

1 Introduction

1.1 Integrity in research is the basis for the academic search for knowledge. Persons involved in academic research must guard the truth and protect the public trust that research in an academic environment has long held. Activities which interfere with an honest search for the truth cannot be tolerated in a university setting. All effort must be made to maintain an open and honest search for truth through continual commitment by faculty, staff, and students to scrupulous honesty and integrity in research.

1.2 It is clear that scientific and scholarly misconduct cannot be prevented completely by a university policy or federal law; it can only be avoided through each individual's firm commitment to academic ideals and honesty. The importance of such honesty in one's research work should be impressed upon all members of the university community by those responsible for conducting or directing research and scholarship projects. Only in this way can the university community effectively guard the truth and maintain traditions of intellectual honesty.

2 Scope

3 Definitions

3.1 Research Misconduct

3.1.1 Since the search for knowledge is impeded and subverted by the misrepresentation of facts, openness and honesty are commonly accepted norms within the scientific and scholarly community for proposing, conducting, or reporting research. "[http://policy.appstate.edu/Research misconduct](http://policy.appstate.edu/Research%20misconduct)"<http://policy.appstate.edu> means plagiarism, falsification, fabrication of data, or other forms of deliberate misrepresentation. It does not include honest error or honest differences in interpretations or judgments of data.

4 Policy and Procedure Statements

In the belief that honesty and integrity are essential to the search for knowledge, it is the policy of Appalachian State University that all persons involved in research and scholarship must guard the truth, uphold the highest standards in their research and scholarship, and protect the public trust that the academic environment has long held. Whenever any Appalachian faculty member, graduate student, or other research employee is accused of serious misconduct in scientific or scholarly research, the University will conduct an inquiry, make a determination concerning the truth or falsity of the allegations, and take appropriate disciplinary action. The process of inquiry will be expeditious and protect the rights of all those concerned, including the complainant and the accused.

4.1 Initiation of Inquiry

4.1.1 Allegations of research misconduct involving faculty members, graduate students, or staff should be directed to the Dean of Research and Graduate Studies. The Dean will confidentially counsel any individual who comes forward with an allegation of research misconduct since some concerns or allegations may not fall within the scope of policies and procedures developed to address research misconduct. If the Dean determines that the concern is properly addressed through policies and procedures designed to deal with

misconduct in research, these procedures should be discussed with the individual questioning the integrity of a research project. If the individual chooses not to make a formal allegation, but the Dean believes there is sufficient cause to warrant the inquiry, the matter should be pursued without a complainant and the Dean should so inform the Provost.

4.1.2 When the subject of the inquiry is a graduate student, the case will be reviewed by the Dean of Research and Graduate Studies, and the policies and procedures prescribed if the Appalachian State University Code of Academic Integrity for students will apply in the resolution of pending charges. Should the subject of the inquiry be faculty or other staff members, the Dean in consultation with the Provost will determine whether an inquiry is warranted.

4.2 Inquiry

4.2.1 If the inquiry involves a faculty or other staff member, the Dean of Research and Graduate Studies will appoint an ad hoc Inquiry Committee consisting of three tenured faculty members, two from the college in question and one from another college of the university. In selecting the members of the committee, potential conflicts of interest must be examined scrupulously and any relationship with parties to the matter must be fully disclosed. Those inquiring into the allegations should be selected in full awareness of the closeness of their professional or personal affiliation with the complainant or the respondent. It is also important that the committee have appropriate scientific or scholarly expertise to assure a sound knowledge base from which to work. The respondent and complainant will be notified of the charges and process at this time. Committee members should be appointed and convened as soon as possible, provided with the information immediately available, and charged either to complete the inquiry phase within 30 days or to present a report, at that time, to the Dean of Research and Graduate Studies, the respondent, and the complainant, citing the reasons for delay and progress to date.

4.2.2 During the inquiry, confidentiality will be maintained to protect the rights of all parties involved. It may be desirable to keep the identity of the complainant confidential during the inquiry phase. The Dean of Research and Graduate Studies will assume responsibility for disseminating information relevant to the inquiry to the appropriate individuals. Normally, this will be in writing with copies filed in the office of the Provost.

4.2.3 Completion of the inquiry is marked by the determination of whether or not an investigation is warranted. There will be written documentation to summarize the process and state the conclusion of the inquiry. The respondent will be informed whether or not there will be further investigation and, if there is a complainant, he or she will also be informed.

4.2.4 Allegations found to require investigation will be forwarded promptly to the investigative body; if federal funding is involved, federal regulations require that the agency sponsoring the research be notified at this point.

4.2.5 If an allegation is found to be unsupported but has been submitted in good faith, no further formal action, other than informing all involved parties, will be taken. The proceedings of an inquiry, including the identity of the respondent, will be held in strict confidence to protect the parties involved. If confidentiality is breached, the institution will take steps to minimize the damage to reputations that may result from inaccurate reports. Allegations that have not been brought in good faith will lead to disciplinary action.

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4.3 Investigation

4.3.1 Purpose

4.3.1.1 An investigation will be initiated when an inquiry concludes that such is warranted. The purpose is to further explore the allegations and determine whether misconduct has been committed and, if so, the degree of its seriousness. In the course of an investigation, additional information may emerge that justifies broadening the scope of the investigation beyond the initial allegations. The respondent will be informed when significant new directions of investigation are undertaken. The investigation will focus on accusations of research misconduct as defined previously and examined the factual materials of each case.

4.3.2 Structure

4.3.2.2 To carry out the investigation, the Dean of Research and Graduate Studies will form an Investigative Committee by expanding the Inquiry Committee to include two additional tenured faculty and at least one representative from outside the university. In selecting the members of the committee, conflicts of interest must again be examined scrupulously and any relationship with parties to the matter must be fully disclosed. Those inquiring into the allegations will be selected in full awareness of the closeness of their professional or personal affiliation with the complainant or the respondent. It is also important that the committee have appropriate expertise to assure a sound knowledge base from which to work.

4.3.3 Process

a. Upon receipt of inquiry findings that an investigation is warranted, the Dean of Research and Graduate Studies will initiate an investigation promptly, and the complainant and respondent will be notified of the investigation. In accordance with federal regulations, all agencies sponsoring a research project in which misconduct is suspected will be notified immediately upon the decision to undertake an investigation. All involved parties will be interviewed and are obligated to cooperate with the proceedings in providing information relating to the case. All necessary information will be provided to the respondent in a timely manner to facilitate the preparation of a response. The respondent will have the opportunity to address the charges and evidence in detail. The respondent is not required to have legal counsel in the investigation, but may seek counsel if he or she so desires.

b. If the nature of the allegations is such that there may be need to protect the health and safety of research subjects or the interests of students and colleagues, the Dean of Research and Graduate Studies may take interim administrative action to restrict or suspend the activities of the respondent, but care should be taken to safeguard the rights of the respondent.

c. Investigations normally will be completed within 60 days of initiation. If factors such as the volume and nature of the research to be reviewed and the degree of cooperation being offered by the subject of the investigation prevent completion within 60 days, an interim report will be filed with the Dean of Research and Graduate Studies at the end of 60 days describing the investigation up to that point and its expected outcome, and requesting an extension.

4.2.6 The institution will seek to protect the complainant against retaliation; individuals engaging in acts of retaliation will be disciplined.

4.3.4 Findings

- a. The findings of the investigative committee will be submitted in writing to the Dean of Research and Graduate Studies. The respondent will receive the full report of the investigation, as will the Dean of the respondent's college. When there is more than one respondent, each shall receive all those parts of the findings that are pertinent to his or her role. Respondents may comment in writing on the report and their comments will be made part of the record. All federal agencies, sponsors, or other entities initially informed of the investigation also must be notified promptly. Appalachian will retain the findings of the investigation in a confidential and secure file.
- b. Investigations into allegations of research misconduct may result in various outcomes including 1) a finding of clear, serious, and substantial research misconduct; 2) a finding of research misconduct of a minor or questionable nature; 3) a finding that no culpable conduct was committed, but serious scientific errors were made; 4) a finding that no research misconduct or serious scientific error was committed. If a finding of serious scientific misconduct is made, all agencies funding that research will be informed. The judgment as to the degree of severity on the research misconduct will be solely that of the Investigative Committee. Examples of severe research misconduct include fabrication of data, plagiarism including the publication of research or scholarship produced by another person, and falsification of vita items in order to advance one's research.
- c. If an investigation has been launched on the basis of a complaint, and no research misconduct is found, no disciplinary measures will be taken against the complainant and every effort will be made to prevent retaliatory action against the complainant if the allegations, however incorrect, are found to have been made in good faith. If the allegations are found to have been maliciously motivated, disciplinary actions will be taken against those responsible.

4.3.5 Disposition

- a. The nature and severity of the disciplinary action by the University will vary with the findings of the Investigative Committee. At this point, the Dean of Research and Graduate Studies will inform the Chancellor, Provost, and Dean of the respondent's college of the Investigative Committee's findings. Should the respondent(s) be found guilty of research misconduct of a clear, serious, and substantial nature, he/she/they may be considered unfit to continue as members of the Appalachian faculty or, in the case of graduate students, of the Graduate School. Respondents who are faculty will be notified by registered mail (receipt requested) by the Chancellor or his delegate. Respondents who are graduate students will be notified in similar manner by the Dean of Research and Graduate Studies. Relevant federal agencies, sponsors, collaborators, and editors of journals will be promptly notified of the University's findings. Due process for tenured faculty is provided by Section 603 of the Code of the University of North Carolina.
- b. Respondents found guilty of research misconduct of a less clear, serious, or substantial nature may receive sanctions ranging from letters of reprimand from the Provost to probation or permanent removal from the research project involved. Findings of scientific misconduct may also warrant the removal of the faculty respondent from graduate advisory committees or other research supervisory roles.

4.3.6 Appeal

4.3.6.1 Respondents may appeal the findings of the University. Respondents have a maximum of ten days after receiving notice of the findings to file a written appeal to the Dean of Research and Graduate Studies. An appeal of the findings may be based on the evidence presented during the investigative hearings or on a failure of the committee to follow established procedures, in keeping with University policy. New evidence discovered may

warrant a new investigation. Sanctions resulting from the findings may also be appealed if the respondent(s) has(ve) reason to believe that the disciplinary penalties are excessive or inappropriate. Respondents who are tenured faculty, and who have been notified by the Chancellor or his/her delegate of the University's intent to discharge them, are provided due process under Section 603 of the ["http://policy.appstate.eduCode"](http://policy.appstate.eduCode)<http://policy.appstate.edu> of the University of North Carolina.

5 Additional References

6 Authority

42 U.S.C. 289b; 42 CFR Part 93

7 Contact Information

8 Original Effective Date

9 Revision Dates