

## Bryn Mawr College

### Policy and Procedures for Responding to Allegations of Research Misconduct

#### **Introduction and Policy Need**

Bryn Mawr College is committed to excellence and integrity in research. As an institution of higher education, the College provides opportunities for faculty, staff, and students to conduct meaningful research that generates knowledge to service the public good and benefit society. Research integrity is a fundamental expectation that ethical principles and professional standards guide the practice of knowledge generation.

Allegations of misconduct are serious and warrant a serious response by the College. While breaches in research conduct are rare, the College must promptly and fairly address the allegations to preserve the integrity of the research community and of the College.

#### **Policy Scope**

Ethical and responsible research is the standard expectation of the College community, and should therefore, be the foundation of conduct when doing research at the College. This policy provides guidance for the rare instance of research misconduct at the College.

Any institution of higher education having one or more investigators who receive research support from federal agencies is required by the federal government to develop policies and procedures for handling allegations of scientific misconduct in projects supported by the agency. This policy relates to all research conducted by College community members, funded and unfunded.

This policy sets the standard for College research, though will defer to the policies and procedures established for any government agency that have their own research misconduct regulations, such as those required under [Public Health Service \(PHS\) Policies on Research Misconduct, 42 CFR Part 93](#).

Please refer to the Office of Sponsored Research for any allegations of research misconduct on externally funded research.

#### **Definitions and Roles**

Research Misconduct or Misconduct –defined as: (1) fraudulent or improper practice in conducting research or reporting the results of research, including intentional falsification or fabrication of data, plagiarism, or intentional misrepresentation of data collection and

analysis, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest difference in interpretations or judgement of data; (2) serious misappropriation of research funds, including but not limited to diversion of such funds to personal or non-college use.

Examples of research misconduct include, but are not limited to the following:

- 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 such that the research is not accurately represented in the research record.
- Plagiarism – the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit

Complainant –a person who, in good faith, makes an allegation of research misconduct.

Respondent –the person against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding.

Research Integrity Officer – the institutional official responsible for administering the College’s written policies and procedures for addressing allegations of research misconduct in compliance with 42 CFE Part 93. At Byn Mawr College, the Director of the Office of Sponsored Research serves as the Research Integrity Officer

#### **A finding of Research Misconduct requires:**

- 1- There be a significant departure from accepted practices of the relevant research community
- 2- The misconduct be committed intentionally, knowingly, or recklessly
- 3- The allegation be proven by a preponderance of the evidence

#### **Where to Direct Allegation of Research Misconduct**

To ensure impartiality in the receipt and review of allegations of misconduct in research, all allegations will be directed to the Research Integrity Officer and the Provost. Together, the RIO and Provost will initiate the proceedings to determine if an inquiry is required.

#### **Confidentiality**

Research misconduct proceedings will remain confidential unless there is a need to know to effectively perform job duties and responsibilities.

#### **Time Limitations**

Allegations of misconduct that occurred seven or more years prior to the submission of the allegation will not be considered unless circumstances indicate that the alleged conduct was not discoverable earlier.

## **Procedures**

If an accusation of misconduct is received, the following procedures will be initiated:

- 1) Inquiry – a review to determine whether the allegation of suspected misconduct warrants further investigation. The RIO and Provost will collect information regarding the allegation, either with or without a committee of colleagues, which may include information consultation with the complainant and/or respondent. The inquiry will result in a report, indicating the need to close the accusation or proceed to an investigation.
  
- 2) Investigation – when warranted, a systematic collection and thorough examination of the evidence will be completed by the RIO, Provost, and a committee of impartial and relevant College members.
  - a. At the time the investigative body is appointed, the Provost shall inform in writing the complainant and any involved collaborators that an investigation is to be conducted and shall present them with a statement of the allegations. The same individuals shall be informed of their right to be represented in preparing and/or giving their response in this and all subsequent phases of the investigation.
  - b. The investigative body shall conduct a formal examination and evaluation of all relevant facts to determine if the allegations of misconduct are valid. The investigative body may call witnesses, examine research data (both published and unpublished), and seek expert opinion both inside and outside the College to aid in the scientific audit.
  - c. The results of this investigation will lead to the finding.
  
- 3) Finding – The official results of the investigation, which shall be a formal report to the Research Integrity Officer, the Provost, the College President, other College officials (as applicable), and the federal agency (if applicable), conveying the results of the investigation.
  - a. If the findings fail to confirm an instance of misconduct, all participants in the investigation shall be so informed in writing by the Provost. Diligent efforts will be undertaken, as appropriate, to restore the reputations of persons alleged to have engaged in misconduct.
  - b. If the investigative body has reason to believe that unfounded charges have

been brought with malicious or dishonest intent, the investigative body shall recommend consideration of the appropriate action by relevant faculty bodies and by the Administration.

- c. If the investigative body finds that the allegations are substantiated and that misconduct has occurred, the accused shall have to right of appeal. If the appeal does not alter the decision of the investigative body, the following actions shall be taken by the Provost.
  - i. Inform any agency sponsoring the research, unless other policies and procedures have been deferred to and actions are covered by other policies and procedures.
  - ii. Inform publishers and/or editors of journals of misconduct in any submitted manuscripts
  - iii. Develop a plan to remediate the misconduct in collaboration with the RIO, Provost, President, College counsel and other pertinent College community members.

### **Other Procedures and Special Circumstances**

If the alleged research misconduct involves multiple institutions, the College may work closely with the other affected institutions to determine whether a joint research misconduct proceeding will be conducted.

### **Records Retention**

The College will maintain the institutional record and all sequestered evidence, including physical objects in a secure manner for seven years after the completion of the proceeding.