

Policy Approval Form

Executive Summary. (Type a short summary of the process followed to develop this policy, identify those involved in its development, reason for undertaking the process, and key features of the policy). This section is to be completed by the group or individual assigned to develop this policy.

The Research Misconduct policy was modified from sample provisions developed by the Office of Research Integrity (ORI), US Department of Health and Human Services. It was written to meet the requirements of the *Public Health Services Policies on Research Misconduct* (42 CFR Parts 50 and 93). The ORI Requirements for Institutional Policies and Procedures, from which this policy was adapted can be found at <http://ori.dhhs.gov/>.

Ken Tabbutt, Academic Dean drafted the policy in response to a grant application to the National Institutes of Health that requires the institution receiving the grant to have an established administrative policy for responding to allegations of research misconduct. The key elements of the policy include (from ORI summary):

- Protection of the confidentiality of respondents, complainants, and research subjects identifiable from research records or evidence, consistent with Section 93.108.1
- A thorough, competent, objective, and fair response to allegations of research misconduct consistent with, and within the time limits of the final rule, including precautions to ensure that individuals responsible for carrying out any part of the research misconduct proceeding do not have unresolved personal, professional, or financial conflicts of interest with the complainant, respondent, or witnesses.2
- Notice to the respondent consistent with and within the time limits of the final rule.3
- Written notice to ORI of any decision to open an investigation on or before the date on which the investigation begins.4
- An opportunity for the respondent to provide written comments on the institution's inquiry report.5

An opportunity for the respondent to provide written comments on the draft report of the investigation, and provisions for the institutional investigation committee to consider and address the comments before issuing the final report.6

Protocols for handling the research records and evidence, including the requirements of Section 93.305.7

Appropriate interim institutional actions to protect public health, Federal funds and equipment, and the integrity of the PHS supported research process.8

Notice to ORI under Section 93.318 and notice of any facts that may be relevant to protect public health, Federal funds and equipment, and the integrity of the PHS supported research process.9

Institutional actions in response to final findings of research misconduct.10


- All reasonable and practical efforts, if requested and appropriate, to protect and restore the reputation of persons alleged to have engaged in research misconduct but against whom no finding of research misconduct is made.11 (The institution may make findings of research misconduct or other breaches of research integrity under internal policies and standards adopted by the institution even if no misconduct or other breaches of integrity are found under the HHS regulation.)
- All reasonable and practical efforts to protect or restore the position and reputation of any complainant, witness, or committee member and to counter potential or actual retaliation against those complainants, witnesses and committee members.12
- Full and continuing cooperation with ORI during its reviews under Subpart D of 42 CFR Part 93 or any subsequent hearings or appeals under Subpart E of 42 CFR Part 93 under which the respondent may contest ORI findings of research misconduct and proposed HHS administrative actions. This includes providing, as necessary to develop a complete record of relevant

evidence, all research records and evidence under the institution's control, custody, or in the possession of, or accessible to, all persons within its authority.13

Vice President for Academic Affairs and Provost  Date 12-14-05

Vice President for Finance and Administration  Date 12-14-05

Vice President for Student Affairs  Date 12/19/05

Executive Associate to the President  Date 12-14-05

President  Date 12-14-05

Date policy becomes effective 12-14-05