



HOPE COLLEGE

RESEARCH MISCONDUCT POLICY AND PROCEDURES

Hope College expects all faculty, staff, and students to maintain the highest standards of conduct in pursuing research activities. Any form of research misconduct is contrary to the principles upon which Hope College was founded and adversely affects the reputation of all individuals in the Hope community.

The purpose of this policy statement is to inform those participating in research activities of both the College's and funding (private and public) agencies' research misconduct policies, to identify general types of research misconduct, and to set in place mechanisms to deal with alleged violations of these principles. Applicable law, regulations and requirements by the research sponsor shall include, without limiting the generality of the foregoing, current regulations appearing in the Code of Federal Regulations at 42 CFR 50.101-.105 (1989) and 45 CFR 689.1-.9 (1991), as hereafter amended in 1998, followed by a second revision in 2003. In 2005, the federal government issued a revised version of its research regulations pertaining to research misconduct, 42 CFR Parts 50 and 93 (http://ori.hhs.gov/documents/FR_Doc_05-9643.shtml).

Policy

Hope College's *Faculty Handbook* states, "effective liberal learning is dependent upon an environment of free inquiry in which human knowledge, achievements, culture, and even aspirations can be subjected to searching scrutiny." The words "Academic Freedom" reflect the College's commitment to support and encourage full freedom, within the law, of inquiry, research and publication. Members of the faculty and staff recognize that accuracy, forthrightness and dignity befit their association with the College and their position as men and women with a shared commitment to the highest principles of learning.

It is the policy of Hope College that research and scholarship carried out by its faculty and staff are characterized by the highest standards of integrity and ethical behavior. It is further the policy of the College to fully inform all affected parties where research data or results of projects or programs sponsored by, or under the administrative supervision of, the College have been falsified or otherwise misrepresented, or where other misconduct in research or scholarship has occurred.

Each member of the College community has a personal responsibility for implementing this policy in relation to any scholarly work with which he or she is associated and for helping his or her associates in continuing efforts to avoid misconduct in research, scholarship and any other activity that might be considered in violation of this policy. Failure to comply with this policy is considered to be a violation of the ethical standards of the College and of the trust placed in each member of the faculty and staff, and shall be dealt with according to the procedures specified herein.

This policy applies only to investigating and reporting of the findings to the appropriate agencies and/or journal editors, if cause was established. Other matters concerning sanctions of the accused by the college are strictly governed by policies given in Hope College's *Faculty Handbook*, including, but not limited to

sections B6 (Disciplinary Measures and Dismissal for Cause) and B22 (Appeals and Grievances) (<http://www.hope.edu/admin/provost/fachandbook/index.htm>).

Research misconduct by students will be handled according to policies given in Hope College's *Student Handbook: College Policies and Procedures*, including but not limited to the sections that describe the "Code for Academic Integrity" and "Student Behavior and Policies" (<http://www.hope.edu/student/development/policies/handbook/index.html>).

Definition

Research Misconduct means falsification, fabrication, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the academic community for proposing, conducting, and/or reporting research. For the purpose of this policy, the College considers the term "research" to encompass research, scholarship, and creative performance. Misconduct includes retaliation of any kind against a person who in good faith reported or provided information about possible misconduct. It does not include honest error or honest differences in interpretations or judgments of data.

Procedures

1. Allegations of misconduct on the part of a faculty or staff member should be reported in writing to the appropriate academic divisional Dean. The Dean will keep in confidence the name of the person bringing the charge. Upon receipt of an allegation of research misconduct, the Dean will promptly initiate an inquiry to assess the validity of the allegation. The Dean should complete his or her inquiry within 60 days. If the supporting information is not sufficient to substantiate the allegation, the inquiry is complete, but all material related to the allegation and inquiry will be maintained for three years in a sealed file in the Dean's office.
2. If the Dean concludes that the allegation has substance, the Dean will inform the Provost in writing, and the Provost will decide if a formal investigation is warranted. If the Provost concludes a formal investigation is not needed due to insufficient information, the inquiry is complete, but all material related to the allegation and inquiry will be maintained for three years. If the Provost concludes a formal investigation is appropriate, the Provost will so notify the alleged offender within 10 days and will appoint an investigative committee consisting of the Dean and/or the chair of the appropriate department, and three to five members who have the appropriate background to judge the issues being raised. Standing committees that deal with research issues (e.g., Institutional Review Board for Human Subjects Research; Institutional Animal Care and Use Committee) may be used as one source for members of an inquiry committee. Committee members may be from within or outside the College community, and must have no real or apparent conflicts of interest bearing on the question. At least two-thirds of the committee must come from the Hope community. The accused faculty or staff member will have an opportunity to request that the Provost not appoint specific members of the Hope community to the committee on the grounds of conflict of interest. The Provost will also appoint one of the committee members to serve as chair. The inquiry by the investigative committee will ordinarily be completed within 60 days. All specific requirements concerning timing, reporting, documentation, and confidentiality as described in Public Health Service, National Institutes of Health, or National Science Foundation regulations will be met. Such regulations include, but are not limited to, the Responsibilities of PHS Awardee and Applicant Institutions for Dealing with and Reporting Possible Misconduct in Science (42 CFR, Part 50, Subpart A) and the National Science Foundation regulation on Misconduct in Science and Engineering Research (45 CFR, Part 689). Among their requirements, these regulations require specific reports to the sponsoring agency.

3. The investigative committee will submit a written report to the Provost. If the investigative committee determines that the facts support a finding of research misconduct, the Provost will notify the accused faculty or staff member within 10 days that a report of the findings will be submitted to the granting agencies, journal editors and/or publishers. The accused faculty or staff member will have the right to appeal the Provost's decision to the President within 10 days of the Provost's notice. If no appeal is filed or if an appeal is filed and exhausted, the funding agencies sponsoring the research shall be informed of the findings of the investigation as required by law. Publishers and editors of journals shall be informed if manuscripts emanating from the research have been submitted or published. The records pertaining to the misconduct will be kept in the faculty's permanent personnel file. If the President accepted the appeal, any records associated with the case will be removed from the faculty member's personnel file. A record of the final decision will be secured in a sealed file which will be retained by the Provost's Office but separate from the personnel file.
4. In addition to the action described in clause 3, with input from the investigating committee, the Provost will determine what sanctions will be imposed by the college and so notify in writing the person to be sanctioned within 10 days after the findings have been reported to the funding agencies, journal editors, and/or publishers. The sanctions by the college will be governed by policies given in Hope College's *Faculty Handbook* including, but not limited to sections B6 and B22.
5. If an accuser deliberately and knowingly files a false accusation of research misconduct, he/she will be subject to disciplinary review and possible sanction. The review would be conducted by the hearing committee. If discipline is warranted, it will be handled according to the *Faculty Handbook* or *Student Handbook* depending on the status of the person filing the accusation.

Adopted by Administrative Affairs Board, 05/05/2009

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