



University Senate

Introduced by: Committee on Ethics in Research and Scholarship

Date: May 15, 2006

Amendment to the Policy and Procedures on Misconduct in Research and Scholarship

IT IS HEREBY PROPOSED THAT THE FOLLOWING BE ADOPTED:

The Policy and Procedures on Misconduct in Research and Scholarship be amended as follows:

1. The last sentence of the first paragraph of section III. A. will be deleted. This sentence is “However, the identity of a complainant who provides testimony to inquiry or investigation committees can not be withheld from the respondent.” The new paragraph will thus read:

III. A. Rights and Responsibilities of the Complainant

Rights: The Vice President for Research will make every effort to ensure the privacy and confidentiality of complainants. The University will protect, to the maximum extent possible, the position and the reputation of those who in good faith report alleged misconduct in research.

2. In section III. I., “National Institutes of Health’s Office of Research Integrity” will be inserted in the first paragraph so that it reads:

The Vice President for Research or his/her designee shall locate, collect, inventory, and secure relevant research records to prevent the loss, alteration, or fraudulent creation of records. During this process the Vice President for Research or his/her designee shall follow the guidelines detailed in the *National Institutes of Health’s Office of Research Integrity (ORI) Model Procedures*. The University will maintain for at least seven years complete documentation of the investigation process, proceedings, inquiry and investigation reports, findings, recommendations, and final determination. Documents shall be kept in the offices of the Vice President for Research for safekeeping.

3. In section IV., the word “calendar” will be inserted into the first paragraph so that it reads:

“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 calendar 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.”

4. In section V. B., the word “calendar” will be inserted so that it reads:

“In consultation with the CERS chair, the Vice President for Research shall appoint the Inquiry Committee and its chair within 10 calendar days of the initiation of the inquiry. The Inquiry Committee shall include at least one CERS member. The CERS chair shall not serve on the committee.”

- I. That the attached proposal be approved by the University Senate.
- II. That the implementation be effective immediately.
- II. That this bill be referred to the President for approval.

RATIONALE:

1. This change is required to bring the University Policy into compliance with the guidelines of the National Institutes of Health Office for Research Integrity. The federal guidelines require that adequate protection be provided to whistleblowers, including anonymity as far as possible. The University Policy must conform to federal guidelines for the University to conduct federally funded programs.

2. This change simply defines the term ORI; it is only abbreviated in the current Policy.

3. and 4. These changes simply specify calendar days to avoid confusion between working and calendar days.