

# Research Misconduct Policy

## Policy Statement

The University, its employees, and its students often benefit from participation in research activities. The University does not wish to interfere with employees' or students' legitimate research interests and academic freedom. Employees and students, in turn, must ensure that their research activities are conducted in a responsible and ethical manner.

This policy sets forth procedures and guidelines that are to be followed in the reporting and investigation of alleged research misconduct. It is applicable to all employees, officers, agents, and students of Marywood University. It meets the institution's responsibilities under the Public Health Service (PHS) Policies on Research Misconduct, 42 CFR Part 93. However, it applies to all funded research projects regardless of funding source.

## Definitions

**Deciding Official (DO)** - the institutional official who makes final determinations on allegations of research misconduct and any institutional administrative actions to be taken in response. The Deciding Official will not be the same individual as the Research Integrity Officer, and should have no direct prior involvement in the institution's inquiry, investigation, or allegation assessment procedures. A DO's appointment of an individual to assess allegations of research misconduct, or to serve on an inquiry or investigation committee, is not considered to be direct prior involvement. The Provost and Vice President for Academic Affairs is the DO for Marywood University.

**Research Integrity Officer (RIO)** - the institutional official responsible for

- assessing allegations of research misconduct to determine if they fall within the definition of research misconduct, are covered by 42 CFR Part 93, and warrant an inquiry on the basis that they are sufficiently credible and specific so that potential evidence of research misconduct may be identified;
- overseeing inquiries and investigations;
- the other responsibilities described in this policy.

The Assistant Provost for Research and Sponsored Programs is the RIO for Marywood University.

**Research misconduct** is fabrication, falsification, or plagiarism that is committed while proposing, performing or reviewing research or while reporting results. Research misconduct does not include honest error or differences of opinion.

- *Fabrication* - making up data or results and recording or reporting them
- *Falsification* - manipulating research materials, equipment, or processes, or changing or omitting data or results in such a way that, as a result, the research is not accurately represented in the research record
- *Plagiarism* - appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

## Procedures

### *Findings of Research Misconduct*

A finding of research misconduct requires that

1. there be a significant departure from accepted practice of the relevant research community; and
2. the misconduct be committed intentionally, or knowingly, or recklessly; and
3. the allegation be proven by a preponderance of the evidence.

## ***Review of Allegations of Research Misconduct***

Marywood University and federal agencies are partners who share responsibility for the research process. While federal agencies retain the ultimate oversight authority for any federally funded research, Marywood University bears the primary responsibility for prevention and detection of research misconduct. This includes the inquiry, investigation, and adjudication of research misconduct allegations.

### ***Reporting***

1. Marywood employees must promptly report allegations of research misconduct to their supervisors or, if necessary, directly to the Research Integrity Officer.
2. Only the Research Integrity Officer is authorized to conduct an investigation.
3. Research Integrity Officer shall immediately notify the Deciding Officer when the allegation involves any of the following:
  - threat to public health or safety;
  - threat to Marywood University resources or interests;
  - circumstance where research activities should be suspended;
  - reasonable indication of possible violations of civil or criminal law;
  - reasonable indication that federal action is required to protect the interests of those involved in the investigation;
  - reasonable indication that steps need to be taken to safeguard evidence and protect the rights of those involved;
  - situation where the research community or public should be informed.

### ***Procedures***

1. Upon receipt of an allegation of research misconduct, the Research Integrity Officer will
  - conduct an investigation;
  - take other appropriate action.
2. The Research Integrity Officer will report the results of investigations conducted or overseen to the Deciding Official for a determination of appropriate actions which may include
  - appropriate steps to correct the research record;
  - verbal and or written reprimand;
  - imposition of procedures to ensure compliance with appropriate standards;
  - suspension or termination of employment;
  - reporting of results to the federal agency responsible for oversight;
  - referral to law enforcement when criminal activity is involved.
3. Marywood University employees who are subjects of allegations will receive appropriate protections including
  - review of allegations by objective individuals with appropriate expertise;
  - timely investigation, adjudication, and appeal;
  - confidentiality to the extent possible and consistent with a fair and thorough investigation;
  - reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct but against whom no finding of research misconduct is made.

Marywood University employees may not retaliate in any way against complainants or witnesses. Individuals should immediately report any alleged or apparent retaliation to the Research Integrity Officer, who will review the matter and take appropriate action.

See also Office of Research and Sponsored Programs' Website.  
<https://www.marywood.edu/academics/affairs/research>

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## **Related Policies and Committees**

Policy - Institutional Review of Research Involving Human Participants

Policy - Educational Training in Human Participants Protection for IRB Members and IRB

Administrative Personnel

Policy - Educational Training in Human Participants Protection for Investigators Policy – Animal Subjects in Research and Teaching.

Policy - Educational Training in Animal Research

Policy - Controlled Substances in Research

Policy - Educational Training in Responsible Conduct of Research

Policy - Conflict of Interest in Research

University Standing Committee - Institutional Review Board for the Protection of Human Participants

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## **History of the Policy**

02/19/10 – Approved by the President of the University as recommended by the Policy Committee of the University

09/12/2023- The President of the University approved new personnel titles.