


<p><b>Name of Policy:</b> <a href="#"><u>Policy on Integrity in Research and Scholarship and Procedures for Investigating Allegations of Misconduct in Research and Scholarship</u></a></p>		
<p><b>Policy Number:</b> 3364- 70-21</p>		
<p><b>Approving Officer:</b> President</p>		<p><b>Original effective date:</b></p>
<p><b>Responsible Agent:</b> Senior Director for Research Administration</p>		
<p><b>Scope:</b> All University of Toledo Campuses</p>		
<p><input type="checkbox"/> New policy proposal</p>	<p><input type="checkbox"/> Minor/technical revision of existing policy</p>	
<p><input checked="" type="checkbox"/> Major revision of existing policy</p>	<p><input type="checkbox"/> Reaffirmation of existing policy</p>	

(A) Policy statement

Integrity in research and scholarship is a fundamental value upon which the University of Toledo (herein referred to as university) is founded. Without integrity, we could not justify the privilege of academic freedom intrinsic to research, other forms of scholarship, and education, nor could we provide to society the advancements of knowledge that derive from free and open inquiry. It is, therefore, a fundamental responsibility of the faculty, staff, students, and administration of the university to maintain the trust of the public in all research and scholarly activity. It is the shared responsibility of all members of our academic community to assure that misconduct in academic endeavors is dealt with in a timely and effective manner, and that the reputation of the university for high standards of scholarly integrity is preserved. University-endorsed principles for responsible conduct of research and scholarship are contained in university policy 3364-70-02 Responsible Conduct of Scholarship and Research. Some lapses in integrity are more serious than others. Lesser offenses, such as carelessness or questionable research practices, including authorship disputes not involving plagiarism, should be handled through the normal administrative channels. Other situations are sufficiently serious that they require university review through a formal process. The procedures outlined in this document govern the steps to be taken in handling those serious offenses. It is critical to distinguish serious misconduct, committed intentionally or knowingly or recklessly, from honest error and from the differences of interpretation that are inherent in the scientific process and are normally corrected through the peer review process and through further research and scholarship. It is also critical to distinguish misconduct from appropriation of borrowed elements in the creation of a new work of art. The university community views serious research and scholarly misconduct as potential grounds for termination of employment under appropriate university procedures.

(B) Purpose

The purpose of this document is to (1) provide a statement on integrity in research; (2) describe the responsibilities of research personnel, administrators, and others in the academic

community; and (3) set forth both swift and fair procedures for handling instances of alleged misconduct in research.

(C) Definitions

- (1) Research, as defined in 45 C.F.R. 46, means "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge."
- (2) Research Integrity Officer (RIO) (Senior Director for Research Administration) means the institutional official responsible for: (1) assessing allegations of research misconduct to determine if they fall within the definition of research misconduct and warrant an inquiry of the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified; (2) overseeing inquiries and investigations; and (3) the responsibilities described in this policy.
- (3) Research misconduct (from federal regulations)
  - (i) Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results
  - (ii) Research misconduct does not include honest error, differences of opinion or the appropriation of borrowed elements in the creation of a new work of art.
- (4) Inquiry is defined as information gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.
- (5) Investigation is defined as the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.
- (6) Misconduct in the pursuit of research and scholarship (herein referred to as misconduct) includes at least the following major offenses:
  - (a) Fabrication of data: Dishonesty in reporting results, ranging from making up data or results, improper adjustment of results, and gross negligence in collecting or analyzing data to selective reporting or omission of conflicting data for deceptive purposes.
  - (b) Falsification in research: 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. Falsification in research also includes deliberately misrepresenting research, including the progress of research, to a research sponsor.
  - (c) Plagiarism: To make another person's ideas, processes, results, or words one's own without giving appropriate credit. This includes taking credit for someone else's work, stealing others' results or methods, copying the writing(s) of others without proper acknowledgment, or otherwise falsely taking credit for the work or ideas of another. Some allegations of plagiarism involve disputes among former collaborators who participated jointly in the development or conduct of a research project, but who subsequently went their separate ways and made independent use of the jointly

developed concepts, methods, descriptive language, or other product of the joint effort. The ownership of the intellectual property in many such situations is seldom clear, and the collaborative history among the scientists often supports a presumption of implied consent to use the products of the collaboration by any of the former collaborators.

- (d) Ghost-writing: Faculty and staff are prohibited from publishing articles that are substantially or completely "ghost" written by industry representatives, political or professional organizations. Faculty and staff who publish articles with industry representatives must participate in the preparation of the manuscript in a meaningful way to include interpretation of data and/or the writing of the manuscript and shall be listed as authors or otherwise appropriately cited for their contribution.
- (e) Abuse of confidentiality: Taking or releasing the ideas or data of others which were shared with the legitimate expectation of confidentiality, e.g., stealing ideas from others' grant proposals, award applications, or manuscripts for publication when one is a reviewer for granting agencies or journals. The reporting of potential academic misconduct or illegal activity to the sponsor, journal, governmental agency, or other entity having apparent authority to investigate or punish the alleged misconduct shall not be deemed an abuse of confidentiality.
- (f) Dishonesty in publication: Knowingly publishing material that will mislead readers, e.g., misrepresenting data, particularly its originality, misrepresenting research progress, or adding the names of other authors without permission.
- (g) Deliberate violation of regulations: Flagrant failure to adhere to or to receive the approval required for work under research regulations of federal, state, or local agencies or University policies, including, but not limited to, guidelines for the
  - (i) Protection of human subjects
  - (ii) Protection of animal subjects
  - (iii) Use of recombinant DNA
  - (iv) Use of radioactive material
  - (v) Use of hazardous chemicals or biologicals
  - (vi) Financial disclosures and conflict-of-interest
- (h) Property violations: Stealing, altering or destroying property of others, such as research papers, supplies, equipment, or products of research or scholarship.
- (i) Failure to report observed major offenses:
  - (i) Covering up or otherwise failing to report major offenses or breaches of research ethics by others that one has observed. (research as defined in (C)(1) above)
  - (ii) Individuals governed by this policy who have reasonable knowledge of a major offense or a breach of research ethics are obligated to report it. The obligation to report a major offense or material breach of research ethics does not apply to individuals who learn of the major offense or breach of research ethics in a professional capacity for which there is an ethical or legal requirement not to disclose the alleged material breach or ethical offense.

- (j) Retaliation: Taking punitive action against an individual for having reported alleged major offenses.

(D) Procedures for reporting and investigating allegations of serious academic misconduct

(1) Applicability

- (a) These procedures apply only to allegations or other indications of serious misconduct in research and scholarship, which shall include, but not be limited to, the major offenses listed above.
- (b) These procedures apply to all instructional faculty, primary researchers, and other staff members, including without limitation graduate student research assistants, graduate student teaching assistants, graduate student staff assistants, undergraduate students employed in research or other scholarly activity, postdoctoral fellows and postdoctoral research associates, visiting faculty or staff, faculty or staff on sabbatical leave, adjunct faculty when performing university work, and faculty or staff on leave without pay.
  - (i) These procedures apply to students only when acting in their employment or service capacity, and not as students per se. In cases in which the student or employee status of the accused is unclear, the responsible director shall elect whether to employ these procedures or other procedures available for the investigation and adjudication of alleged academic misconduct by students. Schools and colleges should have procedures for handling allegations of academic misconduct by students. Questions about applicability may be directed to the appropriate provost and the office of the general counsel.
  - (ii) Faculty and staff members subject to the terms and conditions of collective bargaining agreements should consult the specific provisions in their current agreements dealing with misconduct. Any provisions in such agreements which differ from the provisions stated herein supersede the affected regulation of this policy. Information concerning staff members covered by collective bargaining agreements may be obtained from human resources department.
- (c) If the accused is no longer employed by the university, these procedures may nonetheless be used, at the discretion of the appropriate director and upon the advice of the senior director for research administration and the office of the general counsel, as a means of ascertaining the culpability of the accused.

(2) Reporting allegation, inquiry and investigation

(a) General comments

- (i) Reporting suspected misconduct is a shared and serious responsibility of all members of the academic community. Allegations should not be made capriciously, but indications or evidence of fraud or misconduct must not be ignored. Information concerning this university policy and procedures is

available at any time from the office of the senior director for research administration. The senior director for research administration serves as the University of Toledo Research Integrity Officer (RIO).

- (ii) The procedures that follow have six sequential stages: 1. Allegation assessment to determine if the allegation is within the scope of this policy and to determine if the allegation is sufficiently credible and specific so that potential evidence of misconduct may be identified (section (D)(2)(d)); 2. An inquiry to determine whether an allegation or other indications of misconduct issues warrant further investigation (section (D)(2)(e)); 3. Report on the inquiry (section (D)(2)(f)); 4. When warranted, an investigation to collect and thoroughly examine evidence (section (D)(2)(g)); 5. Formal findings (section (D)(2)(h)); and 6. Resolution and outcome (section (D)(2)(i)).
- (iii) The RIO as well as the inquiry and investigative committees may consult with the office of legal affairs regarding procedural issues that may arise within the six sequential stages of the process.
- (iv) In cases which present potential danger to third parties (e.g., hospital patients or research subjects) or which require interim measures pending final resolution, the appropriate university official may meet with the accused for the purposes of imposing a temporary suspension of duties, pending conclusion of the formal investigation. At such a meeting, the accused shall be informed of the reasons for a temporary suspension and afforded the opportunity to oppose such action. The accused may be accompanied by counsel at such a meeting.
- (v) Participants in the process for handling allegations of misconduct in research and scholarship should treat the matter in question with discretion and respect for the reputation of the parties involved. Both the inquiry and the investigation will be handled in such a way to preserve confidentiality, providing information only to those who need to know. Reasonable efforts will be made to protect the identity of the accused and accuser(s) from all except those who have a need to know. The university, however, is subject to the Ohio Public Records Act. If a public records request is received, the university may have to release information and documents which constitute public records, unless the information and documents fall within an exception to the Ohio Public Records Act. Anonymity and complete confidentiality therefore cannot be guaranteed. All individuals who report allegations of misconduct in research or scholarship should be advised that their identity will be disclosed to the accused at an appropriate point in the process.
- (vi) The university will also provide to the individuals involved confidential treatment as set forth in paragraph (v) above, an expeditious and thorough investigation, and an opportunity to comment on all allegations during the inquiry stage and, if initiated, during the investigation.

- (vii) The integrity of the process will be maintained by disclosure and evaluation of any prejudicial conflict(s) of interest. Individuals judged by the RIO or the appropriate provost, to have a conflict of interest that would jeopardize the credibility of the inquiry or investigation will not be assigned decision-making roles in the process.
  - (viii) It is a violation of university policy to retaliate against an individual for reporting in good faith an allegation of academic misconduct.
  - (ix) The procedures that follow are intended to safeguard the rights of the accused and the accuser, if an accuser exists, and to recognize the interest of the university community in academic integrity. The university will also use reasonable efforts to provide to the accused individual(s) confidential treatment as provided in paragraph (v) above, an expeditious and thorough investigation, and an opportunity to comment on all allegations during the inquiry stage and, if initiated, during the investigation.
- (b) Federal requirements
- (i) The National Science Foundation, the Public Health Service and other federal agencies have published formal regulations regarding the investigation of allegations of research misconduct involving activities supported by those agencies (See appendix A). Each of these regulations contains a definition of research misconduct, prescribes certain time limits for inquiries and investigations, and requires reporting to the agencies under certain conditions and at specified stages in the process.
  - (ii) The RIO will determine the applicability of external regulations in each particular case. The university will comply with the requirements of the federal regulations.
  - (iii) At any stage in the process of inquiry, investigation, formal finding, and disposition, the university may take interim administrative action to protect federal funds.
- (c) Allegations
- (i) Allegations of academic misconduct and the basis for them shall be communicated confidentially to the extent permitted by law and preferably, though not necessarily, in writing to the RIO. In practice, allegations (particularly allegation from individuals outside of the university such as an author at another university) may be brought to the attention of other senior administrators of the university. All allegations brought to the attention of university officials are to be submitted to the RIO.
- (d) Allegation assessment
- (i) Allegation assessment shall be performed by the RIO, in consultation with at least two senior faculty members with experience in misconduct proceedings. Assessment will be initiated within 72 hours of receipt of the allegation.

- (ii) This assessment is intended to separate serious allegations from trivial, frivolous, unjustified, or clearly mistaken allegations, or from situations that clearly do not involve serious academic misconduct and which may be pursued appropriately through other administrative channels.

(e) Inquiry

- (i) An inquiry is information gathering and fact-finding to determine whether the allegation or apparent instance of misconduct warrants a formal investigation. An inquiry is not a formal hearing. It is intended as an extension of the allegation assessment process.
- (ii) The purpose of an inquiry also is to determine if
  - (a) the allegation is within the scope of this policy, and
  - (b) the allegation is sufficiently credible and specific so that potential evidence of misconduct may be identified
- (iii) The office of the RIO will oversee the inquiry process and inform the appropriate provost(s) that an inquiry has been initiated.
- (iv) The RIO shall form a committee to secure the necessary and appropriate assistance to insure a thorough and authoritative evaluation of the allegations(s). The RIO, as an ex officio member of the university research council, will seek guidance from the council in the selection of the inquiry committee while taking reasonable efforts to protect the identity of the accused and the accuser in accordance with section (D)(2)(a)(v). The committee will consist of three (3) tenured faculty members, including at least one member of the university research council, with the additional assistance, if needed, of an expert in the academic discipline involved, either from within the university or elsewhere. The RIO will inform the accused of the names of the appointed committee members. The accused may, within one week of receiving the names of committee members, file a written objection with the RIO. Such objection may be based on the grounds of a lack of the requisite expertise or a possible conflict of interest. The RIO will promptly rule on such objections and, if they are found to have merit, the committee shall be reconstituted to avoid the problem.
- (v) Upon initiation of an inquiry, the accused shall be discreetly informed, in writing, of the allegation(s) or other indication(s) of misconduct.
- (vi) During the inquiry, reasonable efforts shall be made to keep confidential the identity of the accused and accuser(s). The inquiry group will solicit written statements from individuals and conduct separate meetings with any persons involved for the purpose of clarification and fact finding. Suspect data should be sequestered. Detailed documentation shall be kept to permit later assessment of the adequacy of the inquiry. (This is particularly important in those instances in which a formal investigation is not warranted). The documentation will be kept in a secure manner in the Research and Sponsored Programs office. It is expected that the inquiry will be completed within sixty (60) days. If the inquiry exceeds that

timeframe, the record of the inquiry will document the reason for the delay.

(f) Reporting on the inquiry

- (i) The committee appointed to conduct the inquiry shall prepare a written report. It shall include a statement of the allegation(s), a description of the evidence reviewed, summaries of the relevant interviews, and the conclusions of the inquiry. It shall contain an assessment of whether there is sufficient evidence to warrant a formal investigation.
- (ii) If the inquiry concludes that an investigation is warranted, the accused shall be provided the opportunity to comment on the report within a reasonable time frame designated by the inquiry committee, and any such comment will become part of the record. The individual who made the allegation also may review and comment on that portion of the report directly related to the testimony or other evidence brought forth by that individual.
- (iii) The report of the inquiry, along with any formal comments on the report, shall be forwarded to the RIO. The RIO shall notify the appropriate director(s), the appropriate provost, and any other appropriate university official.
- (iv) If the inquiry produces sufficient evidence to warrant a formal investigation, the RIO, will initiate a formal investigation. The determination to proceed with an investigation will be based on the recommendation of the inquiry committee in consultation with the RIO.
- (v) The RIO, or a designee shall decide if and when external funding agencies, if any, are to be notified, what any such notification shall include, and to whom it should be directed. Any such notice shall be submitted by the RIO.
- (vi) The RIO and provost concerned will determine what additional notification(s) may be necessary. Reasonable efforts will continue to be made to protect the identity of the accused and the accuser(s) in accordance with section (D)(2)(a)(v).
- (vii) If the inquiry does not produce sufficient evidence to warrant a formal investigation, the RIO shall so inform any persons involved in the inquiry to whom the identity of the accused was disclosed.
- (viii) Records and documentation of all inquiry proceedings and findings will be kept in the Research and Sponsored Programs office for at least seven years after the termination of the inquiry.
- (ix) Unsupported allegations of academic misconduct not brought in good faith may lead to disciplinary action against the accuser(s).

(g) Investigation

- (i) An investigation is the formal examination and evaluation of all relevant facts to determine if a major offense has taken place. The office of the RIO will oversee the investigation process.

- (ii) The office of the RIO will oversee the investigation process and inform the appropriate provost(s) that an investigation has been initiated.
- (iii) Upon determining that a formal investigation is warranted, the RIO shall appoint an investigating committee of up to five (5) tenured faculty members. The committee shall include at least two (2) members of the university research council, at least one faculty member who is an expert in the general academic field of the accused and may also include one or more such experts from outside the university where necessary. The RIO, as an ex officio member of the university research council, will seek guidance from the research council in the selection of the investigation committee while taking reasonable efforts to protect the identity of the accused and the accuser(s). The RIO will inform the accused of the names of the appointed committee members. The accused may, within one week of receiving the names of committee members, file a written objection with the RIO. Such objection may be based on the grounds of a lack of the requisite expertise or a possible conflict of interest. The RIO will promptly rule on such objections and, if they are found to have merit, the committee shall be reconstituted to avoid the problem.
- (iv) The RIO shall inform the accused of the initiation of the investigation, the composition of the investigating committee, the charge to that committee, and his/her obligation to cooperate in the investigation.
- (v) The investigating committee may consult with the general counsel or designee on procedural matters.
- (vi) The investigating committee shall gather and evaluate evidence and reach a determination promptly, within 120 days of appointment, of whether formal charges of misconduct should be brought. If the investigation exceeds that time frame, the record of the investigation will document the reason for the delay. A committee determination to bring charges should also include recommended sanctions (e.g., reprimand, demotion, or discharge) or other actions appropriate for resolution of the matter.
- (vii) The investigating committee shall secure the necessary and appropriate expertise to carry out a thorough investigation and authoritative evaluation of the relevant evidence.
- (viii) During the formal investigation, reasonable efforts shall be made to protect the identity of those accused and the accuser(s), if any, from third parties. However, at this stage the accused shall normally be entitled to know the identity of all witnesses called before the committee. Cases that depend specifically upon the observations or statements of the accuser cannot proceed without the involvement of that individual.
- (ix) The investigation committee will have access to, for the purposes of review and inspection, laboratory notes, grant and contract files, reports, scholarly publications, manuscripts and other pertinent documents and to laboratory or clinical facilities and materials. The committee will conduct interviews of parties who have involvement in or knowledge of the case. The panel will focus on matters limited to the particular charge of misconduct in research; however, previous research efforts or records of the affected personnel also may be reviewed if germane to the investigation.

- (x) At fact-finding meetings of the committee, but not during its deliberations, the accused shall be permitted to be present with counsel, whose role shall be limited to advising the accused. The accused will be given the opportunity to respond to the complaint, orally and in writing and to provide information for consideration by the committee.
- (xi) Before any investigative interview occurs with a bargaining unit member that is under investigation, and/or when a member is advised that he/she is subject of an investigation under this policy, the RIO will advise the member in writing of the member's right to be represented by his/her collective bargaining representative during any interview and/or at any meeting or hearing that the member has with the investigation committee. Where the member indicates a desire to be represented by his/her collective bargaining representative, the investigative interview will not proceed without a collective bargaining representative in attendance. Notwithstanding, in no event shall the investigation committee have to delay or postpone a specific interview or meeting or hearing more than once to allow for such representation. Non bargaining unit employees subject to this process shall be allowed a representative of choice subject to the process herein and other applicable disciplinary policies.
- (xii) The investigating committee shall keep the accused and the appropriate provost apprised of any additional allegations or other developments during the investigation.
- (xiii) The standard of proof required for a finding of misconduct in an investigation is preponderance of the evidence.

(h) Formal findings of the investigation committee

- (i) A finding of misconduct requires that
  - (a) There be a significant departure from the accepted practices of the relevant research community; and
  - (b) Misconduct be committed intentionally, or knowingly, or recklessly; and
  - (c) The finding of misconduct be supported by a preponderance of the evidence
- (ii) The investigation committee shall oversee the preparation of complete transcript of audiotaped interviews of interviews conducted during the course of the investigation. These summaries shall be provided to the interviewed party for comment or correction and included as part of the investigation file.
- (iii) The committee shall prepare a written report on the formal findings of the investigation and its recommendations regarding the outcome. The accused shall be provided the opportunity to comment on the report, and such comment will become part of the record. The complainant(s) who raised the allegation shall be provided with a copy of the report.
- (iv) The committee shall submit its report, along with the complete investigatory file, to the RIO and the appropriate provost. The provost, after consultation

with the RIO and investigation committee, shall decide whether to concur or reject the finding of misconduct and decide what action should be taken. He or she shall so notify the accused, the RIO, the appropriate director(s), and any other appropriate university official of the decision. In consultation with the appropriate university official(s), the RIO, shall then decide if, and when, external funding agencies, if any, are to be notified, what any such notification shall include, and to whom it should be directed. Any such notice shall be submitted by the RIO.

- (v) If the provost's decision rejects the findings of the investigation committee or the recommended outcomes, the provost will, as part of his/her written determination, explain in detail the basis for rendering a decision different from the findings or recommended outcomes of the investigation committee.
  - (vi) Investigation files will be maintained in a secure manner in the Research and Sponsored Programs office.
- (i) Resolution and outcome
- (i) The university will undertake efforts, as appropriate and feasible, to restore the reputations of persons alleged to have engaged in misconduct when allegations are not confirmed, and also undertake efforts to protect the positions and reputations of those persons who, in good faith, made allegations.
  - (ii) If a misconduct determination is made, the next step depends on the kind of appointment or job the accused holds and on the seriousness of the sanction recommend.
    - (a) Faculty cases: If the provost determines that the finding of misconduct warrants disciplinary action against the faculty member, the provost will initiate the procedures required by the faculty bylaws or collective bargaining agreement to accomplish this action.
    - (b) Other cases: The appropriate university manager and human resources department shall initiate procedures required by the university policies governing the position type held by the accused.
    - (c) Appeal process: An individual, who in the judgment of the provost has engaged in misconduct, may appeal the findings of the investigation committee to the president of the university. The president, in consultation with the appropriate provost and the RIO, will consider all of the evidence and render a final written decision which may be grieved pursuant to any applicable grievance procedure.

<p>Approved by:</p> <p>_____</p> <p>Lloyd A Jacobs, M.D.</p> <p>_____</p> <p>President</p> <p>_____</p> <p>Date</p> <p><i>Review/Revision Completed by: Senior Director for Research Administration</i></p>	<p><b>Policies Superseded by This Policy:</b></p> <ul style="list-style-type: none"><li>• <i>III-2-2 Art. II Compliance with External and Internal Policies, Section 6 Misconduct in Research</i></li><li>• <i>02-003 Academic and Scientific Misconduct</i></li></ul> <p>Initial effective date: Review/Revision Date: Next review date:</p>
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## **Appendix A: Federal Research Misconduct Policies**

The Public Health Service Office of Research Integrity (ORI) maintains a list of web sites for the PHS policy on research misconduct and the policies of other federal agencies. [http://ori.dhhs.gov/policies/federal\\_policies](http://ori.dhhs.gov/policies/federal_policies).

The Health and Human Services (HHS) Regulations, effective May 17, 2005, appear in 42 CFR Part 50 Parts 50 and 93 and implement section 493 of the Public Health Service Act. Copies of the regulation, entitled “Public Health Service Policies on Research Misconduct” are available from the UT Research & Sponsored Programs, or at [http://ori.dhhs.gov/documents/42\\_cfr\\_parts\\_50\\_and\\_93\\_2005.pdf](http://ori.dhhs.gov/documents/42_cfr_parts_50_and_93_2005.pdf), 5/17/05).

PHS must be notified when the institution determines that an investigation is warranted or prior to the decision to initiate an investigation if it has reason to believe that any of the following exist:

- a. Health or safety of the public is at risk, including an immediate need to protect human or animal subjects.
- b. HHS resources or interests are threatened.
- c. Research activities should be suspended.
- d. There is reasonable indication of possible violations of civil or criminal law.
- e. Federal action is required to protect the interests of those involved in the research Misconduct proceeding.
- f. The research institution believes the research Misconduct proceeding may be made public prematurely so that HHS may take appropriate steps to safeguard evidence and protect the rights of those involved.
- g. The research community or public should be informed.

The National Science Foundation (NSF) Regulations, effective March 18, 2002, appear in 45 CFR Part 689. Copies of the regulations, entitled “Research Misconduct” are available from UT Research & Sponsored Programs, or at (<http://www.nsf.gov/oig/misconscieng.jsp>)

NSF expects institutions to promptly notify the NSF Office of Inspector General should the institution become aware during an inquiry or investigation that:

- a. Public Health or safety is at risk;
- b. NSF’s resources, reputation, or other interests need protecting;
- c. There is reasonable indication of possible violations or civil or criminal law;
- d. Research activities should be suspended;
- e. Federal action may be needed to protect the interests of a subject of the investigation or of others potentially affected; or
- f. The scientific community or the public should be informed.

### Research Misconduct policies of other Federal Research Sponsors:

Federal Research Misconduct Regulation 64 FR 55722

[http://ori.dhhs.gov/policies/fed\\_research\\_misconduct.shtml](http://ori.dhhs.gov/policies/fed_research_misconduct.shtml)

Department of Defense

DoD INSTRUCTION 3210.7 (May 14, 2004) which implements DoD DIRECTIVE 3216.2/

<http://www.dtic.mil/whs/directives/corres/html/321007.htm>

Department of Energy 70 FR 123, 6/28/05

[http://www.science.doe.gov/Program\\_Offices/Policy%20on%20research%20misconduct%20June%2028.pdf](http://www.science.doe.gov/Program_Offices/Policy%20on%20research%20misconduct%20June%2028.pdf)

Department of Labor 68 FR 117, 53861-53866

[http://www.dol.gov/\\_sec/regs/fedreg/notices/2003023248.htm](http://www.dol.gov/_sec/regs/fedreg/notices/2003023248.htm)

Department of Transportation

[http://ori.dhhs.gov/documents/rmguidancefinal\\_228002.pdf](http://ori.dhhs.gov/documents/rmguidancefinal_228002.pdf)

Department of Veterans Affairs

<http://ori.dhhs.gov/policies/documents/ViewPublication-VAMisconduct.pdf>

Environmental Protection Agency

<http://ori.dhhs.gov/documents/epapolicy.pdf>

National Aeronautics and Space Administration 14 CFR Part 275, 7/14/2004

<http://edocket.access.gpo.gov/2004/04-15432.htm>

National Endowment for the Humanities

<http://neh.gov/grants/guidelines/researchmisconduct.html>

Smithsonian Institution

<http://www.si.edu/about/documents/sd604.pdf>

[This policy was adapted with permission from a similar policy of the University of Michigan and from materials of the DHHS Office of Research Integrity]