Revision Synopsis

Policy on Responsible Conduct of Research-Procedures for Responding to Allegations of Research Misconduct

With the recent formalization of the Research Compliance Office within the Division of Research, applicable policies and procedures are being reviewed to ensure the protection of human subjects; the welfare of animals; safe use of select agents, pathogens, toxins, radiological materials, and stem cells; and to support the ethical conduct and accountability in research at Binghamton University. The current Binghamton University Policy on Responsible Conduct of Research lacks detail including the process for receiving Allegations, and procedures when conducting the Inquiry and Investigation phases. Procedures, a clear timeline, and the delineation of the responsible parties and the responsibilities of those parties needs greater development necessary to ensure regulatory compliance. This revision was informed by research misconduct policies at like institutions as accepted by the Department of Health and Human Services (HHS) and Office of Research Integrity (ORI). *Note that the language and order is based on policy samples by ORI and specific required language found in the regulations.*

The policy and procedures are intended to conform to the requirements of HHS, the U.S. Public Health Service (PHS), the National Science Foundation (NSF), and Federal regulations including the "Public Health Service Policies on Research Misconduct" [42 Code of Federal Regulations (CFR) 93] and the policies of the National Science Foundation [45 CFR, Part 689], and are referenced where applicable.

To be eligible for PHS funding, we must have an assurance on file with ORI stating that we have developed and will comply with an administrative process for responding to allegations of research misconduct in PHS-supported research that complies with the PHS regulation. We sign every Federal grant proposal attesting that we are in compliance. We also maintain our assurance by filing an Annual Report on Possible Research Misconduct to ORI.

Key changes to the Policy include:

- Addition of the following sections: 3.0 Definitions; 4.0 Rights and Responsibilities
- Inquiry Phase-The Inquiry Committee (ad hoc) shall be comprised of a member of the Advisory Committee for Scholarship and Research of the Graduate Council (ACSR), and one to two faculty and/or subject matter experts within or outside the University that hold the necessary expertise to conduct the review. (Previously the Inquiry was the responsibility of ACSR.)
- Investigation Phase-The Provost will appoint an Investigation Committee (ad hoc) and the Committee Chair. The Investigation Committee will consist of a minimum of three persons, at least two of whom must be faculty. (Previously the Vice President for Research appointed the Investigation Panel to consist of a minimum of three persons, at least one of whom must be a faculty member.)

Other changes as requested by the FSEC (02/06/2018;02/13/18)

- Definition change to 3.0- **Fabrication:** The recording or reporting of invented or forged data or results with intent to deceive, or without due attention to accuracy.
- Struck from 7.3-If the VPR decides to proceed with an Investigation, the RIO will notify the Respondent and Complainant in writing, and the VPR will notify the ~~Respondent's Cahir and Dean, and~~ Provost; the RIO will also notify external funding agencies and governmental offices as contractually required.

- Added to 11.2-The VPR will notify the Respondent's Dean and Chair, or the appropriate Program Director/Department Head of the findings.