UNIVERSITY SENATE
UNIVERSITY AT ALBANY
STATE UNIVERSITY OF NEW YORK

Introduced by: The Committee on Ethics in Research and Scholarship (CERS)

Date: May 2, 2005

UNIVERSITY AT ALBANY POLICY AND PROCEDURES ON MISCONDUCT
IN RESEARCH AND SCHOLARSHIP MODIFICATIONS

IT IS HEREBY PROPOSED:

1. That the attached policy be adopted.

2. That this shall become effective immediately.

3. That this policy shall be forwarded to the President for approval.

Rationale. The current policy does not account for the scenario that a report of suspected misconduct concerns an individual against whom allegations have been made on previous occasions. The proposed amendment provides some broad guidelines that should be followed in such cases. Furthermore, it is proposed to explicitly require a written justification for the decisions made in the initial assessment, so that all stages of the institutional response will be fully documented.
IV. Stage 1: Reporting of Suspected Misconduct and Initial Assessment

All employees or individuals associated with the University should report observed, suspected or apparent misconduct to the Vice President for Research. To the extent possible, the identity of complainants who wish to remain anonymous (such as a student who provides evidence of plagiarism in the form of published articles) will be kept confidential. If an individual is unsure whether a suspected incident falls within the definition of misconduct detailed in this policy, or if that individual wishes to learn more about general procedural matters pertaining to this policy, he or she may informally contact the Vice President for Research or the Chair of CERS. Reports of suspected misconduct, or other evidence of possible misconduct, from whatever source, will receive immediate attention. The Vice President for Research will promptly and fully inform the CERS Chair of any report or evidence of possible misconduct that has been received.

Following receipt of an allegation, the Vice President for Research shall review any record of prior allegations, inquiries, and/or investigations involving the respondent. Such records may be included in any further review of the current allegation. Allegations that are substantially identical to a case that has been the subject of an earlier Investigation shall be dismissed with reference to the earlier disposition.

If either the Vice President for Research or the CERS Chair concludes that a reasonable basis for an Inquiry exists, the Vice President for Research will initiate an Inquiry within 14 days by preparing a formal written allegation outlining the charges of suspected misconduct. A written record of the reasons supporting their decision either to proceed or not to proceed with an Inquiry shall be maintained in the office of the Vice President for Research. The complainant shall be informed of the decision and may review the written record upon request.

If during the assessment of suspected misconduct it is determined that the suspected misconduct pertains to another area of non-compliance (human subjects, animal subjects, fiscal fraud, etc.), the Vice President for Research will refer the individual or evidence to other institutional officials or authorities, as appropriate.