

DEPAUL UNIVERSITY



Research Misconduct Policy

Category: Academic Affairs - Operational

Responsible Department: Office of Research Services

Responsible Officer: Associate Provost for Research

Effective Date: 7/25/2016

Policy Summary

DePaul is committed to promoting the highest ethical standards in the conduct of research. As an expression of this commitment, this policy describes procedures to be used for inquiring into and, if necessary, fairly investigating and resolving instances of alleged research misconduct. These procedures are modeled on those described in the Public Health Service Policies on Research (42 CFR Part 93) and other federal sources.

Scope

This policy affects the following groups of the University:

- Full-Time Staff
- Part-Time Staff
- Full-Time Faculty
- Part-Time Faculty
- Student Employees

This policy applies to allegations of research misconduct involving persons who, at the time of the alleged research misconduct, were employed by or otherwise affiliated with DePaul (for example, by contract or agreement). For the purposes of this policy, "research" is broadly defined as all forms of scholarly activity conducted within the university community, ranging from scientific experimentation to artistic expression. This policy applies whether or not the research activity is funded and regardless of the funding source, if any. Students are subject to this policy only when they engage in research in an employment or service capacity to the University.

This policy only addresses research misconduct. Researchers should be aware that their research activity is also governed by local, state, and federal law not addressed by this policy and by other DePaul policies, including the [Faculty Handbook](#) and the [Academic Integrity Policy](#).

Policy

DEFINITIONS

The following key terms, when used in this policy, shall have the meanings defined below:

Allegation: A written or oral statement made to a university administrator which indicates possible research misconduct.

Clear and convincing evidence: Proof by information that, compared with information opposing it, leads to the conclusion that the fact at issue is highly probable and reasonably certain.

Complainant: An individual who submits an allegation of research misconduct.

Evidence: Any document, tangible item, or testimony offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact.

Good faith allegation: An allegation made with the honest belief that research misconduct may have occurred. An allegation is not in good faith if it is made in knowing or reckless disregard for, or willful ignorance of, facts that would disprove the allegation.

Inquiry: A process involving preliminary information-gathering and fact-finding aimed at determining whether an allegation or apparent instance of research misconduct warrants an investigation.

Investigation: The formal examination and evaluation of all relevant facts to determine whether research misconduct has occurred and, if so, to determine the responsible person(s).

Preponderance of the evidence: Proof by information that, compared with information opposing it, leads to the conclusion that the fact at issue is more probably true than not.

Research: All forms of scholarly activity conducted within the university community, ranging from scientific experimentation to artistic expression.

Research Integrity Officer (RIO): The institutional official responsible for assessing allegations of research misconduct to determine when such allegations warrant inquiries, and for overseeing inquiries and investigations. The Associate Vice President for Research is the Research Integrity Officer.

Research Misconduct: Fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

- *Fabrication* is making up data or results and recording or reporting them.

- *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.
- *Plagiarism* is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Research misconduct involves a significant departure from the accepted practices of the relevant research community. It does not include honest error, differences of opinion, or disputes among collaborators about authorship or credit.

Research record: The record of data or results that embody the facts resulting from engagement in research, including, without limitation, grant proposals (whether funded or not), laboratory records (both physical and electronic), recordings and transcriptions of participant interviews, progress reports, abstracts, theses, oral presentations, databases, internal reports, books, and journal articles.

Respondent: The individual against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding.

Sequester/Sequestration: The collection and segregation of research records, equipment, and other tangible or intangible information for the specific purpose of assessing allegations of research misconduct.

GUIDING PRINCIPLES

This section describes the guiding principles that inform the implementation of this policy.

Responsibility to Report Research Misconduct

All members of the DePaul community have a responsibility to report observed, suspected, or apparent misconduct in research to the Associate Vice President for Research, who functions as DePaul's Research Integrity Officer (RIO). Reports of research misconduct made to others should be referred to the RIO. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may contact the RIO to discuss the suspected misconduct informally. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO may refer the individual to other offices or officials with responsibility for resolving the problem.

If the individual believes that the RIO has an unresolved conflict of interest that could affect his or her handling of the allegation, the individual should notify the Provost directly.

The Office of Institutional Compliance has also established an anonymous hotline to report misconduct. See the [Reporting Misconduct](#) policy for details.

Responsibility to Make Good Faith Allegations

Members of the DePaul community have a responsibility to exercise good judgment in coming forward with allegations of research misconduct. Any individual making an allegation that is not in good faith may be subject to appropriate actions, consistent with applicable DePaul policies, including the Faculty Handbook, and any applicable laws.

Cooperation with the Proceedings

All members of the DePaul community have a responsibility to cooperate with the RIO and any other DePaul employees performing duties under this policy, and with any relevant external agency or authority which is exercising legitimate oversight over allegations of research misconduct, or which is otherwise conducting a related inquiry, investigation, proceeding, or other action.

Non-Retaliation

DePaul will not tolerate retaliation against any individual in response to that person's participation in research misconduct proceedings. Employees should immediately report any alleged retaliation to the RIO. Any individual found to have engaged in retaliatory action may be subject to appropriate actions, consistent with applicable DePaul policies, including the Faculty Handbook, and any applicable laws.

Confidentiality

Disclosure of the identity of participants in research misconduct proceedings and of the substance of the allegations will be limited, to the extent possible, to those who need to know, consistent with the need for a thorough, competent, objective, and fair research misconduct proceeding, and as allowed by law.

If the complainant requests anonymity, the University will honor this request during the initial stages of the proceedings, to the extent possible, consistent with the respondent's right to a fair process, and as allowed by law. The complainant will be advised that if the matter is referred to an investigation committee, anonymity may no longer be possible.

Avoiding Conflicts of Interest

The RIO will screen all potential inquiry or investigation committee members for unresolved personal, professional, or financial conflicts of interest with the respondent and others involved with the proceedings, and the respondent may raise conflict of interest objections regarding committee members in accordance with this policy.

Standard of Proof

The University has the burden of proof in making findings of research misconduct. Proof by clear and convincing evidence is required to sustain such a finding unless a different standard of proof such as a preponderance of the evidence is mandated by law or regulation.

Reputation Restoration

DePaul will undertake reasonable, practical, and appropriate efforts to restore the reputation of the respondent, at the respondent's request, if an allegation of research misconduct is made but not sustained. As necessary, DePaul will also make efforts to restore the reputations of others involved in the research misconduct process.

ASSESSING AN ALLEGATION

Upon receiving an allegation of research misconduct, the RIO will make an initial assessment, in a timely manner, to decide whether an inquiry is warranted. An inquiry is warranted if there is a reasonable basis for concluding that all of the following apply:

- The allegation is made against a person to whom this policy applies.
- The allegation sufficiently and credibly details conduct that, if true, meets the definition of research misconduct.
- The alleged research misconduct occurred within the limitation period, as described below.

To fall within the limitation period, the alleged research misconduct must have occurred within six years of the date on which the allegation is received unless one of the following applies:

- The respondent has continued or renewed the alleged research misconduct through the citation, re-publication, or other use of the research in question.
- The alleged research misconduct could possibly have a substantial adverse effect on the health or safety of the public.
- The research was sponsored by an agency or organization with a limitation period of more than six years.

The RIO's determination that an inquiry is or is not warranted is a final determination and is not appealable. If an inquiry is not warranted, the RIO will inform the complainant of this determination in writing.

CONDUCTING AN INQUIRY

Initiating the Inquiry

If the RIO decides that an inquiry is warranted, he or she will initiate one, following the steps described below.

Sequestration of the Research Record

Once the determination is made to convene an inquiry, and before the respondent is notified, the RIO will take all reasonable steps necessary to obtain custody of the evidence needed to conduct the inquiry and to sequester it. As needed, the RIO will also take all reasonable steps necessary to obtain custody of and sequester any additional evidence discovered during the course of the inquiry. This will be done in a manner that causes the least possible disruption to research while ensuring the integrity of the proceedings. To this end, the RIO will provide the respondent with an inventory of items sequestered, and will make reasonable efforts to provide copies of sequestered items or supervised access to them.

Notifications

Once sequestration has occurred, the RIO will notify the respondent in writing of the specific allegation(s) and will provide the respondent with a copy of, or link to, this policy.

At this point, the RIO will also inform the complainant and the respondent's dean and department chair that an inquiry is being initiated.

Formation of the Inquiry Committee

The RIO will appoint an inquiry committee consisting of three DePaul faculty, including a committee chair, in coordination with the Faculty Council Committee on Committees (COC). Those appointed must not have unresolved personal, professional, or financial conflicts of interest with the respondent. The committee should include individuals with the appropriate expertise to evaluate the evidence and issues related to the allegation. If the RIO decides that further special expertise would be appropriate, one or more experts from outside the University may be added to the committee as non-voting consultants.

The respondent will be notified in writing of the proposed committee membership and given an opportunity to object, within one week, to any proposed member on the basis of a personal, professional, or financial conflict of interest. The RIO will promptly rule on any such objections and, if they are found to have merit, will adjust the committee membership accordingly.

Charge to the Inquiry Committee

The RIO will prepare a charge for the inquiry committee that:

- Describes the allegations and any related issues identified during the allegation assessment.
- Explains the nature and purpose of the inquiry proceeding.
- Describes the responsibilities of the inquiry committee.
- Defines the criteria the committee is to use in determining whether an investigation is warranted.

- Informs the committee that they are responsible for preparing a written report of the inquiry.

The RIO, who forms the inquiry committee but does not serve on it, will be available throughout the inquiry proceedings to review this charge with the committee; discuss the allegations and any related issues; describe appropriate procedures for conducting the inquiry; assist the committee with organizing plans for the inquiry; answer any questions raised by the committee; and otherwise advise the committee as needed.

The Work of the Inquiry Committee

The inquiry committee will carry out its work in keeping with their charge and the following guidelines.

Nature and Purpose of the Inquiry

The purpose of the inquiry is to engage in preliminary information-gathering and fact-finding to determine whether an allegation of research misconduct should proceed to an investigation. To accomplish this, the inquiry committee will have access to evidence and documentation relative to the allegation. The respondent may submit any relevant evidence for consideration. Because the inquiry is not a legal proceeding, judicial rules such as those governing the admissibility of evidence, authentication of documents, and the examination of witnesses do not apply.

The committee also may request to interview the respondent, the complainant (if identified) and/or others if necessary and appropriate. No negative inference shall be drawn if the respondent chooses to decline the committee's request. However, if the respondent declines, the committee will necessarily make its decision without the benefit of any information that the respondent might have provided at the interview. In keeping with the preliminary nature of the inquiry, inquiry interviews will not be recorded or transcribed.

During the inquiry the respondent has the right, at his or her own expense, to consult with an advisor. This may be a member of the DePaul community or may be a legal advisor such as an attorney. The advisor may accompany the respondent if the inquiry committee requests an interview, but the advisor may not directly address the inquiry committee or anyone else present at the respondent's interview except for quietly conferring with the respondent. If the respondent intends to bring an advisor to his or her interview, the respondent must notify the inquiry committee of this 5 calendar days in advance of the scheduled interview. If the advisor is an attorney, the committee will invite the Office of the General Counsel to send a representative as well. Neither the respondent nor the advisor has the right to be present at interviews the inquiry committee conducts with the complainant or others.

The committee chair will promptly notify the RIO if additional potential allegations or respondents surface as a result of the inquiry proceedings.

Based on their initial review of the available evidence, the committee members will recommend whether or not an investigation is warranted. An investigation is warranted if both of the following apply:

- There is a reasonable basis for concluding that the allegation falls within the scope of this policy and the definition of research misconduct.
- Preliminary information-gathering and fact-finding indicate that the allegation may have substance.

Preparation of the Inquiry Report

The inquiry committee will summarize its conclusions in a written report to the RIO. The elements of this report should include:

- The name and position of the respondent.
- A description of the allegations.
- The basis for recommending or not recommending that the allegations warrant an investigation.
- Identification of any current or pending external support for the research at issue (to be supplied by the RIO).
- Any comments on the inquiry report by the respondent (see below).

The RIO will give a copy of the draft inquiry report to the respondent for comment, allowing the respondent 10 calendar days to submit any comments to the RIO. Based on the comments, the inquiry committee may revise the report, as appropriate, before submitting the final copy to the RIO with the comments attached.

If the inquiry committee recommends that an investigation is warranted, the RIO will also comment on the draft report, indicating in a memo for inclusion in the final inquiry report whether or not he or she concurs with the inquiry committee's recommendation. If the RIO does not agree with the committee that an investigation is warranted, the memo shall include the specific reasons for this. The RIO and the committee must agree that an investigation is warranted in order for the University to initiate one.

If the inquiry committee recommends that an investigation is not warranted, the RIO will not comment on the report, and the inquiry committee's recommendation will be accepted by the University as the final determination regarding this matter.

Follow Up to the Inquiry Report

The RIO will notify the respondent of the final determination, including a copy of the final inquiry committee report with all attachments. At this point, the RIO will also notify the complainant, as well as the respondent's dean and department chair, of the outcome.

If the final determination is that an investigation is warranted, the RIO will also notify any external agencies necessary, as required by law or regulation. (See the section below on Notifying & Cooperating with External Agencies for further details.)

If the final determination is that an investigation is not warranted, the process is complete, and the University will, at the request of the respondent, make practical, reasonable, and appropriate efforts to restore the respondent's reputation.

Time Frame for Conducting the Inquiry

Due to the sensitive nature of allegations of research misconduct, each case should be resolved as expeditiously as possible. For this reason, the inquiry should be completed within 60 days of its commencement if possible. The nature of some cases may, however, make normal deadlines difficult to meet. If the RIO determines that circumstances warrant a longer period, the RIO may approve extensions in accordance with any applicable regulations, making the reasons for doing so a part of the inquiry record. The respondent will be notified of any such extensions.

CONDUCTING AN INVESTIGATION

Initiating the Investigation

If the final determination is that an investigation is warranted, the RIO will initiate one, following the steps described below.

Sequestration of Any Additional Pertinent Records

The RIO will take all reasonable steps necessary to obtain custody of and sequester in a secure manner evidence needed to conduct the investigation that was not previously sequestered. As needed, the RIO will also undertake all reasonable steps necessary to obtain custody of and sequester any additional evidence discovered during the course of the investigation. The procedures to be followed for sequestration during the investigation are the same that apply during the inquiry.

Notifications

After any additional sequestration has occurred, the RIO will notify the respondent in writing of the specific allegation(s) and provide the respondent with a copy of, or link to, this policy.

At this point, the RIO will also inform the complainant and the respondent's dean and department chair that an inquiry is being initiated.

Formation of the Investigation Committee

The RIO will appoint an investigation committee consisting of DePaul faculty based on recommendations from the Faculty Council Committee on Committees (COC), which will provide a potential pool of faculty who did not serve on the inquiry committee. The committee formed will elect a committee chair. Those appointed must not have unresolved personal, professional, or financial conflicts of interest with the respondent. The investigation committee should include individuals with the appropriate expertise to evaluate the evidence and issues related to the allegation. If the RIO decides that further special expertise would be appropriate, one or more experts from outside the University may be added to the committee as non-voting consultants.

The respondent will be notified in writing of the proposed committee membership and given an opportunity to object, within one week, to any proposed member on the basis of a personal, professional, or financial conflict of interest. The RIO will promptly rule on any such objections and, if they are found to have merit, will adjust the committee membership accordingly.

Charge to the Investigation Committee

The RIO will prepare a charge for the investigation committee that:

- Describes the allegations and any related issues identified during the inquiry.
- Explains the nature and purpose of the investigation.
- Identifies the responsibilities of the investigation committee.
- Informs the investigation committee that they are responsible for preparing a written report of the investigation.
- Defines the criteria the committee is to use when considering whether research misconduct has occurred.

The criteria the RIO provides the committee will include the required standard of proof. Proof by clear and convincing evidence is required to sustain a finding of research misconduct unless a different standard of proof, such as a preponderance of the evidence, is mandated by law or regulation.

The RIO, who forms the investigation committee but does not serve on it, will be available throughout the investigation to review this charge with the committee; discuss the allegations and any related issues; describe appropriate procedures for conducting the investigation; assist the committee with organizing plans for the investigation; answer any questions raised by the committee; and otherwise advise the committee as needed.

The Work of the Investigation Committee

The investigation committee will carry out its work in keeping with their charge and the following guidelines.

Nature and Purpose of the Investigation

The purpose of the investigation is to determine whether research misconduct has been committed and by whom. To accomplish this, the investigation should include the examination of all research records and evidence relevant to reaching a decision on the merits of the allegation, as well as interviews of the respondent, the complainant, and others if necessary and appropriate. During the investigation, the respondent may submit any relevant evidence for consideration by the investigation committee. Because the investigation is not a legal proceeding, judicial rules such as those governing the admissibility of evidence, authentication of documents, and the examination of witnesses do not apply.

The committee chair will promptly notify the RIO if additional potential allegations or respondents surface as a result of the investigation proceedings.

The investigation committee should address any questions that might arise about the inquiry proceedings or the inquiry report to the RIO. Members of the inquiry committee should not be contacted directly by the investigation committee.

Interviews

As part of the investigation, the committee will interview the complainant, the respondent, and any other available persons who have been reasonably identified as having information relevant to the investigation, including witnesses identified by the respondent. Each interview will be recorded and transcribed and provided to the interviewee for a period of one week to correct any errors in transcription before being considered part of the available evidence.

The respondent will be given reasonable notice of interviews conducted by the investigation committee and will have the opportunity to be present during all such interviews. The respondent may submit questions--including follow-up questions--to the committee to be asked during these interviews, but the respondent may not directly address the person being interviewed. The respondent may also submit to the committee follow-up questions to prior interviews throughout the period during which the committee conducts its investigation.

The respondent also has the right, at his or her own expense, to consult with an advisor. This may be a member of the DePaul community or may be a legal advisor such as an attorney. The advisor may accompany the respondent to any interviews that the respondent attends and confer quietly with the respondent, but the advisor may not directly address the investigation committee or anyone else present at the interview except for quietly conferring with the respondent. If the respondent intends to bring an advisor to an interview, the respondent must notify the investigation committee of this 5 calendar days in advance of the scheduled interview. If the advisor is an attorney, the committee will invite the Office of the General Counsel to send a representative as well.

Investigation Committee Deliberations

Once it has completed its investigation, the investigation committee will consider whether to recommend sustaining one or more of the allegations. Before making such a recommendation, the

investigation committee must consider whether it has been established, by the applicable standard of proof, that both of the following conditions apply:

- The conduct in question falls within the definitions of "research" and of "research misconduct" included in this policy.
- The conduct in question was engaged in intentionally, knowingly, or recklessly. A person acts "intentionally" when it is his conscious object to cause a particular result. He acts "knowingly" when he is aware that it is practically certain that his conduct will lead to a particular result. He acts "recklessly" when he consciously disregards a substantial risk that his conduct will lead to a particular result.

The destruction, absence of, or respondent's failure to provide research records adequately documenting the questioned research is evidence of research misconduct in situations where this conduct constitutes a significant departure from accepted practices of the relevant research community and where it can be established, by the applicable standard of proof, that the respondent intentionally, knowingly, or recklessly:

- Had research records and destroyed them or
- Had the opportunity to maintain the research records but did not do so or
- Maintained the research records and failed to produce them in a timely manner.

Preparation of the Investigation Report

The investigation committee will summarize its conclusions in a written report to the RIO, which should include the following:

- Name and position of the respondent.
- Description of the allegations.
- Process the committee followed in conducting the Investigation.
- Inventory of the evidence reviewed.
- For each allegation of research misconduct, the committee's recommendation as to whether or not it should be sustained.
- The basis for each recommendation.
- Identification of any external support and any pending applications for the research at issue, especially any federal support (to be supplied by the RIO).
- Identification of any publications, pending grant proposals, or other documents that may require correction or retraction.
- Any comments on the draft investigation report by the respondent (see below).

If the research in question is supported by certain federal agencies or other authorities--for example, the United States Public Health Service or the National Science Foundation--the investigation report may need to include other particular details and elements. In this case, the RIO will inform the investigation committee as to the requirements for the report.

The RIO will give a copy of the draft investigation report to the respondent for comment, allowing the respondent 30 calendar days to submit any comments to the RIO. Concurrently, the RIO will provide the respondent with a copy of, or supervised access to, the evidence on which the investigation report is based. Based on the comments, the committee may revise the draft report as appropriate before submitting the final copy to the RIO. Any comments submitted by the respondent will be attached to the final investigation report.

The RIO will also give a copy of the draft investigation report, or relevant portions of it, to the complainant, allowing the complainant 30 calendar days to submit any comments to the RIO. Based on the comments, the committee may revise the draft report as appropriate before submitting the final copy to the RIO. Any comments submitted by the complainant will be attached to the final investigation report.

If the investigation committee recommends sustaining the allegation(s) of research misconduct, the RIO will also comment on the draft report, indicating in a memo for inclusion in the final investigation report whether or not he or she concurs with the inquiry committee's recommendations. If the RIO does not agree with the committee that the allegation(s) should be sustained, the memo shall include the specific reasons for this. The RIO and the investigation committee must agree that the allegation(s) should be sustained in order for the University to find that the respondent has committed research misconduct.

If the investigation committee does not recommend sustaining the allegation(s), the RIO will not comment on the report, and the investigation committee's recommendations will be accepted by the University as the final determination regarding this matter.

Follow Up to the Investigation Report

Initial Notifications

The RIO will notify the respondent of the results of the investigation, including a copy of the final investigation committee report with all attachments. At this point, the RIO will also notify the complainant, as well as the respondent's dean and department chair, of the outcome.

Right to Appeal

A respondent shall have the right, within 30 calendar days after receiving the investigation decision, to file a written appeal of the decision to the Provost. An appeal must identify a substantial procedural error that significantly impaired the respondent's right to a thorough, competent, objective and fair research misconduct proceeding; or introduce new evidence that has been discovered and would be fundamentally unfair not to consider. The Provost may affirm, overturn, or modify the decision. Any of these actions by the Provost will be final.

In general, an appeal should be completed within 30 calendar days of its filing with the Provost, provided that the Provost may invoke one or more reasonable extensions to the extent that they are necessary and in accordance with any applicable regulations.

Subsequent Notices and Actions

Once the investigation and any appeal are completed, the RIO will also notify any external agencies necessary, as required by law or regulation. (See the section below on Notifying & Cooperating with External Agencies for further details.)

If the allegations of research misconduct are not sustained, the University will, at the request of the respondent, make practical, reasonable, and appropriate efforts to restore the respondent's reputation.

If there is a finding of research misconduct, notification of such may also be given, to the extent deemed appropriate by the University, to the editors of journals in which falsified, fabricated, or plagiarized material was published; to past and present collaborators of the respondent; to other institutions with which the respondent is or was previously affiliated; and to other relevant parties. If applicable, the respondent will have an obligation to work with the University, any other scholars, and publishers involved to make corrections and otherwise rectify the situation to the fullest extent possible. Failure to cooperate could result in further actions.

Also, DePaul may take further appropriate actions, consistent with any additional applicable DePaul policies, including the Faculty Handbook, or applicable laws.

Time Frame for Conducting the Investigation

Due to the sensitive nature of allegations of research misconduct, each case should be resolved as expeditiously as possible. For this reason, the investigation should commence within 30 calendar days after completion of the inquiry and conclude within 120 calendar days of its commencement. The nature of some cases may, however, make normal deadlines difficult to meet. If the RIO determines that circumstances warrant a longer period, the RIO may approve extensions in accordance with any applicable regulations, making the reasons for doing so a part of the investigation record. The respondent will be notified of any such extensions.

NOTIFYING AND COOPERATING WITH EXTERNAL AGENCIES AND AUTHORITIES

To the extent required by law or regulations, DePaul will notify federal agencies or other authorities of the status of an allegation, inquiry, or investigation. This includes, for example, notifying the United States Public Health Service (PHS) Office of Research Integrity when there is a finding that an investigation is warranted that involves research supported all or in part by PHS funding. Similarly, the National Science Foundation (NSF) Office of the Inspector General will be

notified when an inquiry supports a formal investigation involving research supported all or in part by NSF funding.

DePaul may also notify the appropriate external agencies and authorities if it has reason to believe that any of the following conditions exist:

- The scientific community or the public should be informed.
- The health or safety of the public is at risk, including an immediate need to protect research subjects.
- A law has potentially been violated.
- Federal agency resources or interests are threatened.
- Federally sponsored research activities should be suspended.
- It is likely that the alleged research misconduct, or the inquiry or investigation of it, may be made public prematurely.
- Other action is required to protect the interests of those involved.

DePaul will fully cooperate, in an ongoing manner, with all appropriate external agencies and authorities as required by law or regulations. This includes, for example, cooperating with oversight reviews and all other proceedings related to research misconduct; and providing appropriate officials with access to information and to individuals, as necessary, to develop a complete record of the relevant evidence.

OTHER MATTERS

Interim Administrative Actions

The University will not unnecessarily impede the ability of the respondent to continue his or her research. However, at any stage in these proceedings, the RIO shall, with the approval of the Provost, have the authority to take necessary and appropriate interim actions, including actions to safeguard public health and safety, federal interests, DePaul's reputation, or the integrity and continuity of research. These actions will vary according to the circumstances of each case, but may include delaying publication of research results, enhanced supervision or approval processes, and disclosure to other potentially affected individuals or entities.

Records Retention

DePaul shall maintain the research record, all other evidence, and all records, reports or other documentation generated during the course of the proceedings conducted under this policy, for seven years after the final completion of any DePaul proceedings unless DePaul has transferred custody of the records and evidence to an external agency or other authority, or the appropriate external agency or authorities have otherwise advised DePaul in writing that the University no longer needs to retain the records.

Resignation Prior to Completing Inquiry or Investigation

If the respondent, without admitting to research misconduct, elects to resign his or her position after the institution receives an allegation, the research misconduct process will still proceed. If the respondent refuses to participate in the process after resignation, the RIO and any inquiry or investigation committee will use their best efforts to make a determination concerning the allegations, noting in the report the respondent's failure to cooperate and its effect on the evidence.

Alternative Resolution

At any point in the research misconduct process, the University and the respondent may choose to enter into a negotiated agreement to conclude the process. All negotiated agreements must be:

- In writing.
- Approved by the Provost.
- Consistent with DePaul's commitment to promote the highest ethical standards in the conduct of research.
- If applicable, consistent with the requirements of and (if necessary) approved by any relevant oversight agency or funding entity.

Proceedings under this policy shall continue during the time any negotiated agreement is under discussion by the parties involved or under consideration by any one party. DePaul will notify federal agencies or other authorities of such negotiated agreements to the extent required by law or regulations.

Procedures

This policy provides a framework for inquiring into and, if necessary, fairly investigating and resolving instances of alleged research misconduct. Given the potential range and complexity of cases involving such allegations, some circumstances may arise that are not directly addressed by this policy. In those situations, the RIO, in consultation with the Provost and other university officers as appropriate, will implement procedures consistent with the overall policy framework and the guiding principles described above; and that draw, as needed, on the Public Health Service Policies on Research (42 CFR Part 93) and other federal sources on which this policy is modeled.

Divisional Collaborations

Faculty Council, Standing Committee on Faculty Research
Office of the Provost

Contact Information

Associate Provost for Research
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Appendices

None

History/Revisions

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