

Research Misconduct

Policy 211

1 Purpose

Integrity in research is the basis for the academic search for knowledge. Activities which interfere with an honest search for the truth cannot be tolerated in a university setting. The University requires all persons involved in scholarly and creative activities to maintain the utmost integrity. The purpose of this policy is to address allegations of research misconduct and establish processes to ensure that the accuracy and reliability of the research record is maintained.

2 Scope

This policy applies to all employees and students of Appalachian State University engaged in research as well as any individual engaged in a contractual relationship with the University who is engaged in research, regardless of sponsorship, including but not limited to, interns, postdoctoral fellows, visiting researchers, affiliate faculty and collaborators.

3 Definitions

3.1 Research

All basic and applied research, demonstration, inquiry and all forms of creative activity or scholarship.

3.2 Research Misconduct

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.

3.3 Plagiarism

The appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

3.4 Falsification

Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

3.5 Fabrication

Making up data or results and recording or reporting those data or results

3.6 Complainant

An individual who reports allegations of Research Misconduct pursuant to this policy.

3.7 Respondent

An individual(s) alleged to have engaged in Research Misconduct.

3.8 Research Integrity Officer (RIO)

The individual responsible for implementation of the institution's policies and procedures on research misconduct. At any time, any individual with concerns regarding possible misconduct may have a confidential discussion with the RIO and receive information regarding appropriate procedures for reporting and/or responding to such allegations.

3.9 Preponderance of Evidence

Means that the weight and credibility of the evidence shows that it is more likely than not that Research Misconduct has occurred.

4 Policy Statements

4.1 Responsibility to Report Misconduct

All individuals covered by this policy shall have a duty to report observed, suspected, or apparent research misconduct to the Research Integrity Officer ("RIO").

4.2 Filing a Complaint

Complaints regarding allegations of Research Misconduct shall be in writing and provided to the RIO or reduced to writing by the RIO. Individuals reporting such conduct must provide sufficient detail to describe the allegations, including but not limited to the following: names, dates, places, events that took place, the reason(s) the individual believes the events constitute Research Misconduct. The Complainant should also include any documentation or evidence that supports the allegations.

4.3 Assessment of Complaint

The RIO shall review the Complaint to determine whether, if taken as true, the allegation(s) would constitute Research Misconduct. If the allegation(s) would not constitute Research Misconduct, the RIO may refer the individual to another office or officials responsible for addressing the allegations made.

If the RIO determines that the allegation, if taken as true, would constitute Research Misconduct, the RIO shall form an Inquiry Committee.

4.4 Interim Administrative Action

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 RIO may take interim administrative action to restrict or suspend the activities of the Respondent, if necessary.

4.5 Inquiry Committee/Initiation of the Inquiry

The Inquiry Committee shall consist of at least three members: (1) the RIO; (2) an internal or external expert in the field of research; and (3) an internal member of the University in the same class as the Respondent (e.g. student, SHRA employee, EHRA Non-Faculty employee, or Faculty). Each member of the Inquiry Committee shall be required to sign a confidentiality agreement prior to review of the complaint.

The Inquiry Committee shall within seven (7) calendar days notify the Respondent(s) in writing of the allegation(s) received. At the same time, the RIO shall notify the Respondent(s)' supervisor, chair, dean or other administrative official that a complaint has been received and an inquiry is beginning. The Respondent(s) shall have fourteen (14) calendar days to respond in writing to the allegations.

4.6 Sequestration of Research Records/Conducting the Inquiry

The Inquiry Committee shall have the right to ensure that all original research records and materials relevant to the allegation are secured and sequestered. The sequestration of research records shall take place before or concurrently with notification to the Respondent(s) that an inquiry has been initiated.

The Inquiry Committee shall consider the allegation(s) contained in the complaint, any supporting documentation or evidence provided with the complaint, the written response of the Respondent(s) and any research records or materials sequestered. The Committee shall have sixty (60) days from initiating an inquiry to make a determination regarding whether an investigation is warranted.

In the event the Inquiry Committee determines that an investigation is warranted, the Respondent shall be notified in writing within seven (7) days that an investigation will be conducted. This notice shall be copied to the Respondent(s) supervisor, chair, dean, or other administrative official. In addition, 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.

4.7 Cooperation with Inquiry and Investigation

Respondents shall cooperate fully with the RIO and other institutional officials in the review and investigation of any Complaint of Research Misconduct. Failure to cooperate may subject the Respondent(s) to disciplinary action, up to and including termination. In addition, any individual that may have relevant information regarding an allegation shall fully cooperate with the RIO throughout the process.

4.8 Confidentiality

The RIO, Inquiry Committee members, Investigation Committee members and all other institutional officials engaged in the investigation of a Complaint shall maintain the confidentiality of information received throughout the process.

4.9 Appointment of the Investigation Committee

The RIO shall appoint an Investigation Committee for the purpose of investigating the allegation(s) contained in the Complaint. The Investigation Committee will consist of the three members of the Inquiry Committee and up to two additional members, as deemed necessary by the RIO to ensure that there is the necessary expertise to evaluate the evidence and issues related to the allegation(s), interview witnesses, and conduct a full and thorough investigation. The RIO, or their designee, shall serve as the committee chair. Members of the Investigation Committee may not have a conflict of interest as determined by the RIO. All committee members shall be trained by the RIO on investigation procedures and shall be required to sign a confidentiality statement before beginning the investigation.

4.9.1 Committee Duties

The committee shall interview the Complainant, Respondent, and all other potential witnesses; will examine relevant research records; and will gather and review all relevant documentation, evidence, and data related to the research to ensure the committee has conducted a thorough investigation.

4.9.2 Recommendation of the Investigation Committee

Investigations shall generally be completed within sixty (60) days unless extenuating circumstances delay the process. After completion of the investigation, the committee shall meet to discuss all evidence received and submit a written report including their recommendation regarding whether or not misconduct has occurred. The committee report, all relevant supporting documentation, and evidence shall be provided to the Vice Provost for Research ("VPR") within fourteen (14) calendar days after a determination is made.

4.10 Vice Provost for Research Determination

Within thirty (30) days of receipt the committee final report, recommendation and supporting materials, the VPR shall review all information and make a final determination regarding whether or not Research Misconduct has occurred. The VPR shall notify the Respondent(s) in writing of the determination with a copy to the Respondent's supervisor, chair, dean, or other administrative official. The notice shall include any appeal rights and shall be sent via certified mail. In addition to making the determination regarding whether Research Misconduct has occurred, the VPR shall also have the right to impose administrative sanctions against the Respondent(s) including, but not limited to, (1) requiring withdrawal or correction of all pending or published abstracts or other publications emanating from the research where the research misconduct was found; (2) removal of the Respondent from the particular research project; (3) restitution of funds, as appropriate; and (4) requiring special monitoring of future work on the project. All federal agencies, sponsors, or other entities initially informed of the investigation also must be notified promptly by the VPR of the outcome of the investigation. Appalachian will retain the findings of the investigation and the final committee report in a confidential and secure file.

4.11 Enforcement

Appalachian will take appropriate administrative actions against individuals when allegation(s) of Research Misconduct have been substantiated. Appalachian will enforce violations of this policy in accordance with applicable federal and state law, UNC System Policies and other applicable University policies. Violations of this policy or the failure to disclose information pursuant to this policy may result in disciplinary action, up to and including termination or expulsion.

4.12 Appeals

Appeals of University decisions will be in accordance with the applicable disciplinary policy for the individual (e.g. Faculty Handbook, SHRA Disciplinary Action Policy, EHRA Non-Faculty Disciplinary Policy, Student Code of Conduct and any other policies regarding disciplinary action that may be promulgated in the future).

4.13 Termination of Employment Prior to Completing Inquiry or Investigation

If a Respondent's employment at Appalachian is terminated, by resignation or otherwise, the inquiry or investigation will proceed. If the Respondent refuses to participate in the process after resignation, the Investigation Committee will use its best efforts to reach a conclusion concerning the allegations, noting in its report the Respondent's failure to cooperate and its effect on the Investigation Committee's review of all the evidence.

5 Additional References

6 Administrative Unit Contact

Vice Provost for Research | 828-262-7459 | [Office of Research](#)