

To: Legislative History

From: Caren Frost, Associate Vice President for Research Integrity and Compliance and Heather Sudbury, Operations Manager, Office of Research Integrity and Compliance

Date: March 14, 2022

Re: Changes to Policy 7-001: Policy for Research Misconduct and related changes to Policy 6-011: Functions and Procedures of the Senate Consolidated Hearing Committee and Policy 6-316: Code of Faculty Rights and Responsibilities

Introduction and Background

The Office for Research Integrity and Compliance is making changes to Policy 7-001: Policy for Research Misconduct to update it based on current ORI directives and the national dialogue about responsible conduct of research and research misconduct. The new, updated policy meets best practices discussions at the national level.

The changes to Policy 7-001 did not align with provisions related to research misconduct in Policy 6-011 Functions and Procedures of the Senate Consolidated Hearing Committee and in Policy 6-316 Code of Faculty Rights and Responsibilities. Therefore, the Office for Research Integrity and Compliance made changes to these policies as well so that all policies describe the same processes and requirements related to research misconduct.

This legislative history describes the changes to all three policies and includes redline versions showing the changes to Policies 6-011 and 6-316. Because the provisions in Policy 7-001 were substantially reorganized, there is not a redline version for this policy.

Changes to Policies 7-001, 6-011, and 6-316

The revised process for research misconduct is described in the flow chart attached to this memo. The policy revisions make the following changes to current Policies 7-001, 6-011, and 6-316:

Changes to Policy 7-001

- Revises, updates, and add to definition language.
 - Expands terminology
 - Expands application of policy to include research that is not federally funded (non-sponsored research)
- Repositions faculty suspension from the beginning of policy to later in the policy.

- Uses Senate Consolidated Hearing Committee only if a hearing for sanctions is needed
- Clarification of processes:
 - Allegation:
 - Adds specifics of allegation stage timeline
 - Includes of fabrication, falsification, and plagiarism (FFP) language
 - Adds requirements for allegation review
 - Sequestration:
 - Adds specifics of sequestration stage timeline
 - Adds language to clarify documentation and data sequestration processes
 - Adds language about notification to respondent
 - Inquiry:
 - Adds specifics of inquiry stage timeline
 - Includes language to clarify the purpose of the inquiry stage
 - Specifies items required for an inquiry committee report
 - Investigation:
 - Clarifies of who is to be on the Investigation committee
 - Adds specifics of investigation stage timeline
 - Clarifies an investigation committee’s roles and assignment
 - Specifies information required in an investigation Committee report
 - Describes a respondent’s timeline to respond to findings report
 - Provides that the investigation committee’s findings are conclusive
 - Describes the investigation committee recommendation options
 - Appeal:
 - Establishes that a faculty member may appeal a sanction for research misconduct to the Senate Consolidated Hearing Committee

Changes to Policy 6-011

- Changes the role of the Senate Consolidated Hearing Committee related to faculty research misconduct from holding a formal hearing for allegations of research misconduct to hearing appeals of sanctions imposed on faculty members for research misconduct [pages 4, 6, 11, 23]
- Removes references to a different process for sponsored and non-sponsored research [pages 9, 22]
- Specifies the circumstances under which the Senate Consolidated Hearing Committee may grant an appeal of a sanction imposed for research misconduct [page 19]

Changes to Policy 6-316

- Removes references to Policy 7-001 applying only to “sponsored” research to clarify that all research misconduct allegations, regardless of whether the research is federally funded,

follow the process described in Policy 7-001 (See Policy 6-316 Section 4.C.2 [page 10], Section 5.A [page12], and Section 6.B.1 [page 16]).

Regulation Development Process

The Office for Research Integrity and Compliance worked with stakeholders including, the Office of General Counsel, the Office for Faculty, the Office for Health Science Administration, and Human Resources in developing this policy.

The Office for Research Integrity and Compliance presented this policy revision to the Council of Academic Deans and the Institutional Policy Committee and received approval from the Academic Senate (March 14, 2022) and the Board of Trustees (April 12, 2022).