

Formal Dispute Resolution Procedures

Supplemental to [University Policy 318, Authorship Policy and Resolution Procedures](#)

Effective May 4, 2023

1. Introduction

The role authorship plays in careers, awards, grants, and other academic endeavors means that the stakes for authorship naming and ordering are high. At times, collaborators may not agree on authorship designation for a presentation, publication, or other scholarly work. As a result, [University Policy 318, Authorship Policy and Resolution Procedures](#) (“the Policy”) establishes authorship principles and practices and provides methods of informal and formal authorship dispute resolution.

In particular, if informal steps fail to resolve a dispute between collaborators, and a disputant initiates a formal dispute resolution process, UNC Charlotte will engage the procedures established in [University Policy 318, Authorship Policy and Resolution Procedures](#) and these Formal Dispute Resolution Procedures. The objective of these Procedures is to provide a uniform framework for resolving formal authorship disputes.

2. Formal Dispute Resolution Procedures

2.1 Parties to the Dispute

A formal authorship dispute may be initiated by any member of the UNC Charlotte community covered by the Policy (current faculty, staff, and students, or former faculty, staff, or students who engaged in work at UNC Charlotte that is the subject of the dispute) (“disputant”) who is unable to resolve an authorship dispute with one or more collaborators (“respondent”) informally. A dispute may involve more than one disputant and/or more than one respondent; for the purposes of these Procedures, the singular also refers to the plural.

2.2 Dispute Initiation

A disputant who is unable to resolve an authorship dispute with a respondent informally may initiate a formal dispute resolution by sending a request for a formal authorship dispute resolution to the Dean of the Graduate School (“Dean”) in writing, with a summary of the dispute and any relevant supporting documents.

2.3 Dean’s Initial Assessment

The Dean will review the disputant’s summary and documents to determine whether:

1. The factual information necessary to evaluate the claim is available to the parties or the University;
2. There is any evidence to support the claim; and

3. The claim, if true, would constitute a violation of applicable authorship norms or policies.

Within fourteen (14) calendar days of receipt of the disputant's summary and documents, the Dean shall make a determination about whether the case shall be subject to formal dispute resolution, as follows:

- 2.3.1 If, upon review of the summary and documents, the Dean makes an initial determination that (1) there is insufficient evidence to support a claim, (2) the claim, if true, would not constitute a violation of applicable authorship norms or policies, and/or (3) the parties and/or the University do not have access to information necessary to evaluate the claim, the Dean will notify the disputant accordingly, and the case will not be subject to a formal dispute resolution process.
- 2.3.2 If, upon review of the summary and documents, the Dean makes an initial determination that (1) there is evidence to support a claim, (2) the claim, if true, would constitute a violation of applicable authorship norms or policies, and (3) the parties and/or the University have access to information necessary to evaluate the claim, the Dean will initiate a formal dispute resolution process, in accordance with Section 2.4 below.

2.3.3 **Conflicting Processes**

To ensure that there are not two processes initiated to address the same matter, if the Dean believes that the dispute may also involve research misconduct, the Dean should consult with the Research Integrity Officer (RIO) to determine whether a research misconduct investigation may be appropriate instead of or in addition to the authorship dispute resolution process. Similarly, the Dean should first consult with the Director of Student Accountability and Conflict Resolution if there is reason to believe that the case involves a student academic integrity violation.

2.4 Initiation of Formal Dispute Resolution Process

2.4.1 Authorship Dispute Committee

At least annually, the Dean should appoint and maintain a standing pool of seven members of an Authorship Dispute Committee. At least two of the members must be UNC Charlotte graduate students. The remaining members must be tenured UNC Charlotte faculty. Committee members must receive training prior to serving on a Hearing Panel. Training will be provided via a dedicated Canvas course. In addition, the

Dean may appoint an *ex officio* committee member to prepare materials, conduct administrative tasks, arrange meetings, etc.

2.4.2 Hearing Panel Selection

When an authorship dispute has been initiated, and the Dean has determined that it is appropriate for formal dispute resolution pursuant to Section 2.3.2 above, the Dean should select three members from the Committee to form a Hearing Panel, including naming a Chair. If the dispute involves a student, at least one of the Panel members must be a graduate student. If the dispute involves only faculty, the Panel should consist only of tenured faculty. The Dean must also ensure that there is appropriate subject matter expertise on the Panel to evaluate the dispute.

2.4.3 Hearing Panel Appointment

The Dean shall inform the Hearing Panel members in writing of their appointment to the Panel in accordance with the deadline in Section 2.3 above. The notice of appointment shall include:

1. The names of the disputant and respondent;
2. A summary of the disputant's allegations to be considered by the Panel; and
3. Instructions about the Panel's duties and confidentiality obligations.

Any Panel member with a conflict of interest or bias shall recuse themselves by informing the Dean within seven (7) calendar days so that the Dean can appoint a different Panel member.

2.4.4 Notice to the Parties and Party Responses

Simultaneously with the notice of appointment of the Hearing Panel, the Dean will provide the parties to the dispute written notice that the dispute has been referred to a Hearing Panel for formal dispute resolution. The notice shall include the following information:

1. A summary of the disputant's allegations to be considered by the Panel;
2. The requirement to prepare and submit to the Panel the materials and information indicated below within seven (7) calendar days; and
3. Names and titles of the Panel members and designation of the Chair.

The disputant and respondent have the right to object in writing to any Panel member based on bias or conflict of interest.

Within seven (7) calendar days, the parties must submit to the Dean the following:

1. Position statements;

2. Supporting evidence;
3. A list of potential witnesses, if any; and
4. Any objections to a Panel member based on conflict of interest or bias. If a party objects to a Panel member, the Dean shall appoint another Panel member promptly and shall notify the parties.

2.4.5 Hearing Panel Adjustments

If the Dean appoints a new Panel member based on recusal of or objection to a Panel member previously appointed, the new Panel member and parties shall be notified simultaneously of the appointment. The new Panel member shall have five (5) calendar days to recuse themselves if they have a conflict of interest or bias by notifying the Dean in writing. The parties shall have five (5) calendar days to object to the new Panel member based on a conflict of interest or bias by notifying the Dean in writing.

2.5 Authorship Dispute Hearing Procedures

2.5.1 Role of the Panel

The role of the Panel is to assess the evidence and testimony of the disputant and respondent and any witnesses regarding authorship and to issue to the Dean a written report with a recommendation for resolving the dispute.

2.5.2 Charge of the Panel and Hearing Preparation

Within seven (7) calendar days after receipt of the parties' position statements, supporting evidence, and potential witnesses as indicated in Section 2.4.4 (or after appointment of a new Panel member if a Panel member is replaced pursuant to Section 2.4.5), the Dean will formally charge the Panel with undertaking review, holding a hearing, and making a recommendation for resolution of the dispute.

As part of the formal charge, the Dean will provide the Panel with the materials received, including:

1. The parties' position statements;
2. Supporting evidence; and
3. A list of potential witnesses, if any.

Simultaneously with issuing the formal charge to the Panel, the Dean will provide both parties with the same materials.

The Dean and/or designee(s) may meet with the Panel to discuss the charge and the application of dispute resolution procedures.

2.5.3 Scheduling and Conduct of the Hearing

The Chair of the Panel will schedule a hearing, in consultation with the Panel members and the parties. In most cases, the Panel will seek to convene the hearing within thirty (30) days of its formal charge, though academic schedules of Panel members and/or parties may require a longer period. The hearing may be held in person or remotely via synchronous video conference, at the determination of the Panel.

At the hearing, the Panel will interview the disputant, respondent, and other witnesses who are identified by the parties and who are deemed relevant by the Panel; examine relevant evidence; and evaluate the evidence and interviews.

The Chair of the Panel is responsible for the conduct of the hearing, keeping order, and setting standards of decorum. Upon written consent of all Panel members and all parties, the hearing may be audio-recorded by the Panel for the sole purpose of producing a transcript. The transcript, if produced, will be appended to the Panel's recommendation. The audio recording will not be made available to the parties, nor may the parties make an audio or video recording of the hearing.

At the discretion of the Panel, both parties to the dispute shall attend the hearing. The parties may be accompanied by an advisor of their choice for consultation during the hearing, but the advisor may not participate in the hearing or speak on behalf of the party they are advising.

The parties are responsible for presenting their positions in good faith, and for maintaining confidentiality of the parties to the dispute and of all documentation, and for cooperating with the Panel's deliberative process.

2.5.4 Panel's Recommendation

After the conclusion of the hearing, the Panel will meet as necessary to discuss the case to prepare a draft written recommendation. The recommendation may be made by a majority of the Panel members and need not be unanimous. If the recommendation is not unanimous, the recommendation shall indicate that there was dissent within the Panel. Retaliation by any Panel member against another is prohibited and subject to appropriate disciplinary action.

The draft recommendation must include:

1. The claims reviewed by the Panel;
2. A summary of the evidence considered in support of the claims and in response to the claims;
3. Summaries of the hearing testimony;
4. The Panel's findings, including the Panel's reasons for making those findings;

5. The recommendations of the Panel for resolving the dispute, as well as any other information that the Panel deems relevant to include;
6. A transcript, if produced; and
7. An anonymized summary of the dispute, which may include a general description of the type of dispute and the recommended resolution. The purpose of the anonymized summary is for internal institutional record-keeping purposes only.

The Panel shall submit its final recommendation to the Dean within thirty (30) calendar days of the hearing, unless circumstances clearly warrant a longer period. If the Panel determines that a period longer than thirty (30) calendar days is necessary to make its recommendation, the Panel will submit to the Dean a written explanation of the extension, and the Dean will notify the parties and document the reasons for extending the deadline.

Within three (3) business days of receipt of the Panel's written recommendation, the Dean will notify the disputant and respondent of the Panel's recommendation. The Panel's recommendation is not binding on the parties to the dispute but may be considered as presumptive evidence of the appropriate authorship designation if either the disputant or respondent fails to implement the recommendation. The Dean may notify the non-complying party's supervisor or other appropriate administrator if the Dean determines that the party's failure to implement the recommendation warrants consideration of disciplinary or other appropriate action.

2.5.5 Confidentiality

The Panel will maintain confidentiality during the dispute resolution process, but may consult with other members of the University community to seek expertise on the academic subject at issue, so long as it does not share identifying information about the parties. The Panel may also disclose relevant information about the dispute to any witnesses identified by the parties if it interviews those witnesses.

If the dispute involves authorship of a work with authors or collaborators other than the disputant and respondent, the Panel may notify those individuals of its recommendation if it affects the authorship designation of those authors or collaborators.

The University will protect the confidentiality of the parties to the dispute and any related documents to the extent permitted under law. Retaliation against individuals for raising authorship dispute claims in good faith or for cooperating in good faith in the University's review of any such claims is strictly prohibited and subject to disciplinary action.