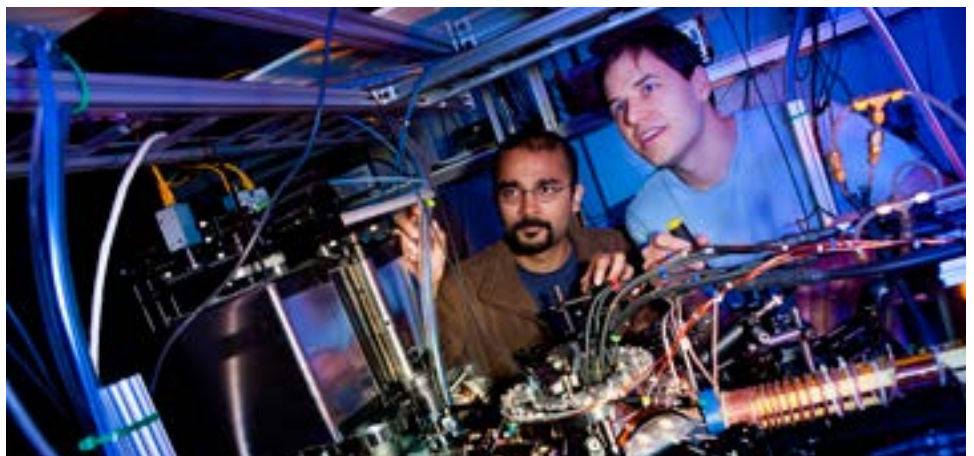
Consult the [Office of Technology Commercialization](#) and review its online resources "[For Inventors](#)".

### **4. Where can I get assistance in forming a startup company?**

Contact the [Office of Technology Commercialization](#) and review its [Entrepreneurial and Start-up Resources](#) page. Additional resources include the VPR Research Entrepreneurship [Seminar on Faculty Start-Ups](#), [MTech](#), and [UM Ventures](#).

### **5. What guidelines and support exist for research involving animals?**

Contact the [Institutional Animal Care and Use Committee](#) (IACUC) for assistance. See applicable [policies](#) related to animal research.



## **6. What guidelines and support exist for research involving human subjects?**

Contact the [Institutional Review Board](#) (IRB) for assistance and review applicable [policies](#).

## **7. What guidelines and support exist for maintaining laboratory safety?**

Contact the [Department of Environmental Safety](#) (DES) for assistance and see detailed information regarding [biological safety](#), [laboratory safety](#), [laser safety](#), [radiation safety](#), and [scientific diving and boating safety](#).

## **8. What do I need to know about export controls?**

Working with military or space technologies? Sending research materials overseas? Sharing sensitive technical information with non-US persons? Traveling to a sanctioned location? Contact the [Export Compliance Office](#) and review the materials on its [website](#) to determine if US export control laws impact your research activities.

## **9. How should I react to possible scholarly misconduct?**

Consult [UMD's Procedures for Scholarly Misconduct](#).

## **10. Can my private company use UMD facilities? Can I use my UMD office or laboratory to work on projects for my company?**

It depends. Private use must be approved in advance per UMD [policy](#), must comply with UMD's [Conflict of Interest Policy and Procedures](#), and it must contribute to UMD's mission.

## **11. What should I do if I want to host a US or international student or researcher in my lab for an extended period of time?**

If the visitor is a US citizen, the department must issue an [offer letter](#) (click on Domestic Visitors at bottom of page) to the person and his or her university to serve as a non-paid visiting faculty researcher.

If the person is an international student or researcher, a [visitor screening approval](#) from the [Export Compliance Office](#) may be required prior to generating the offer letter. The Faculty Affairs Office describes the screening approval and offer letter process [here](#).

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## FAQs:

### BUSINESS & CONTRACTUAL RELATIONSHIPS

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**1. Can I consult or engage in other outside professional activities for pay?**

Consult the [UMD Policy on Conflict of Interest and Conflict of Commitment](#). Persons who engage in outside professional activities must report them annually.

**2. Do I have authority to sign a nondisclosure agreement or a material transfer agreement?**

No! Contact the [Office of Research Administration](#) for assistance.

**3. Do I have authority to sign other UMD contracts?**

No! Only authorized personnel with delegated signature authority can sign contracts on behalf of UMD. Contact the [Office of General Counsel](#) for assistance.

**4. Is it permissible for me to download “free” software to use in my work at UMD?**

The [Division of Information Technology](#) maintains a [database of free software](#) for download. If you want to download software not available through the database or have concerns about the security of using particular “free” software, contact the [security and policy unit of the Division](#) or your unit’s IT professional.

**5. What guidelines exist for the use of UMD’s name and trademarks?**

Any use of UMD’s name and trademarks must be consistent with the [Guidelines for Use of University Marks](#) and the [Brand Identity Guidelines](#). Contact [Trademark Licensing](#) with additional questions.

**6. Does UMD have liability insurance that covers me while I’m working?**

The State of Maryland is self-insured under State law. A [summary](#) of the coverage that applies to state employees acting within the scope of their employment is available on the web site of Maryland State Treasurer. Contact the [Office of Risk Management](#) for assistance.

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**7. What happens if I am injured on the job?**

You must file a [report](#) of the incident. You should also read “Workers’ Compensation Frequently Asked Questions” and review the workers’ comp [web site](#).

**8. Does UMD have insurance for when I travel on business?**

Car insurance coverage for state employees operating within the scope of their employment duties is [summarized](#) on the web site of the [Office of Risk Management](#) in the [Department of Environmental Safety](#).

**9. Does international business travel require any special preparation?**

View the section on [“International Travel”](#) on the [Export Compliance Office website](#) and/or speak with a counselor in International Scholar and Student Services and consult the Office of Risk Management [Travel Safety](#) resource page.



# WHAT HAPPENS WHEN...?

## ADVICE FOR COMMON SCENARIOS

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### **1. What should I do if I am sued for something that occurred during my work at UMD?**

Contact the [Office of General Counsel](#) at 301-405-4945 for assistance at your earliest convenience.

### **2. Will UMD defend me if I am sued?**

When the State of Maryland, its agencies, or employees are sued, the Office of the Attorney General for the State of Maryland will represent and defend them in State and Federal courts as long as the employees acted in good faith in the performance of their public duties and without malice. If you are sued in your capacity as an employee of the University, contact the [Office of General Counsel](#).

### **3. What should I do if I receive a court order or a subpoena, or if I am contacted by an outside attorney or regulator regarding my work at UMD?**

Contact the [Office of General Counsel](#) immediately.

### **4. Who do I contact to report suspected or known fiscal irregularities, including fraudulent, unethical, or illegal business activity?**

Contact the [USM Office of Internal Audit](#) or make an [online referral](#). Also review the USM [Policy on reporting fiscal irregularities](#) and the UMD [Procedures for reporting fiscal irregularities](#).

### **5. Someone has sent me a request (or would like to make a request) for public records. What should I do?**

You should forward the request immediately to the [Office of General Counsel](#) and direct the person to file the request through the UMD [Maryland Public Information Act web site](#).

### **6. When should I consult with the Office of General Counsel?**

Sooner rather than later! If you think you may need to speak with an attorney, call the OGC's main number (301-405-4945) or email an [attorney](#).

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### **STILL HAVE QUESTIONS?**

Please contact the Office General Counsel  
at 301.405.4945 for assistance.

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