

POLICY AND PROCEDURES REGARDING RESEARCH MISCONDUCT

I. Purpose

This policy and the procedures for implementing it are intended to preserve the integrity of research at Indiana University-Purdue University at Fort Wayne; to establish due process for investigating and trying charges of research misconduct; and to ensure that the rights and standing of all those involved in such cases are protected. This policy applies to all faculty and professional staff employed at Indiana University-Purdue University at Fort Wayne.

II. Definitions

- A. University: Indiana University-Purdue University at Fort Wayne.
- B. Research: scholarly or artistic activity conducted at Indiana University-Purdue University at Fort Wayne or elsewhere if conducted under the auspices of this campus or Indiana University or Purdue University.
- C. Research Misconduct: fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the academic community for proposing, conducting or reporting research. This definition does not extend to honest errors or honest differences in interpretation or evaluation.
- D. Dean: Dean of the School or Director of the program in which the person charged holds appointment.
- E. Inquiry: a process of information-gathering and initial fact-finding to determine whether an allegation or apparent instance of research misconduct warrants an investigation; an internal administrative and collegial proceeding, not a judicial process.
- F. Investigation: a formal examination and evaluation of all relevant facts to determine if research misconduct has occurred; an internal administrative and collegial proceeding, not a judicial process.
- G. Appeal: a review of the verbatim record of the investigation and supporting documents and/or consideration of new evidence.

III. Professional Responsibilities

Each scholar, researcher and artist should:

encourage integrity in research
discourage the pursuit of success at the expense of integrity
assign credit and responsibility appropriately
accept responsibility for the integrity of students
and/or staff involved in research under her/his supervision
conduct interpersonal relationships in a professional manner
establish well-defined research methods
maintain accurate and complete research records.

IV. Principles and Parameters

- A. Those who, in good faith, report suspected research misconduct will be protected against reprisals.
- B. Those appointed to inquire into or investigate charges of research misconduct must be objective, must possess competence in the research field in question, must be free of real or apparent conflicts of interest or personal bias, and must be, to the extent possible, employees of this University.
- C. Information concerning charges brought under this policy may not be disclosed except to appropriate university authorities, or in cases where required by law, to state or federal authorities.
- D. Individuals charged with research misconduct must be informed of the charge and its particulars in writing immediately.
- E. Due process for those charged must include, in addition to the notice described above, the right to communicate in writing and in person with any officers or committees appointed to conduct inquiries, investigations or appeals at any point during these processes prior to the formulation of conclusions; the right to be advised or represented by person(s) of their own selection at their own expense; the right to appeal findings on the basis of new evidence or violations of substantive and/or procedural due process; the right to appeal the appropriateness of any sanctions imposed; protection from adverse changes in employment status due to the allegations during the proceedings; and prior notification of any decision to disseminate information or to seek information about the research in question from others.
- F. The University will appoint committees required by these procedures as promptly as possible, consistent with the circumstances. Each committee will conduct its phase of the process with due speed, consistent with thoroughness, fairness, and impartiality.
- G. During the process, the Vice Chancellor for Academic Affairs shall be notified promptly if any of the following exist:

1. an immediate health hazard
2. an immediate need to protect federal or university funds or equipment
3. an immediate need to protect the interests of any of the individuals involved in the process including, but not limited to, the accused, the accuser and those associated with either
4. the probable public disclosure of the charges
5. reasonable evidence of possible criminal violations.

The Vice Chancellor is responsible for taking appropriate action regarding these notifications.

- H. Committee determinations of culpability shall be made on the basis of a clear indication that research misconduct has occurred.
- I. Determinations made under this policy as to the culpability of the accused and the findings of fact shall be deemed final, and all proceedings under existing University grievance procedures shall be limited to issues concerning the appropriateness of any sanctions imposed.
- J. In cases where allegations of research misconduct have been made regarding federally funded research, the timetable and requirements established by the U.S. Department of Health and Human Services for investigating and reporting research misconduct will govern the fact-finding procedures described in this document.

V. Procedures

A. Inquiry

1. Allegation: Charges of research misconduct must be submitted to the Dean in writing and signed by the individual(s) making the allegations. Requests for anonymity are allowed, but the final disposition of these will be made by the Dean. An individual whose request for anonymity is denied shall have the right to withdraw the charges, ending the matter.
2. Notification: The Dean will notify the accused in writing immediately.
3. Appointment: The Dean will appoint a committee of three members sufficiently qualified to conduct an inquiry into the allegation.
4. Committee Action: The Committee will select a chair, determine its method of inquiry and conduct its inquiry. Upon completion of its work, the

Committee will report its findings and make a recommendation, supported by a majority of its members, to the Dean. A written copy of the findings and recommendation will be sent to the accused.

5. Conclusion: If the Committee recommends that no further action is justified, the report will be stored securely in the office of the Dean for as long as required by applicable law or regulation and then destroyed. If the Committee recommends that an investigation is warranted, the Dean will inform the Chancellor, and the investigation process will begin.

B. Investigation

1. Notification: Upon notice from the Dean that an inquiry has recommended an investigation of an allegation of research misconduct, the Chancellor will notify both the President of Purdue University and the President of Indiana University. If required by law, contract, or regulation, the President of Purdue University shall notify the appropriate office of the involved agency.
2. Appointment: The Dean, the Vice Chancellor for Academic Affairs, and the Chair of the Faculty Affairs Committee of the Fort Wayne Senate shall jointly appoint a committee to investigate the allegation. The Committee must have at least three members, but may be larger if the appointing authority determines that a larger number is required to provide the required expertise and breadth of representation. One member must be a peer of the accused, that is, a faculty colleague if the accused is a faculty member, or a member of the professional staff if the accused is such; no member may have served on the committee of inquiry.
3. Committee Action: The Committee will select a chair, determine its method of investigation, and conduct its investigation. The Committee must complete this process within 90 days of its appointment unless circumstances clearly warrant that an extension be granted by the appointing authority. The Committee must make provision for a) witnesses appearing on behalf of the accused, the committee of inquiry and itself; b) cross-examination of witnesses by the accused or the committees; c) a verbatim record, such as a tape recording of all hearings, which shall become the property of the University, with a copy made available to the accused. Pertinent records, exhibits, and written statements may be presented

as evidence, but the acceptance of such shall be determined by the investigating committee.

4. Reporting: Upon completing its work, the Committee will report its findings and recommendation to the accused, the Dean, the Vice Chancellor for Academic Affairs, the Chair of the Faculty Affairs Committee of the Fort Wayne Senate and the Chancellor. The Chancellor will report the results of the investigation to the President of Purdue University and the President of Indiana University. If required by law, contract, or regulation, the President of Purdue University will provide a report to the appropriate office of the involved agency.

C. Appeal

1. Petition: An accused may appeal the findings or recommendation of an investigating committee in writing to the Vice Chancellor for Academic Affairs within five working days of their receipt. Such appeal must be based upon one or more of the following: a) the discovery of new evidence; b) questions concerning the fairness of the inquiry and investigation process; c) questions concerning violations of procedural due process as set forth in this document; d) questions concerning the accuracy and the relevance of evidence cited by the committee of investigation in reaching its conclusions.
2. Appointment: The Vice Chancellor for Academic Affairs will appoint a committee of three members selected for their expertise to consider the appeal. No member may have served on the inquiry or investigation committee.
3. Committee Action: The Committee will select its chair. In the case of appeals based on new evidence, it will determine whether the new evidence is sufficient to alter the conclusions and whether the evidence was known, or could reasonably have been known, by the accused at the time of the investigation committee's deliberation; in the case of appeals based on questions concerning substantive and procedural due process (1b, 1c, 1d above), the Committee will be limited to a review of the verbatim record of the investigation committee and supporting documents.
4. Report: The Committee must complete its work within 25 days of its appointment and report its findings to the Vice Chancellor and to the accused. The Vice Chancellor will transmit the results of the appeals procedure to those who

received the earlier report of the investigation.

D. University Action

After completion of the appeals procedure, or upon expiration of the time for appeal, the administration of the University shall determine appropriate sanctions, if any be necessary, arising from the findings and/or recommendation of the investigation or appeal committee. These sanctions must be in accordance with the relevant sections of Purdue University Executive Memorandum B-48 (or successor document) and/or the Indiana University Code of Academic Ethics.