

AZUSA PACIFIC UNIVERSITY
POLICIES AND PROCEDURES

Title: Integrity in Research Policy
Policy Number: PO2010029
Replacing Policy Number: No Prior Policy
Effective Date: December 11, 2012
Edited for Form: November 2019
Issuing Authority: Office of the President
Responsible Office: Research Integrity Officer
Date of Amendments: October 14, 2014, November 9, 2021

Introduction and Policy

Azusa Pacific University (“APU” or “University”) values honesty and integrity of research and is dedicated to ensuring the credibility and trustworthiness of the research conducted by our research community, to protecting this community from unsubstantiated allegations of research misconduct, and to upholding the University’s high standards for research activity. Misconduct in research represents a breach of the policies of APU, the standards expected by our sponsors, and the expectations of scholarly communities for accuracy, validity, and integrity in research. It is therefore the policy of APU to inquire into and, if necessary, investigate and resolve promptly and fairly all instances of alleged research misconduct. Further, it is also APU’s policy to comply in a timely manner with sponsor requirements for reporting cases of possible research misconduct when sponsored project funds are involved.

The primary responsibility for maintaining standards of integrity is held by individual scholars and the departments in which they work. Accordingly, it is incumbent upon all faculty, principal investigators, and others in positions of responsibility to exercise active leadership in their supervisory roles to ensure the integrity of the research being conducted. The purpose of this document is to set forth the policy and procedures by which APU seeks to maintain and enforce integrity in research through impartial fact-finding and fair adjudications of allegations of research misconduct. Each allegation of research misconduct will be responded to in a thorough, competent, objective, and fair manner. An *Annual Report on Possible Research Misconduct* is filed with the Office of Research Integrity (in the U.S. Department of Health and Human Services) by the Research Integrity Officer. To promote responsible conduct in research, the University will notify the research community annually about this policy, and will verify that primary investigators have read and understood the policy through the Institutional Review Board application process. The policy is posted on the internet at <https://www.apu.edu/researchandgrants/ethics/research-misconduct/>, where one can also find the names and contact information of the Deciding Officer and the Research Integrity Officer.

Scope and Application

This policy and the associated procedures will be followed when a University official receives an allegation of possible misconduct in research or possible noncompliance with legal and ethical standards applicable to human subjects and animal research. They will apply to all allegations of unethical research practices unless specifically addressed by another policy established by the

University (e.g., Conflicts of Interest in Research Policy).

This policy applies to: (i) all individuals employed by the University who are engaged in the conduct of research, whether or not the research is funded; (ii) all graduate and undergraduate students who are involved in the conduct of federally funded research; and (iii) anyone affiliated with APU and engaged in research through a Sponsored Program to the extent of that research. Allegations of research misconduct against graduate and undergraduate students related to non-federally funded research will be referred to the disciplinary channels provided in the catalog or department-specific handbooks.

Definitions

Allegation. Any written or oral statement or other indication of possible research misconduct made to a University official and reported to the University's Research Integrity Officer.

Complainant. The individual who submits an allegation of misconduct and/or retaliation.

Deciding Official ("DO"). The University official who makes final determinations on allegations of misconduct and any responsive University actions. The Deciding Official at APU is the Provost.

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.

Good Faith Allegation. An Allegation of Research Misconduct made by a Complainant who believes that Research Misconduct may have occurred. An Allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the Allegation.

Inquiry. The process under the policy for information gathering and preliminary fact-finding to determine if an Allegation or apparent instance of Research Misconduct has substance and therefore warrants an Investigation.

Investigation. The process under the policy for the formal examination and evaluation of all relevant facts to determine whether Research Misconduct has occurred, and, if so, the responsible person and the seriousness of the misconduct.

Plagiarism. The appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Research (includes Development). R&D activity is creative and systematic work undertaken in order to increase the stock of knowledge — including knowledge of humankind, culture, and society — and to devise new applications of available knowledge. R&D covers three activities defined below — basic research, applied research, and experimental development.

- Basic research is experimental or theoretical work undertaken primarily to acquire new knowledge of the underlying foundations of phenomena and observable facts, without any particular application or use in view.
- Applied research is original investigation undertaken in order to acquire new knowledge. It is directed primarily towards a specific, practical aim or objective.
- Experimental development is systematic work, drawing on knowledge gained from research and practical experience and producing additional knowledge, which is

directed to producing new products or processes or to improving existing products or processes.

Research Integrity Officer (“RIO”). A person identified by the Deciding Official to have primary responsibility for assuring adherence to these procedures.

Research Misconduct. For federally funded research, Research Misconduct is the fabrication, falsification, plagiarism, or other serious deviation from commonly accepted practices in the relevant academic community for proposing, performing, or reviewing research, or in reporting research results. For federally funded research, the threshold for determining Research Misconduct includes verified fabrication, falsification, or plagiarism which represents a “significant departure from accepted practices”; has been “committed intentionally, or knowingly, or recklessly”; and has been “proven by a preponderance of evidence” (42 C.F.R. § 93.104). Research Misconduct does not include disputes regarding honest error or honest differences in interpretations or judgments of data, and is not intended to resolve bona fide academic disagreement or debate. Research misconduct is also not intended to include “authorship” disputes, such as complaints about appropriate ranking of co-authors in publications, presentations, or other work, unless the dispute constitutes Plagiarism.

In addition to the above definition, Research Misconduct at APU includes fabrication, falsification, plagiarism, or other serious deviation from commonly accepted practices committed intentionally or unintentionally, which has been proven by a preponderance of evidence. It also includes material failure to comply with applicable requirements for protection of researchers, human participants, or the public; or for ensuring the welfare of laboratory animals; an abuse of confidentiality, such as the use (or release to others) of ideas or preliminary data of others which were given in the expectation of confidentiality; and other types of academic dishonesty that may occur in the design, conduct, and presentation of research.

Research Record. Any data, document, computer file, thumb drive, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an Allegation of Research Misconduct. A Research Record includes but is not limited to grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; printed or electronic correspondence; memoranda of telephone calls; videos; photographs; X-ray film; slides; biological materials; computer files and printouts; virtual data and information (including that which is cloud-based); manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files. Any such research record generated by University personnel using university facilities is owned by the university.

Respondent. The person against whom an Allegation of Research Misconduct is directed, or the person whose actions are the subject of an Inquiry or Investigation.

Sponsored Programs. Research, training, and instructional projects involving funds, materials, gifts, or other compensation from external entities (including any individual and government agencies) under agreements with the University.

Standards of Review

A finding of Research Misconduct on federally funded research is subject to institutional sanctions as well as to review and possible subsequent sanctions by the federal Office of Research Integrity. Findings of Research Misconduct at a lesser threshold for federally funded research and any

academic misconduct findings for all other research are subject to institutional sanctions.

Receipt of Allegations

Any observed, suspected, or apparent Research Misconduct must be reported to the RIO. If an individual is unsure whether a suspected incident falls within the definition of Research Misconduct, he or she may meet with the RIO to discuss the suspected Research Misconduct informally. Any such consultation shall be confidential within the limits set by applicable policies and regulations and laws. If the circumstances described by the individual do not meet the definition of Research Misconduct, the RIO will refer the individual or allegation to other offices or officials with responsibility for resolving the problem. In the case of possible Research Misconduct, the RIO will inform the Complainant of the need to file a written Allegation and of his or her obligation to cooperate in any Inquiry or Investigation that may take place. If the Complainant makes an Allegation orally and does not file a written Allegation, the RIO may initiate a written Allegation if he or she believes there may be sufficient cause and evidence to warrant an Inquiry.

Any administrator who receives credible information that Research Misconduct may have occurred, including unwritten information or information submitted anonymously, shall notify the RIO of such information. When such information comes to the attention of the RIO, the RIO shall reduce the concern to a written Allegation and apply these procedures.

Just as care must be taken to ensure that those filing a legitimate Good Faith Allegation are protected from reprisals, the University will not tolerate actions of this nature that are taken without foundation or with malicious intent. To ensure both the opportunity to make reports and the internal protection of those reporting, the identity of the person filing the allegation of misconduct may be kept confidential during the inquiry stage of this procedure, if possible, at the request of the Complainant. Similarly, those accused of such acts are entitled to have all proceedings handled in confidence.

On receipt of a written Allegation of Research Misconduct, the RIO may, if needed, gather additional data and information for use in evaluating the Allegation. The RIO shall then determine the disposition of the Allegation. If the Allegation does not raise questions of Research Misconduct, is determined to be frivolous, or is determined to be more appropriately resolved by other deliberative or mediation procedures (e.g., in cases of authorship dispute), the Complainant will be so notified. If the Allegation is determined to be non-frivolous, falls within the definition of Research Misconduct, and there appears to be supporting evidence, an Inquiry shall be initiated with notifications as soon as is reasonably possible, but no later than ten (10) working days.

The Inquiry

The purpose of an Inquiry is to determine whether there is sufficient credible evidence of possible Research Misconduct to warrant conducting an Investigation.

Appointment of Inquiry Committee. The Inquiry shall be carried out by a committee of no fewer than three (3) persons appointed by the RIO. Members of the committee shall have no conflicts of interest with the Respondent or with the case in question, shall be unbiased, and shall, together, possess sufficient expertise to enable the committee to conduct the Inquiry and to evaluate the evidence and issues related to the Allegation. Appointees are expected to notify the

RIO of any known conflicts of interest or of an inability to render unbiased judgment. Wherever feasible, one member of the Inquiry Committee shall be from the department in which the Respondent holds primary appointment and one member shall be a faculty member from elsewhere in the University. If necessary (e.g., to obtain appropriate expertise), the RIO may appoint an individual from outside the University. Any exception to the designated composition of the Inquiry Committee shall be made only for good cause and shall be documented in the Inquiry report. The RIO shall designate a chair, who shall be a University appointee who is not from the unit in which the Respondent holds primary appointment.

Notification of Initiation of Inquiry. The RIO shall meet with the Respondent to present the Respondent with written notification of the initiation of the Inquiry, including a statement of the Allegation and related issues. The RIO shall review the contents of the Allegation and describe the process that will be followed. The RIO shall include with the notification a copy of these procedures and an explanation of the Respondent's rights and responsibilities, including his or her right to submit a written response to the Allegation. The RIO shall remind the Respondent of his or her obligation to cooperate with the investigative process and to provide all relevant materials and information. The RIO shall also explain that while every attempt will be made to maintain anonymity through the Inquiry phase of the process (if requested by the Complainant), the Complainant's identity in some instances may be made known to the Respondent if an Investigation ensues.

The RIO has the authority and obligation to sequester evidence which, in the RIO's judgment, may be pertinent to an Allegation of Research Misconduct under review. Therefore, either before notification or at that time, the RIO shall promptly take all reasonable and practical steps to take possession of or otherwise secure the Research Record. The RIO shall inventory any records or evidence obtained and shall store them in a secure manner, causing minimal or no disruption to research, if possible. The RIO will provide the Respondent with an inventory of items sequestered and return requested copies of items in a timely manner. The dean of the school or college in which the Respondent holds primary appointment shall be notified of the initiation of any Inquiry.

Objections to Committee Membership. The notifications shall state that the Respondent and the Complainant may object, in writing, to any of the proposed appointees on the grounds that the person does not meet the criteria stated above. Any objections shall be submitted to the RIO within three (3) working days of receipt of the notification. The RIO shall consider the objection, and if it is reasonable, shall replace the person with one who meets the stated criteria. The RIO's decision as to whether the challenge is reasonable shall be final.

Charge to the Inquiry Committee. The RIO shall convene the first meeting of the Inquiry Committee, review the Allegation, and describe appropriate procedures for conducting an Inquiry. The Inquiry Committee will be supported by the RIO throughout the Inquiry process, and the RIO will be present to clarify procedures during meetings and interviews. If issues of Research Misconduct that fall outside of the charge to the Inquiry Committee arise during the course of the Inquiry, the Inquiry Committee shall so inform the RIO, including in its written communication the evidence on which its concerns are based. The RIO will consider the issues raised and, if warranted, amend the Allegation accordingly. The Respondent and Complainant shall receive appropriate notification of any such amendments.

Interviews. Whenever possible, interviews should be conducted with each individual involved

either in making the Allegation or against whom the Allegation is made. The Inquiry Committee may interview others and examine relevant Research Records and materials, as necessary to determine whether there is sufficient credible evidence of Research Misconduct. Interviews may be recorded.

Provision of Documents. The Inquiry Committee, in conjunction with the RIO, shall have the authority to require submission to the committee of any documents or materials it deems necessary to conduct the Inquiry.

Timing. The Inquiry shall be completed within thirty (30) calendar days after the commencement of the Inquiry, which is defined as the first meeting of the Inquiry Committee convened by the RIO. If an Inquiry takes longer than thirty (30) days, the Inquiry Report must state the reasons for the extension of time.

The Inquiry Report. The Inquiry Committee shall document its findings in a report that states the Allegation, summarizes relevant interviews, and states the conclusions reached and the evidence on which it reached those conclusions. Where it finds that an Investigation is not warranted, the report and other retained documentation must be sufficiently detailed as to permit a later assessment of the reasons for the recommendation not to conduct an Investigation. The Inquiry report may be drafted with the assistance of the RIO. If the report recommends that an Investigation be conducted, it shall propose the subject matter to be included in the Investigation.

The draft Inquiry report shall be distributed to the Respondent. The RIO shall make available to the Complainant the draft report or relevant portions of the report (i.e., those portions that address the Complainant's role and opinions in the Inquiry) if the Complainant is identifiable. The RIO may establish reasonable conditions for review to protect the confidentiality of the draft report. The Complainant and Respondent may submit written comments regarding the facts and findings to the RIO within ten (10) working days, which will be made a part of the final Inquiry record. Based on any comments received, the Inquiry Committee may revise the report, as the committee deems appropriate.

The final Inquiry report, together with the Respondent's and Complainant's comments, if any, shall be forwarded to the RIO for further action.

Disposition of the Case Following an Inquiry. Within ten (10) working days of receipt of the Inquiry report, including the comments, if any, the RIO, after consultation with the General Counsel, will make the determination of whether the findings from the Inquiry provide sufficient evidence of possible Research Misconduct to justify conducting an Investigation. The RIO will notify the Complainant and Respondent in writing of the determination.

When an Inquiry finds an allegation of Research Misconduct is not confirmed, the RIO will close the case and notify the appropriate parties, undertaking efforts to restore any damage to the reputation of the researchers. Anyone known to have knowledge of the Inquiry (including the Respondent, the Complainant, the dean, the Inquiry Committee, and all persons interviewed) shall be informed that the matter has been dropped because it was determined not to warrant an Investigation.

The Investigation

The purpose of an Investigation is to determine whether the alleged Research Misconduct occurred and, if so, to recommend appropriate sanctions.

Notification of Initiation of Investigation. The RIO will notify the Respondent and the Complainant in writing that an Investigation will take place and remind them of their obligation to cooperate in the conduct of the Investigation. The RIO will also notify external funding agencies and appropriate governmental offices (e.g., the Office of Research Integrity of the Department of Health and Human Services), in the manner and to the extent required by law.

Timing of Investigation. The Investigation shall commence within thirty (30) calendar days after it is determined by the RIO that an Investigation is warranted. The Investigation should be completed within 120 calendar days of its initiation, which shall be the date of the first meeting of the Investigation Committee convened by the RIO. This includes conducting the Investigation, preparing the report of findings, making that report available for comment by the Respondent and the Complainant, and, if required, submitting the report to governmental funding sources. Extensions of time must be approved by the RIO, and if the case involves Public Health Service funding, the approval of the federal Office of Research Integrity. The reasons for the extension must be documented in the Investigation report. The Respondent shall be notified of any extensions of time.

Investigation Process. The Investigation may be conducted through private interviews or, at the option of either the Investigation Committee or the Respondent, at a hearing at which the Respondent shall be invited to be present. Requests for hearings shall be made in writing within fifteen (15) working days of receipt of the notice of the Investigation.

The RIO shall notify the Respondent at least fifteen (15) working days before the hearing concerning the following:

- (i) The date, time, and place of the hearing;
- (ii) That the Respondent is required to provide to the RIO the names of all persons he or she wishes to have interviewed or whose statements may be offered as evidence no later than ten (10) working days prior to the date of the hearing;
- (iii) That the RIO will provide the Respondent with the names of all additional interviewees who will give evidence at the hearing and will make available to the Respondent any statements or other material that will be presented during the hearing no later than ten (10) working days prior to the date of the hearing;
- (iv) That the Respondent is entitled to raise questions for the Investigation Committee to pose to each interviewee about the information provided by that interviewee and about the Allegation;

- (v) That the Respondent is not entitled to be accompanied at the hearing by legal counsel, but is entitled to be accompanied by an advisor of his or her choice, who may provide the Respondent advice but may not participate in the proceedings;
- (vi) That the Respondent may make a statement, either orally or in writing, to the Investigation Committee at the commencement of or at the end of the proceedings (at the Respondent's choice) concerning the Allegation; and
- (vii) That the Respondent may attend the presentation of evidence at the hearing, but not the committee's deliberations.

Appointment of Investigation Committee. The Investigation shall be conducted by an Investigation Committee of no fewer than three (3) persons appointed by the RIO promptly upon the determination of the disposition of the Inquiry report, as necessary. Members of the Investigation Committee shall have no conflicts of interest with the Respondent or the case in question, shall be unbiased, and shall together possess the necessary expertise to enable them to evaluate authoritatively the relevant evidence of the alleged Research Misconduct and to conduct an Investigation. Appointees are expected to notify the RIO of any known conflicts of interest or of an inability to render unbiased judgment. One member of the committee may be a peer of the Respondent from outside the University. The RIO shall designate a chair of the committee, who shall be a term-tenured member of the University faculty who is not from the unit in which the Respondent holds primary appointment.

Notification of Appointment of Investigation Committee. The Respondent and Complainant shall be notified of the committee membership and shall be given an opportunity to object to the committee membership on the grounds that one or more members do not meet the above-stated criteria. Objections shall be made in writing to the RIO within three (3) working days of notification of the committee's membership. The RIO shall consider the objection, and if it is reasonable, he or she shall replace the person with one who meets the stated criteria. The RIO's decision as to whether the challenge is reasonable shall be final.

Charge to Investigation Committee. The RIO shall provide the Investigation Committee with a written charge of the subject matter to be considered in the Investigation. The charge will state that the committee is to evaluate the evidence to determine whether, based on a preponderance of the evidence, Research Misconduct occurred and, if so, to what extent, who was responsible, and its seriousness. If issues of Research Misconduct that fall outside of the charge arise during the course of the Investigation, the committee shall so inform the RIO, including in its communication the evidence on which its concerns are based. The RIO will consider the issues raised and, in the RIO's discretion, provide the Investigation Committee with an amended charge. The Respondent shall be notified of any such amendments.

In all of its proceedings, the Investigation Committee shall be governed by orderly procedures for ensuring the impartial examination by the committee of all pertinent facts, University policies and procedures, and the legitimate interests of all parties involved.

Collection of Information During the Investigation. The committee shall interview the Complainant, if available, and shall review all pertinent documentary evidence. Before and during the Investigation, the committee may request and secure further information in writing

from the Respondent which it thinks to be pertinent to the case. The committee may also request that persons not identified by the Respondent provide information pertinent to the case either through interviews or in statements prepared for the committee. These statements, if they are not presented during a hearing, shall be made available to the Respondent. The Respondent may request that a hearing be reconvened in order to add or to respond to such newly solicited material and information. The decision made by the committee and any subsequent decision by University administrators shall be made only on the basis of evidence presented during the Investigation or solicited by the Investigation Committee and to which the Respondent has had the opportunity to respond.

Complainant's Confidentiality. If a Complainant who has requested that his or her identity be kept confidential declines to appear to be interviewed at a hearing, the Investigation may nevertheless go forward if the Investigation Committee determines that there is credible evidence of possible Research Misconduct apart from the Complainant's statements regarding the charge of Research Misconduct.

Record of Interviews; Transcripts. An audio tape recording of Investigation interviews shall be made. A copy of the audiotape or a transcript thereof shall be provided to each interviewee for his or her review to identify errors. The recording or transcript and any changes requested by the interviewee shall together constitute the record of the interview. If transcripts are created, they shall be maintained as the rest of the record of the case.

Committee Report. The Investigation Committee shall provide its written report within fifteen (15) working days of concluding its interviews or other investigative process. The committee's report should specify the Allegations, summarize the relevant information provided by persons interviewed by the committee, make explicit findings of fact with respect to each Allegation, and list the evidence relevant to the findings and whether each Allegation was proven by a preponderance of the evidence. The report should provide the committee's conclusions as to whether any proved Allegation constitutes Research Misconduct. The report should specify whether the Research Misconduct met the required threshold for federally funded research and identify, as much as possible, who was responsible for the Research Misconduct and its seriousness. The report and other retained documentation must be sufficiently detailed as to permit a later assessment of the Investigation.

In addition to the findings, the committee shall also make recommendations of procedures to be undertaken by University administrators to achieve appropriate remedies.

Review of Committee Report by Respondent and Initiator. A draft of the committee's report shall be forwarded to the Respondent. The draft report or relevant portions thereof (i.e., those portions that address the Complainant's role in the Investigation) also shall be made available to the Complainant for review. The Respondent and Complainant may submit written comments to the RIO within fifteen (15) working days, which will be made a part of the final Investigation record. The committee's report, together with the Respondent's and Complainant's comments, shall then be forwarded to the DO.

Disposition of the Case Following an Investigation

Within ten (10) working days of receipt of the Investigation report, the DO shall decide what action to take or recommend.

Concurrence with the Committee

(1) No Misconduct

If the DO concurs with an Investigation Committee's recommendation that the Allegations have not been proven by a preponderance of the evidence, the RIO will act to ensure that all reference to the matter is expunged from the Respondent's personnel file.

(2) Misconduct

If the DO concurs with an Investigation Committee's finding that Research Misconduct has been proven by a preponderance of the evidence, the Respondent shall be notified in writing of the DO's decision. If the DO determines that a sanction should be imposed, the DO shall either take such action as is within the DO's authority or make recommendations for action to the appropriate person or decision-making body, as prescribed by University policy. Whether or not sanctions are imposed, the DO may prescribe corrective action responsive to the Research Misconduct and take any other appropriate action. The DO's findings shall be conclusive and binding and may not be appealed.

DO's Decision at Variance with Committee's Findings. If, on review of the Investigation report, the DO disagrees with the Investigation Committee's recommendation, the DO shall prepare a report explaining in detail the basis for his or her concerns. The basis of the DO's concerns may be procedural or substantive. The DO shall provide the Investigation Committee with the statement of concerns, and the committee shall have ten (10) working days in which to address them. The committee may, for example, gather additional evidence, deliberate further in light of the concerns raised by the DO, or correct the procedural problem or problems identified by the DO. The committee may request and obtain from the DO extensions of time, as may be reasonably necessary for addressing the issues. The Investigation Committee shall provide the DO an amended Investigation report in response to the statement of concerns. The Respondent shall be provided a copy of the amended Investigation report, together with the DO's statement of concerns, and shall be given an opportunity to respond to the amended report and the DO's statement of concerns. Relevant portions thereof (i.e., those portions that address the Complainant's role and opinions in the Investigation), shall be made available to the Complainant for review, and the Complainant shall have ten (10) working days to comment in writing on the amended report.

If the DO concurs with the findings in the amended Investigation report, the procedures specified above shall be followed. If the DO's decision varies from the recommendation made by the Investigation Committee in the amended report, the DO shall prepare a report explaining in detail the basis for his or her decision. The report shall document the DO's findings, stating the conclusions reached and the evidence on which the DO reached those conclusions. The report should make explicit findings of fact with respect to each Allegation. The DO's decision shall be based solely on evidence elicited in the Investigation and to which the Respondent has had the opportunity to respond. The DO's findings shall be conclusive and binding and may not be appealed. The Respondent shall be notified in writing of the DO's decision.

Restoration of the Reputation of the Respondent, Complainant, and Others. Where the DO determines that the Respondent did not engage in Research Misconduct, the DO shall consult with the Respondent and take any action which the DO deems necessary to restore the Respondent's reputation. At the conclusion of any Investigation, the DO shall also consult with the Complainant and take any action which the DO deems necessary to restore the position or reputation of the Complainant.

Cooperation with Research Misconduct Proceedings

Institutional members will cooperate with the RIO and other institutional officials in the review of Allegations and the conduct of Inquiries and Investigations. Institutional members, including Respondents, have an obligation to provide evidence relevant to Research Misconduct Allegations to the RIO or other institutional officials.

Notification of Funding Agencies

The following notifications shall be made by the RIO, in consultation with the DO and the dean of the school or college, to the appropriate federal or other granting agencies in the manner and to the extent required by law: Allegations of Research Misconduct when an Inquiry into the Allegations results in sufficient evidence to warrant an Investigation; a copy of the written Investigation report along with the response by the Respondent (if any), and the DO's decision; and the final adjudication or disciplinary determination and corrective actions.

Additional action and notification is required (e.g., to the Office of Research Integrity) if it is determined that (a) public health or safety is at risk; (b) agency resources or interests are threatened; (c) research activities should be suspended; (d) there is reasonable indication of possible violations of civil or criminal law; or (e) federal action is required to protect the interests of those involved in the Investigation. In some cases, 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. The RIO is authorized to take such actions, in consultation with the appropriate University official, as are necessary or prudent to protect the University and the funds of the granting agency, prevent potential or immediate health hazards, or to prevent or report any possible criminal violation during the period of Inquiry, Investigation, or resulting adjudication, if any. In addition, the RIO may require that other actions be taken, such as notifying editors or publishers if the work has been submitted for publication or been published, to ensure the integrity of the scholarly process. If retraction of a publication is required, the RIO will follow up with the appropriate publications to ensure this happens.

Confidentiality

The RIO shall limit disclosure of the identity of Respondents and Complainants to those who need to know in order to carry out a thorough, competent, objective and fair Research Misconduct proceeding; and except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a Research Misconduct proceeding.

Protecting Complainants, Witnesses, and Committee Members

Institutional members may not retaliate in any way against Complainants, witnesses, or committee members. Institutional members should immediately report any alleged or apparent retaliation against Complainants, witnesses, or committee members to the RIO, who shall review the matter and, as necessary, make all reasonable and practical efforts to counter any potential or actual retaliation, and protect and restore the position and reputation of the person against whom the retaliation is directed.

Protecting the Respondent

As requested and as appropriate, the RIO and other institutional officials shall make all reasonable and practical efforts to protect the reputation of persons alleged to have engaged in Research Misconduct, but against whom no finding of Research Misconduct is made.

Record Retention

All documentation and records related to allegations of Research Misconduct, regardless of whether they resulted in an Inquiry or Investigation will be retained and secured by the RIO for a period of seven (7) years from the date of completion of the research misconduct proceedings.

[end]

Azusa Pacific University acknowledges with gratitude Indiana University and Brandeis University, whose research misconduct policies served as templates for portions of this policy. In addition, the University acknowledges the National Science Foundation: Higher Education Research and Development Survey FY2020 for the definition of “research” used here without edits.