

Volume A2: Academics	A2.05.1 Research Misconduct	Responsible Office: Academic Affairs
Chapter 05: Research	Effective Date: 03/07/16	Responsible Officer: Provost

POLICY STATEMENT

Northeastern Illinois University (“University”) bears primary responsibility for the prevention and detection of research misconduct and for the inquiry, investigation, and adjudication of research misconduct alleged to have occurred in association with this institution. Northeastern provides protection for whistleblowers (persons who report misconduct) and persons accused of misconduct. Unsupported allegations not brought in good faith may lead to grievance proceedings or disciplinary action against the complainant. Acts of retaliation for good faith allegations will similarly lead to grievance proceedings or disciplinary action.

- A finding of research misconduct at Northeastern Illinois University requires that:
- There be a significant departure from accepted practices of the relevant research community; and
 - The misconduct be committed intentionally, or knowingly, or recklessly; and
 - The allegation be proven by a preponderance of evidence.

PURPOSE OF THE POLICY

Ensuring integrity in research is an uncompromising component of academic life. Advances in science, engineering, and all fields of research depend on the reliability of the research record, as do the benefits associated with them in areas such as health and national security. Sustained public trust in the research enterprise also requires confidence in the research record and in the processes involved in its ongoing development.

Federal misconduct policy assumes that researchers and research institutions bear the primary responsibility for reporting and investigating allegations of misconduct. This assumption is consistent with the position, strongly supported by most researchers, that research is a profession that should regulate its own conduct.

Establishing safeguards for complainants through this policy gives individuals the confidence that they can bring allegations of research misconduct made in good faith to the attention of appropriate authorities or serve as informants to an inquiry or an investigation without suffering retribution.

Establishing safeguards for respondents through this policy gives individuals the confidence that their rights are protected and that the mere filing of an allegation of research misconduct against them will not bring their research or funding agency review of a research proposal to a halt or be the basis for other disciplinary or adverse action, absent other compelling reasons.

WHO IS AFFECTED BY THIS POLICY

This policy is intended for all members of the Northeastern Illinois University community who are participating in any form of research while affiliated with the university. The conduct of student researchers is the responsibility of the faculty/staff supervising their work.

DEFINITIONS

Research Misconduct is defined by intent. Research misconduct does not include honest error or honest differences of opinion. Research misconduct consists of the intentional commission of one or more of the following:

1. Falsification of data, including fabrication of data, and selective reporting of data with intent to deceive.
 - a. Fabrication is making up data or results and recording or reporting them.

- b. Falsification is 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 also extends to situations or cases where claims of scholarly/creative work have been made without any evidence or documentation.
2. Improper assignment of authorship, such as excluding others or claiming the work of another person as one's own, presenting substantially the same material as an original article in more than one publication, including individuals as authors who have not made a definite contribution to the work published, and submitting multi-authored publications without the concurrence of all authors.
3. Claiming another person's research as one's own. This includes plagiarism (the appropriation of another person's ideas, processes, results, or words without giving appropriate credit), appropriation of ideas from grant proposals or articles received for peer review, or from student papers, and in general using another's intellectual property without obtaining the required permission. It does not include the use of material generally known and thought to be public knowledge.
4. Manipulation of experiments or of statistical or analytical procedures such that the published results differ significantly from those that would normally result from the application of the methods reported by the investigator. This does not refer to judgments of the quality of research designs, which is the responsibility of funding agencies and peer review. Neither a faulty design nor an unorthodox design is by itself evidence of research misconduct.
5. Misappropriation of research funds, e.g., expenditure of funds for purposes not appropriately related to the research or in ways explicitly prohibited by the funding agency.

Funded by means the provision of monetary or other direct support through grants, cooperative agreements, or fellowships, and includes sub-grantees, contractors under grants, and individuals who work on the funded research project even though they do not receive compensation from the federal funds.

An **Investigator** is any person responsible for the design, conduct, or reporting of the research. This includes, but is not limited to, the Principal Investigator, Faculty Sponsor, co-investigators, or other key research personnel. An investigator may be a Teaching Professional, Instructor, Resource Professional, Academic Support Professional, staff member, student, administrator, or unpaid personnel (including volunteers). This also includes an individual who engages the University in research involving human subjects pursuant to the review and approval of the Institutional Review Board (IRB); or is otherwise identified as involved in research by a Principal Investigator or another University administrative officer responsible for research activities.

Research is any systematic investigation designed to develop or contribute to generalizable knowledge. The term encompasses basic and applied research and product testing and development. It includes any activity for which research funding is available from an external sponsor that awards funds under grants, contracts, cooperative agreements, or otherwise. Note that some creative activities are not bound by this definition of research, and not all creative activities engage in product testing and development, or claim to develop or contribute to generalizable knowledge. Certain aspects of creative activities that do fall under this definition of research will be held to this policy.

An **inquiry** about research misconduct is the process of information gathering and fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.

An **investigation** of research misconduct is an in-depth examination and evaluation of all relevant facts to determine if an instance of misconduct has taken place.

Adjudication is the process of reviewing recommendations and determining appropriate corrective actions.

PROCEDURES

If the allegation of research misconduct involves student conduct of research, then the faculty/instructor/staff mentoring the student's or students' research will be the accused investigator in the procedure below, and the student(s) will be referred to the Office of Student Rights and Responsibilities for adjudication.

Unsupported allegations not brought in good faith may lead to grievance proceedings or disciplinary action against the complainant. Acts of retaliation for good faith allegations will similarly lead to grievance proceedings or disciplinary action.

Allegations and the committee process:

1. The person making the charge of misconduct submits the assertion in writing, to the Provost. This assertion may be submitted anonymously. These allegations will require substantive evidence such as:
 - a. For allegations of falsification of data, sufficient documentary evidence of the probability that such misconduct has taken place.
 - b. For allegations of plagiarism, clear documentary evidence, including specific references to the work, pages, and lines being plagiarized.
 - c. For allegations of claiming another's research as one's own, copies of the work containing the alleged misappropriations and of the work or works from which the material was improperly taken.
 - d. For allegations of manipulation of experimental or statistical results, a written analysis which clearly shows the discrepancies between the data collected and the report published and argues that such discrepancies can only be explained as intentional misconduct.
 - e. For allegations of misappropriation of funds, original or photocopied records such as those showing that research money was spent for unapproved or inappropriate items, or that labor was not hired in accordance with grant terms or other applicable regulations.
2. The Provost makes appropriate consultations, then if necessary, appoints an ad hoc **Inquiry Committee** of five members to conduct an inquiry about the allegation of research misconduct.
 - a. The inquiry stage of the misconduct process is only to determine whether there is sufficient evidence to initiate an investigation.
 - b. The Dean of Graduate Studies and Research chairs the Inquiry Committee, and the Director of the Office of Research and Sponsored Projects is a member. The three other members must have appropriate University administrative and/or research experience. None of the members of the committee may have an unresolved conflict of interest involving the accused investigator or the accuser.
 - c. Before assembling the Inquiry Committee, the Provost and the Chair of the Inquiry Committee will discuss the possible involvement of legal counsel in the matter.
 - d. The Inquiry Committee must make every effort to complete the inquiry within 60 calendar days of receipt of the allegation, unless circumstances clearly warrant a longer period.
 - e. The Inquiry Committee will consult the appropriate Dean and Department Chair during the inquiry.
 - f. The Inquiry Committee will notify the accused investigator in writing before the inquiry is initiated. The committee will share a description of all such allegations, will give reasonable access to the data and other evidence supporting the allegations, and will provide him or her an opportunity to respond to the allegations.
 - g. The Inquiry Committee will send a written report with recommendations to the Provost.
 - h. Northeastern Illinois University will maintain records of the inquiry for three years.
3. If and only if the Inquiry Committee finds reason to pursue the allegations, the standing **Investigative Committee** is convened by the Provost.
 - a. The Investigative Committee is an appointed committee of five members: The Dean of Graduate Studies and Research chairs the Investigative Committee, and the Director of the Office of Research and Sponsored Projects is a member. The three other members must have appropriate University administrative and/or research experience, and will serve staggered three year terms. None of the members of the committee may have an unresolved conflict of interest involving the accused investigator. The committee only meets when convened by the Provost.
 - b. For the purpose of a fair and impartial resolution, the Provost may appoint additional members to the Investigative Committee for the investigation of the alleged misconduct. None of the additional members of the investigating group may have an unresolved conflict of interest involving the accused investigator or the accuser.
 - c. The Investigating Committee must notify the accused investigator of the investigation in writing prior to its initiation.
 - d. If the allegation of research misconduct involves federally funded research, then the university will notify the funding agency that its inquiry into the allegation determined there is sufficient evidence to proceed to an investigation.
 - e. The group investigating the allegation must make every effort to complete the investigation within 30 calendar days of the completion of the inquiry, unless circumstances clearly warrant a longer period.

- f. Interim administrative action may be taken during the investigation, as appropriate, to protect federal funds and to insure that the purposes of the federal financial assistance are carried out.
- g. The Investigative Committee will send a written report to the Provost with recommendations for adjudication.
- h. If, in the course of its investigation, the Investigative Committee concludes that a student played a role in the misconduct, then the Investigative Committee may include a written request to the Provost that the student be referred to the Office of Student Rights and Responsibilities for adjudication.

Actions after the Investigation:

1. In its final report, the Investigative Committee will recommend to the Provost specific sanctions to be imposed on the accused investigator(s). Sanctions may include, but are not limited to: removal from the research project, a reprimand, financial restitution, and termination of association with the University. If termination is to be considered, due process and any applicable collective bargaining agreement must be followed.
2. If there is a finding of misconduct, the University will notify the institution with which the accused investigator is currently affiliated. Other Investigative Committee recommendations to the Provost may include, if appropriate, actions such as notifying editors of journals in which the research in question was published or to which manuscripts were sent; other institutions with which the accused investigator has been affiliated; collaborators on such research; and professional societies, licensing boards, or criminal authorities.
3. The University response to a finding of research misconduct, including sanctions against the accused investigator, will reflect the severity of the misconduct and will be in compliance with the provisions of the Faculty Constitution and other relevant documents.
4. When the allegations are not confirmed, the University will make a diligent effort, where appropriate, to protect or restore the reputation of an investigator alleged to have engaged in misconduct. Particular efforts will be made to redress damage to the respondent's reputation and status as a competent researcher.
5. If the unsubstantiated allegations of misconduct are found to have been maliciously motivated, appropriate grievance procedures or disciplinary action will be initiated against the person who alleged the misconduct. If the allegations, however incorrect, are found to have been made in good faith, no disciplinary measures will be taken, and diligent efforts will be made to prevent retaliatory action against the person who alleged the misconduct.
6. If the allegation of research misconduct involves federally funded research, then the University will send the funding agency a copy of the evidentiary record, the investigative report, recommendations made by the Investigative Committee to the Provost, and the accused investigator's written response to the recommendations, if any.

At any time during an inquiry or investigation of alleged research misconduct involving federally funded research, the university will immediately notify the Federal agency if public health or safety is at risk; if agency resources or interests are threatened; if research activities should be suspended; if there is reasonable indication of possible violations of civil or criminal law; if Federal action is required to protect the interests of those involved in the investigation; if the research institution believes the inquiry or investigation may be made public prematurely so that appropriate steps can be taken to safeguard evidence and protect the rights of those involved; or if the research community or public should be informed.

GUIDELINES

1. The inquiry, investigation, adjudication, and appeal phases (if any) should be conducted within six months of the initial receipt of the allegation, with allowances for extensions where appropriate.
2. During the inquiry and investigative process, all involved should endeavor to keep confidential the names of both the accused and accuser.
3. The Investigative Committee should examine all documentation, including, but not necessarily limited to, relevant research data and proposals, publications, correspondence, and notes of telephone conversations.
4. The Investigative Committee should conduct interviews of all individuals involved in either making the allegation or against whom the allegation is made, and other individuals who might have information regarding key aspects of the allegations. Complete summaries of the interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of an investigatory file.

5. The Investigative Committee should secure the necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence.

AUTHOR REFERENCE

U.S. Federal Policy on Research Misconduct: available from the American Physics Society online <http://www.aps.org/policy/statements/federalpolicy.cfm>

Office of Research Integrity (ORI) of the U.S. Department of Health and Human Services: a site that includes links to agency-specific Federal Policies on Research Integrity for all of the federal funding agencies (NIH, NSF, NEH, DOE, etc.) Much of the material in this policy is based on these federal policies. The site also includes background information on the changes to the Federal Policy on Research Misconduct that were approved in 2001. <http://ori.hhs.gov/federal-policies>

Whistleblower protections: In the Code of Federal Regulations (CFR) 42 CFR 50.103 - ASSURANCE-RESPONSIBILITIES OF PHS AWARDEE AND APPLICANT INSTITUTIONS section, section (d)(13) covers whistleblower protection requirements. ORI considers the institution to have met this regulation if it follows the guidelines of the federal policies above, which formed the basis of this University policy.

Northern Illinois University's Research Integrity Policy informed the definition of research misconduct and many of the actions outlined in the procedures section of this policy. <http://www.niu.edu/provost/policies/appm/l2.shtml>

HISTORY

Formerly Administrative Memorandum No. 66, *Scientific Misconduct*, effective dated March 1, 1995.

RELATED POLICIES, DOCUMENTS, AND LINKS

For information about misconduct related to Institutional Review Board (IRB) review, please see the [Human Subjects Research Policy](#).

For guidance on mentoring ethical student research, please visit the website developed by the Research Ethics Education Program at University of California, San Diego: <http://research-ethics.net/topics/mentoring/>

For general guidance on mentoring student research, in science, social science, and humanities, please visit the Office of Undergraduate Research *The Mentoring Guide* from the University of Miami (Florida): [MentoringGuide.pdf](#).

CONTACT INFORMATION

Please direct questions or concerns about this policy to:

Contact	Phone	E-Mail
Dean of the College of Graduate Studies and Research	773-442-6012	gradstudies@niu.edu

DISCLAIMER

The University reserves the right to modify or amend sections of this policy at any time at its sole discretion. This policy remains in effect until such time as the Responsible Officer calls for review. Requests for exception to any portion of this policy, but not to the policy statement, must be presented in writing to the Responsible Officer.