
POLICY ON RESPONSIBLE CONDUCT OF RESEARCH

The Public Health Service and National Science Foundation require recipients of grants to develop policies on scientific misconduct and adopt procedures to both uncover acts of research fraud and examine allegations of misconduct in the conduct of research. On the advice of the Graduate Council and its Advisory Committee for Scholarship and Research, the University has adopted the following policies regarding the responsible conduct of research in all fields throughout the University.

DEFINITION

Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, conducting or reporting research and creative scholarly activity. It does not include honest error or honest differences in interpretations or judgments of data.

POLICY

The University has established a procedure to review reports of research misconduct. The principles associated with Binghamton's policy and procedures are as follows:

- The University shall treat all parties with justice and fairness and shall be sensitive to each person's reputation and responsibilities.
- Procedures shall preserve the highest attainable degree of confidentiality compatible with an effective investigation response.
- Procedures shall be as expeditious as possible in leading to the resolution of the charges in a timely manner.
- The integrity of the process shall be maintained by carefully avoiding any real or apparent conflict of interest.

PROCEDURE

The Vice President for Research (VPR) has primary responsibility for overseeing research integrity, and shall appoint a Research Integrity Officer (RIO), who will be primarily responsible for the correct observance of the procedures set forth below.

Reports of misconduct shall be handled in a four-stage process:

- An inquiry to determine whether the allegation or related issue warrants further investigation;
- When warranted, an investigation to collect and examine all pertinent evidence;
- A formal finding on the allegation; and
- Appropriate administrative action on the matter.

1. Inquiry

- a. The contact person for allegations of research misconduct is the research integrity officer. The contact person shall be responsible for securing and maintaining written records for all allegations.
- b. An inquiry shall be made into any allegation that the initiator (the person making the allegation) provides in writing to the RIO. The purpose of this inquiry is to determine whether a full investigation is warranted. The RIO will notify the respondent (the person about whom the allegation is made) in writing of the allegations (if possible, maintaining the confidentiality of the initiator), and of the respondents' right to submit a written response to the allegation. The RIO shall submit the allegation along with all evidence that may exist, any written rebuttal from the respondent, and any other pertinent documentation to the Advisory Committee for Scholarship and Research of the Graduate Council for review. The RIO will provide staff support to the committee. The Advisory Committee shall make a written recommendation to the VPR on whether a formal investigation is warranted. This process must be completed within 60 days of the receipt of the initial allegation unless an extension of time is approved by the VPR.
- c. Within 10 days of receiving the recommendation, the VPR, after consulting with Legal Affairs and the RIO, shall determine whether to conduct an investigation, to drop the matter, or to take some other appropriate action. If the VPR decides not to pursue the matter further, the RIO will seal all files and notify the respondent and the initiator in writing that the allegations have been dropped. If the VPR decides to proceed with an investigation, the RIO will notify the respondent and initiator in writing, and the VPR will notify the respondent's chair, dean and vice president; the RIO will also notify external funding agencies and governmental offices as contractually required.

2. Investigation

- a. The VPR, within 30 days of the inquiry report, will appoint an investigation panel of persons who have no conflicts of interest with the respondent and have research backgrounds that qualify them to understand the subject matter of the alleged research misconduct. The panel will consist of a minimum of three persons, at least one of whom must be a faculty member. The respondent may challenge any panel member, within 14 days of written notification of panel membership, on the grounds that the member does not meet the above criteria.
- b. The VPR shall define the subject matter of the investigation in a written charge to the investigation panel. The VPR may change the subject matter during investigation if substantive new material is discovered by the investigation panel; the panel must notify the VPR of such new material.
- c. The RIO will convene the first meeting of the investigation panel, and will provide staff assistance to the panel. The panel will select a chair at the first meeting.
- d. The panel shall present a written report to the VPR within 90 days of its appointment. This report will contain an explicit finding of fact with respect to each allegation in the investigation charge listing the supporting evidence, and will describe the investigative process used. The report will also state the panel's conclusions as to whether any of the proven allegations violate research integrity. Investigation will be completed within 120 days or an extension must be justified by the vice president.

- e. A copy of the report will be made available by the RIO to the respondent. The respondent may submit written comments within 14 days of receipt of report to the VPR through the RIO.

3. Finding

The VPR will send the report, with any written comments of the respondent, to the president through the vice president for academic affairs, together with the VPR's recommendations.

4. Action

- a. Where allegations are not substantiated, the University shall take action to clear the reputations of those falsely accused; all files relating to the case will be sealed.
- b. When the findings of the investigation substantiate the allegation of misconduct, the president shall initiate appropriate action, depending on the nature of the misconduct and the employment status of the individual involved, and shall notify the sponsor of the action if the research was performed with external support. United University Professions – represented employees may be disciplined according to Article 19 of the agreement with UUP or may be subject to such other action as the president deems appropriate.
- c. The research record shall be corrected if fabricated or fraudulent information has been published.

NOTIFICATION OF OTHER AGENCIES DURING PROCESS

1. *Criminal Activities.* If any criminal activities are discovered or claimed during inquiry or investigation, University Counsel shall be informed.
2. *Federal-Sponsored Research.* Federal agencies will be kept informed of all inquiries and investigations as required contractually. Specifically:
 - a. In the early inquiry stage if there is one or more of the following:
 - An immediate health hazard;
 - Need to protect sponsor resources;
 - Need to protect human or animal subjects;
 - Need to protect person reporting misconduct.
 - b. When the VPR recommends an investigation.
 - c. The findings of the investigation and the institutional sanctions.