

# Policy and Procedures for Responding to Allegations of Research Misconduct

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## I. INTRODUCTION

### A. General Policy

Goucher College seeks to actively foster an environment and a community where academic and scientific integrity are highly valued and will not condone research misconduct. This policy and these procedures provide a fair and orderly means of handling allegations or suspicions of research misconduct in compliance with applicable federal regulations for research institutions.

### B. Scope

This policy is intended to comply with the regulatory requirements of federal funding agencies related to research misconduct.<sup>1</sup> This policy and these procedures apply to any person affiliated with Goucher College at the time of the alleged misconduct, such as scientists, trainees, technicians and other staff members, students, fellows, guest researchers, or collaborators at Goucher College, including any agent affiliated by contract with the college.

This policy does not apply to authorship or collaboration disputes, or to allegations or complaints that do not fall within the definition of research misconduct set forth below or to matters that fall exclusively under other policies, including violations of conflict of interest policies, violations of Institutional Review Board or Institutional Animal Care and Use Committee policies, or violations of fiscal or other college policies, which shall be directed to the offices responsible for such matters. Where an allegation includes matters that may be partly within the scope of this policy and also within the scope of another policy, the Research Integrity Officer shall coordinate as necessary with other offices.

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<sup>1</sup> The applicable regulations include 42 C.F.R. Part 93 (for Public Health Service funded research), 45 C.F.R. Part 689 (for National Science Foundation funded research), 14 C.F.R. Part 1275 (for National Aeronautics and Space Administration funded research), EPA Order 3120.5, issued March 18, 2006 (for Environmental Protection Agency funded research), DoD Instruction No. 3210.7, issued May 14, 2004 (for Department of Defense funded research), 70 Fed. Reg. 66371 (for Department of Education funded research), DOT Implementation Guidance, issued February 2002 (for Department of Transportation funded research), 68 Fed. Reg. 53861 (for Department of Labor funded research), 70 C.F.R. 37010 (for Department of Energy funded research), National Endowment for the Humanities Research Misconduct Policy (available on the National Endowment for the Humanities website).

## II. DEFINITIONS

**Complainant:** A person who makes a good faith allegation of research misconduct.

**Deciding Official (DO):** The institutional official who makes final determinations on allegations of research misconduct and any institutional administrative actions. The Deciding Official will not be the same individual as the Research Integrity Officer and should have no direct prior involvement in the institution's inquiry, investigation, or allegation assessment. A DO's appointment of an individual to assess allegations of research misconduct, or to serve on an inquiry or investigation committee, is not considered to be direct prior involvement. The Provost and Senior Vice President for Academic Affairs will serve as the Deciding Official under this policy.

**Research Integrity Officer (RIO):** The institutional official responsible for (1) assessing allegations of research misconduct to determine if they fall within the definition of research misconduct, and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified; (2) overseeing inquiries and investigations; and (3) the other responsibilities described in this policy. The Associate Provost for Faculty Affairs will serve as the Research Integrity Officer under this policy.

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

1. Fabrication is making up data or results and recording or reporting them.
2. 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.
3. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.
4. Research misconduct does not include honest error or differences of opinion.

**Respondent:** The person against whom an allegation of research misconduct is made.

## III. RIGHTS AND RESPONSIBILITIES

### A. Research Integrity Officer

The Associate Provost for Faculty Affairs will serve as the RIO and will have primary responsibility for implementation of the college's policies and procedures on research misconduct. The RIO shall (1) receive allegations; (2) conduct (in coordination with the Deciding Official) assessments of allegations; (3) ensure that potential evidence of research misconduct is collected and sequestered in a timely manner; (4) ensure that regulatory requirements and timelines are met; (5) ensure that decisions made under this policy are appropriately documented, (6) maintain confidentiality during the pendency of assessments, inquiries, and investigations; and (7) complete all regulatory recordkeeping and reporting obligations set forth in this policy and applicable federal regulations. The RIO shall serve as a non-voting, ex officio member solely to provide procedural guidance to the Inquiry and Investigation committees.

## **B. Complainant**

The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with the inquiry and investigation. As a matter of good practice, the complainant should be interviewed at the inquiry stage. The complainant must be interviewed during an investigation.

## **C. Respondent**

The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry and investigation.

## **D. Deciding Official**

The Provost will receive the inquiry report and after consulting with the RIO and/or other institutional officials, decide whether an investigation is warranted. Any finding that an investigation is warranted must be made in writing by the DO. If it is found that an investigation is not warranted, the DO and the RIO will ensure that detailed documentation of the inquiry is retained for at least seven years after termination of the inquiry.

The DO will receive the investigation report and, after consulting with the RIO and/or other institutional officials, decide the extent to which this institution accepts the findings of the investigation and, if research misconduct is found, decide what, if any, institutional administrative actions are appropriate. The DO shall ensure that the final investigation report, the findings of the DO, and a description of any pending or completed administrative actions are provided to RIO.

# **IV. GENERAL POLICIES AND PRINCIPLES**

## **A. Responsibility to Report Misconduct**

All institutional members will report observed, suspected, or apparent research misconduct to the RIO. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, they may meet with or contact the RIO to discuss the suspected research misconduct informally, which may include discussing it anonymously and/or hypothetically. 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.

At any time, an institutional member may have confidential discussions and consultations about concerns of possible misconduct with the RIO and will be counseled about appropriate procedures for reporting allegations.

## **B. 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.

## C. Confidentiality

The RIO shall limit disclosure of the identity of respondents and complainants 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. The RIO should use written confidentiality agreements or other mechanisms to ensure that the recipient does not make any further disclosure of identifying information.

## D. 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.

## E. Protecting the Respondent

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

At the beginning of the inquiry process, the respondent will be afforded the opportunity to consult with an uninvolved tenured faculty member, who will serve as advisor to the respondent throughout the proceedings in accordance with any school level procedures. The role of the advisor will be to offer advice and guidance regarding the procedural aspects of the process. The advisor shall not act as an advocate for the respondent.

# V. CONDUCTING THE ASSESSMENT AND INQUIRY

## A. Assessment of Allegations

Upon receiving an allegation of research misconduct, the RIO will immediately assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of research misconduct may be identified, and whether the allegation falls within the definition of research misconduct.

The assessment period should be brief, preferably concluded within a week. In conducting the assessment, the RIO need not interview the complainant, respondent, or other witnesses, or gather data beyond any that may have been submitted with the allegation, except as necessary to determine whether the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified. The RIO shall, on or before the date on which the respondent is notified of the allegation, obtain custody of, inventory, and sequester all research records and evidence needed to conduct the research misconduct proceeding, as provided in paragraph C. of this section.

## B. Initiation and Purpose of the Inquiry

If the RIO determines that the criteria for an inquiry are met, they will immediately initiate the inquiry process. The purpose of the inquiry is to conduct an initial review of the available evidence to determine

whether to conduct an investigation. An inquiry does not require a full review of all the evidence related to the allegation.

### C. Notice to Respondent; Sequestration of Research Records

At the time of or before beginning an inquiry, the RIO must make a good faith effort to notify the respondent in writing, if the respondent is known. If the inquiry subsequently identifies additional respondents, they must be notified in writing. On or before the date on which the respondent is notified, or the inquiry begins, whichever is earlier, the RIO must take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence and sequester them in a secure manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments.

### D. Appointment of the Inquiry Committee

The RIO, in consultation with other institutional officials as appropriate, will appoint an inquiry committee and committee chair as soon after the initiation of the inquiry as is practical. The inquiry committee must consist of three individuals, including the chair, who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the inquiry and should include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry.

The respondent shall have the opportunity to object to a proposed member based upon a personal, professional, or financial conflict of interest. If so, such objection must be submitted within ten (10) calendar days. The RIO will make the final determination of whether a conflict exists.

### E. Charge to the Committee and First Meeting

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

1. sets forth the time for completion of the inquiry;
2. describes the allegations and any related issues identified during the allegation assessment;
3. states that the purpose of the inquiry is to conduct an initial review of the evidence, including the testimony of the respondent, complainant, and key witnesses, to determine whether an investigation is warranted, not to determine whether research misconduct definitely occurred or who was responsible;
4. states that an investigation is warranted if the committee determines (1) there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct; and (2) the allegation may have substance, based on the committee's review during the inquiry; and
5. informs the inquiry committee that they are responsible for preparing or directing the preparation of a written report of the inquiry that meets the requirements of this policy.

At the committee's first meeting, the RIO will review the charge with the committee, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist the committee with organizing plans for the inquiry, and answer any questions raised by the committee. The RIO will be present or available throughout the inquiry to advise the committee as needed.

## F. Inquiry Process

The inquiry committee will normally interview the complainant, the respondent, and the key witnesses as well as examining relevant research records and materials. Then the inquiry committee will evaluate the evidence, including the testimony obtained during the inquiry. After consultation with the RIO, the committee members will decide whether an investigation is warranted based on the criteria in this policy. The scope of the inquiry is not required to and does not normally include deciding whether misconduct definitely occurred, determining definitely who committed the research misconduct, or conducting exhaustive interviews and analyses. However, if a legally sufficient admission of research misconduct is made by the respondent, misconduct may be determined at the inquiry stage if all relevant issues are resolved. See Section IX.

## G. Time for Completion

The inquiry, including preparation of the final inquiry report and the decision of the inquiry committee on whether an investigation is warranted, must be completed within sixty (60) calendar days of initiation of the inquiry, unless the RIO determines that circumstances clearly warrant a longer period. If the RIO approves an extension, the inquiry record must include documentation of the reasons for exceeding the 60-day period. The respondent will have an opportunity to comment on the inquiry report and have their comments attached to the report. Comments from the respondent must be received within fourteen (14) days of their receipt of the draft inquiry report.

The respondent will be notified of the outcome of the inquiry and receive a copy of the inquiry report that includes a copy of the institution's policies and procedures on research misconduct.

## H. The Inquiry Report

### 1. Elements of the Inquiry Report

A written inquiry report must be prepared that includes the following information: (1) the name and position of the respondent; (2) a description of the allegations of research misconduct; (3) the funding support, including, for example, grant numbers, grant applications, contracts, and publications listing funding support; (4) the basis for recommending or not recommending that the allegations warrant an investigation; and (5) any comments on the draft report by the respondent or complainant.

The Director of Risk Management and Contracts should review the report for legal sufficiency. Modifications should be made as appropriate in consultation with the RIO and the inquiry committee.

### 2. Notification to the Respondent and Opportunity to Comment

The RIO shall notify the respondent whether the inquiry found an investigation to be warranted, include a copy of the draft inquiry report for comment within ten (10) days of completion of the inquiry and include a copy of or refer to the institution's policies and procedures on research misconduct. Should notification at this stage occur virtually, all participants must have their cameras turned on due to the sensitive nature of the process.

Any comments that are submitted by the respondent or complainant will be attached to the final inquiry report and must be submitted within fourteen (14) days of receipt of the report. Based on the comments, the inquiry committee may revise the draft report as appropriate and prepare it in final form. The committee will deliver the final report to the RIO.

### 3. Institutional Decision and Notification

#### i. Decision by Deciding Official

The RIO will transmit the final inquiry report and any comments to the DO, who will determine in writing whether an investigation is warranted. The inquiry is completed when the DO makes this determination.

#### ii. Outcome of the Inquiry:

- a. No grounds for conducting an investigation: If the inquiry determines that an investigation is not warranted, sufficiently detailed documentation of the inquiry must be maintained to permit a later assessment of the reasons for the determination. Efforts to protect or restore the reputation of the respondent will be made by the Deciding Official, with the assistance of the RIO, as deemed appropriate and needed. The records of the inquiry will be kept secure by the RIO for seven (7) years. Records will be available to authorized federal personnel upon request if the allegations concern federally supported research.
- b. Recommendation to proceed to investigation: If the inquiry concludes that there appear to be grounds for an investigation of research misconduct, the Deciding Official will initiate a formal investigation into the matter and notify the President of the pending investigation. If the matter involves federally supported research or an application for federal support, the appropriate federal agency will also be notified by the RIO, as required by federal regulations.
- c. Admission by respondent: If the respondent makes a legally sufficient admission of research misconduct at the inquiry stage, an allegation may be closed at the inquiry stage, provided that all issues raised by the allegation are resolved, and the RIO obtains from the respondent a written admission that details the specifics of the research misconduct. For research funded by any Public Health Service (“PHS”) agency, the RIO must consult with the U.S. Department of Health and Human Services (“DHHS”) Office of Research Integrity before closing the matter on the basis of an admission.

#### iii. Documentation of Decision Not to Investigate

If the DO decides that an investigation is not warranted, the RIO shall secure and maintain for seven (7) years after the termination of the inquiry sufficiently detailed documentation of the inquiry to permit a later assessment of the reasons why an investigation was not conducted.

## VI. CONDUCTING THE INVESTIGATION

### A. Initiation and Purpose

The investigation must begin within thirty (30) calendar days after the determination by the DO that an investigation is warranted. The purpose of the investigation is to develop a factual record by exploring the allegations in detail and examining the evidence in depth, leading to recommended findings on whether research misconduct has been committed, by whom, and to what extent. The investigation will also

determine whether there are additional instances of possible research misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged research misconduct involves clinical trials or potential harm to human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice.

## B. Notifying Respondent; Sequestration of Research Records

On or before the date on which the investigation begins, the RIO must notify the respondent in writing of the allegations to be investigated. The RIO must also give the respondent written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of the investigation.

The RIO will, prior to notifying respondent of the allegations, take all reasonable and practical steps to obtain custody of and sequester in a secure manner all research records and evidence needed to conduct the research misconduct proceeding that were not previously sequestered during the inquiry. The need for additional sequestration of records for the investigation may occur for any number of reasons, including the institution's decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry.

## C. Appointment of the Investigation Committee

The RIO, in consultation with other institutional officials as appropriate, will appoint an investigation committee and the committee chair as soon after the beginning of the investigation as is practical. The investigation committee must consist of three individuals, including the chair, who do not have personal, professional, or financial conflicts of interest with those involved with the investigation and should include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation, interview the respondent and complainant, and conduct the investigation. Individuals appointed to the investigation committee may also have served on the inquiry committee. When necessary to secure the necessary expertise or to avoid conflicts of interest, the RIO may select committee members from outside the institution.

The respondent shall have the opportunity to object to a proposed member based upon a personal, professional, or financial conflict of interest. If so, such objection must be submitted within ten (10) calendar days. The RIO will make the final determination of whether a conflict exists.

## D. Charge to the Committee and the First Meeting.

### 1. Charge to the Committee

The RIO will define the subject matter of the investigation in a written charge to the committee that:

- i. Describes the allegations and related issues identified during the inquiry
- ii. Identifies the respondent
- iii. Informs the committee that it must conduct the investigation as prescribed in paragraph E. of this section
- iv. Defines research misconduct



- v. Informs the committee that it must evaluate the evidence and testimony to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, the type and extent of it and who was responsible
- vi. Informs the committee that in order to determine that the respondent committed research misconduct it must find that a preponderance of the evidence establishes that (1) research misconduct, as defined in this policy, occurred (respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion); (2) the research misconduct is a significant departure from accepted practices of the relevant research community; and (3) the respondent committed the research misconduct intentionally, knowingly, or recklessly
- vii. Informs the committee that it must prepare or direct the preparation of a written investigation report that meets the requirements of this policy

## 2. First Meeting

The RIO will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality and for developing a specific investigation plan. The investigation committee will be provided with a copy of this statement of policy. The RIO will be present or available throughout the investigation to advise the committee as needed.

## E. Investigation Process

The investigation committee and the RIO must:

1. use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of each allegation;
2. take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical;

interview each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of the investigation. As in the notification at this stage, should interviews occur virtually, all participants must have their cameras turned on due to the sensitive nature of the process.

3. pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible research misconduct, and continue the investigation to completion; and
4. ensure all testimony to the Investigation Committee by the respondent or other persons will be recorded and transcribed. Copies of the transcripts will be furnished to the respondent. All those interviewed may submit corrections of any transcription errors but may not otherwise edit the transcript.<sup>5</sup>

## F. Time for Completion

The investigation is to be completed within one hundred and twenty (120) days of beginning it, including conducting the investigation, preparing the report of findings, providing the draft report for comment, and sending the final report to the appropriate federal agency. However, if the RIO determines that the investigation will not be completed within this 120-day period, they will document the request for an extension, setting forth the reasons for the delay.

## VII. THE INVESTIGATION REPORT

### A. Elements of the Investigation Report

The investigation committee and the RIO are responsible for preparing a written draft report of the investigation that:

1. Describes the nature of the allegation of research misconduct, including identification of the respondent; the respondent's C.V. or résumé may be included as part of the identification.
2. Describes and documents the funding support, including, for example, the numbers of any grants that are involved, grant applications, contracts, and publications listing funding support.
3. Describes the specific allegations of research misconduct considered in the investigation.
4. Includes the institutional policies and procedures under which the investigation was conducted.
5. Identifies and summarizes the research records and evidence reviewed and identifies any evidence taken into custody but not reviewed.
6. Includes a statement of findings for each allegation of research misconduct identified during the investigation. Each statement of findings must: (1) identify whether the research misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (2) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by respondent to establish by a preponderance of the evidence that they did not engage in research misconduct because of honest error or a difference of opinion; (3) identify the specific governmental support; (4) identify whether any publications need correction or retraction; (5) identify the person(s) responsible for the misconduct; and (6) list any current support or known applications or proposals for support that the respondent has pending with federal agencies.

### B. Comments on the Draft Report and Access to Evidence

#### 1. Respondent

The RIO must give the respondent a copy of the draft investigation report for comment and, concurrently, a copy of, or supervised access to, the evidence on which the report is based. The respondent will be allowed thirty (30) days from the date they received the draft report to submit comments to the RIO. The respondent's comments must be included and considered in the final report.

#### 2. Confidentiality

In distributing the draft report, or portions thereof, to the respondent, the RIO will inform the recipient of the confidentiality under which the draft report is made available and may establish

reasonable conditions to ensure such confidentiality. For example, the RIO may require that the recipient sign a confidentiality agreement.

### C. Decision by Deciding Official

The RIO will assist the investigation committee in finalizing the draft investigation report, including ensuring that the respondent's comments are included and considered, and transmit the final investigation report to the DO, who will determine in writing (1) whether the institution accepts the investigation report, its findings, and the recommended institutional actions; and (2) the appropriate institutional actions in response to the accepted findings of research misconduct. If this determination varies from the findings of the investigation committee, the DO will, as part of their written determination, explain in detail the basis for rendering a decision different from the findings of the investigation committee. Alternatively, the DO may return the report to the investigation committee with a request for further fact-finding or analysis.

When a final decision on the case has been reached, the RIO will normally notify both the respondent and the complainant in writing. The DO will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case. The RIO is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.

The respondent should be given the opportunity to admit that research misconduct occurred and that they committed the research misconduct. With the advice of the RIO and/or other institutional officials, the Deciding Official may terminate the institution's review of an allegation that has been admitted, if the institution's acceptance of the admission and any proposed settlement is approved by the relevant governmental agency.

### D. Appeals

The respondent may appeal the determination of research misconduct in writing to the President of the college within fourteen (14) days of the Deciding Official's decision. The President's review of the appeal will be limited to the adequacy of the procedures followed and the appropriateness of the disciplinary action taken, and the President shall render a decision on the appeal promptly and inform the Deciding Official of the President's decision.

## VIII. INSTITUTIONAL ADMINISTRATIVE ACTIONS

If the DO determines that research misconduct is substantiated by the findings, they will decide on the appropriate actions to be taken, after consultation with the RIO. The administrative actions may include:

1. withdrawal or correction of all pending or published abstracts and papers emanating from the research where research misconduct was found;
2. removal of the responsible person from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction, or initiation of steps leading to possible rank reduction or termination of employment;
3. restitution of funds to the grantor agency as appropriate; and

4. other actions appropriate to the research misconduct.

## **IX. OTHER CONSIDERATIONS**

### **A. Termination or Resignation Prior to Completing Inquiry or Investigation**

The termination of the respondent's institutional employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the research misconduct proceeding or otherwise limit any of the institution's responsibilities under federal law.

If the respondent, without admitting to the misconduct, elects to resign their position after the institution receives an allegation of research misconduct, the assessment of the allegation will proceed, as well as the inquiry and investigation, as appropriate based on the outcome of the preceding steps. 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 reach a conclusion concerning the allegations, noting in the report the respondent's failure to cooperate and its effect on the evidence.

### **B. Restoration of the Respondent's Reputation**

Following a final finding of no research misconduct, the RIO must, at the request of the respondent, undertake all reasonable and practical efforts to restore the respondent's reputation. Depending on the particular circumstances and the views of the respondent, the RIO should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in any forum in which the allegation of research misconduct was previously publicized, and expunging all reference to the research misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation should first be approved by the DO.

### **C. Protection of the Complainant, Witnesses, and Committee Members**

During the research misconduct proceeding and upon its completion, regardless of whether the institution determines that research misconduct occurred, the RIO must undertake all reasonable and practical efforts to protect the position and reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of research misconduct in good faith and of any witnesses and committee members who cooperate in good faith with the research misconduct proceeding. The DO will determine, after consulting with the RIO, and with the complainant, witnesses, or committee members, respectively, what steps, if any, are needed to restore their respective positions or reputations or to counter potential or actual retaliation against them. The RIO is responsible for implementing any steps the DO approves.

### **D. Allegations Not Made in Good Faith**

If relevant, the DO will determine whether the complainant's allegations of research misconduct were made in good faith, or whether a witness or committee member acted in good faith. If the DO determines that there was an absence of good faith, they will determine whether any administrative action should be taken against the person who failed to act in good faith.

## **X. RESPONSIBLE OFFICE**

For more information or if you have questions about this policy, please contact the Associate Provost for Faculty Affairs.

## **XI. HISTORY**

Adopted: August 2020. Updated: October 2024.