

WHEATON COLLEGE

POLICY ON MAINTENANCE OF INTEGRITY IN RESEARCH (draft of August 12, 2010)

1.0 Introduction

Recent examples of fraud and failure to comply with IRB (Institutional Review Board for the Protection of Human Subjects in Research) policy and procedures in research, while rare in occurrence, have raised concern in the public as well as among the federal, state and private funding agencies, which support much of the research now being conducted in colleges and universities. In 1981, the Secretary of the U.S. Department of Health and Human Services identified as a major management initiative the development of policies and procedures for dealing with misconduct in science. In 1985, the National Institutes of Health (NIH) released a proposed set of detailed procedures dealing with misconduct in research funded by the Public Health Service, aspects of which have been incorporated into regulation. These agencies, along with the Association of American Universities (AAU) and the Association of American Medical Colleges have urged universities to adopt specific policies for handling allegations of fraud or unethical behavior by researchers. Accordingly, the following policy has been adopted by Wheaton College. The policy seeks to comply with the regulations promulgated in the Public Health Service Policies on Research Misconduct (42 CFR Part 93); those regulations, though technically applicable to human subjects only (see 42 CFR § 93.307(d)), are here applied more broadly to all forms of research.

Wheaton College expects the highest standards of ethical behavior in all members of the academic community, including students, who are involved in the conduct of research. This statement on "Maintenance of Integrity in Research" describes the procedures for dealing with suspected deviations from intellectual honesty and ethical behavior in research by faculty and staff conducting research at Wheaton College. Procedures are defined which will foster the maintenance of high standards in research in the College and which will protect the rights and reputations of all parties involved in instances of alleged misconduct. The policy also includes charges involving students employed on research grants or contracts. Allegations of academic dishonesty directed against students engaged in research as part of their academic program will be dealt with in accordance with College academic policies and the student disciplinary procedures included in the student handbook.

As charges of research misconduct are serious and carry serious personal and professional consequences for the researcher so accused, the procedures for the conduct of the examination of evidence are quite thorough: an initial review that assesses the *likelihood* of a violation can lead to a preliminary inquiry that evaluates *evidence* of misconduct that can lead to a formal investigation that seeks

proof of research fraud. The policy below gives these procedures in outline; the Appendix, which spells out the powers and obligations of the Research Integrity Officer (RIO), gives full detail.

2.0 Guidelines For Identifying Academic Fraud

Fraud in research is defined as deliberate misrepresentation with intent to gain some advantage. While there is no list of examples of academic fraud which would be universally accepted, the AAU Committee on the Integrity of Research ("Report of the Association of the American Universities Committee on the Integrity of Research," May 19, 1983) has identified four types of fraud or deviance in academic research which will serve as broad guidelines in identifying research fraud. [NOTE: This statement of policy and procedures does not apply to authorship or collaboration disputes and applies only to allegations of research misconduct that occurred within six years of the date that the College or the U. S. Department of Human Services (HHS), through its Office of Research Integrity (ORI), received the allegation.]

- 2.1 **Falsification of Data** undermines the basic principle on which the scientific process depends. Since the scientific advances depend on accurate collection, analysis and reporting of information, dishonest reporting misleads others and results in the waste of resources, both human and monetary. If practiced in clinical research, falsification could even be directly dangerous to humans. Falsification of data ranges from sheer fabrication to selective reporting, including the omission of conflicting data.
- 2.2 **Plagiarism** is especially hurtful to individual researchers since it is an attempt by one individual to receive credit for the work of someone else.
- 2.3 **Abuse of confidentiality** is a significant act of fraud in an environment that depends on peer review. It is quite distinct from plagiarism and more difficult to detect, since such abuse does not usually involve verbatim duplication of another's work. In the present environment, researchers, including students, freely discuss their ideas in research proposals submitted to potential sponsors. Proposals usually include extensive data to support these ideas. The ideas and preliminary data may be reviewed by departmental colleagues, university committees, and administrators, as well as extramural professional colleagues long in advance of eventual publication. Opportunities to abuse confidentiality can arise not only through the actions of the primary reviewers, but also through the actions of those for whom confidentiality is the easiest research ethic to abuse and the most difficult to detect. Students, when engaged in independent research projects and/or acting as agents of faculty or staff persons, shall agree in writing to abide by the appropriate conditions of confidentiality consistent with the Wheaton College Policy on the Maintenance of Integrity in Research. Likewise, the work of the students is also protected by the policy.

2.4 Instances of **violations of regulations** applicable to research also present a problem. Serious violations of rules adopted by appropriate mechanisms to protect research subjects and other persons and animals, while not fraudulent in the traditional sense, undermine the integrity of the research process. The Wheaton College policy guiding the use of human subjects in research is clear (Protection of Human Subjects in Research); so is its policy concerning animal subjects (Application & Assurance for the Humane Care & Use of Teaching & Research Animals at Wheaton College). Any deviation from those policies is considered a violation and will be handled according to the procedures outlined below.

3.0 Procedures For Handling Allegations of Misconduct In Research

- 3.1 All initial reports and/or charges of this ethical misconduct or research fraud at Wheaton College should first be directed to the Provost's Office for a preliminary review. The Provost shall immediately inform the department chair of the allegations. The Provost shall also inform the involved faculty member(s) of the nature of the allegations, the nature of the review, and the rights of the parties involved. In instances involving college staff, the Provost will also notify the Vice-President to whom the staff member's department reports. The Provost and/or the Vice-President shall also inform the involved staff member(s) of the nature of the allegations, the nature of the review, and the rights of the parties involved.
- 3.2 Since time is of the essence, the Provost (and the Vice-President, if a staff member is also involved), after consultation with the department chair or appropriate supervisor(s), shall direct the Research Integrity Officer (RIO; see Appendix) to conduct a preliminary review to determine within five business days if there is sufficient *prima facie* evidence to merit an inquiry into the charges. Confidentiality must be strictly maintained throughout the process of the review in order to protect the rights and reputations of all parties involved.
- 3.3 If, after consideration of the review, the Provost then determines that there is not sufficient *prima facie* evidence to support the charges, no further action will be taken, and the President and the party/parties involved shall be so informed.
- 3.4 If, after consideration of the review, the Provost determines that sufficient *prima facie* evidence does exist to support the charges, the Provost shall then direct the RIO to conduct such an inquiry. Details of the responsibilities of the RIO in the inquiry are spelled out in the Appendix.
- 3.5 The RIO shall appoint an *ad hoc* committee charged with the responsibility of conducting the inquiry. The membership of the committee shall consist of no fewer than four knowledgeable individuals including at least three

faculty members. The RIO may also appoint an additional member or members from outside the institution in order to broaden the expertise of the committee. The respondent has the right to object to the presence of individual members of the committee if there is a possibility of conflict of interest.

- 3.6 At the time that the committee is requested to conduct its inquiry, the RIO shall notify the accused faculty member(s) or non-faculty employee(s) of the charges and the function of the committee. The Provost may determine that the research activities of the involved researcher(s) may be restricted or monitored during the course of the investigation. If so, then the Provost shall also notify the department chair or supervisor.
- 3.7 The RIO shall convene the committee, appoint one of the faculty on the committee to serve as chair, present the charges and allegations, and discuss college policies and procedures pertinent to the inquiry. The committee shall investigate all charges and facts and may interview any and all parties appropriate to reaching a decision regarding the merit of the charges. The committee shall be informed about existing procedures and safeguards to protect the rights and reputations of all parties involved before carrying out the investigation. The committee should begin its inquiry promptly and should provide a written report of its findings and recommendations to the Provost no later than 60 days after the initiation of the inquiry. The Provost, acting as Deciding Officer (DO), may accept the report or return it to the committee for further information or clarification. The committee shall also forward the final copy of this accepted report to the accused party/parties.
- 3.8 If, on the basis of the findings and recommendations of the committee, the Provost as DO determines that no unethical or fraudulent acts have been committed, all parties shall be notified accordingly. The Provost shall undertake all necessary efforts to restore fully the reputation and credibility of the researcher(s) under investigation. All interim restrictions on research activity will be removed.
- 3.9 If, on the basis of the report and recommendation of the inquiry committee, the Provost as DO determines that there is *evidence* of unethical or fraudulent acts, the Provost shall direct the RIO to conduct a formal investigation. The RIO shall convene an investigation committee as quickly as possible, appointing a chair, explaining the charge to the committee, and providing all necessary logistical support as was done for the inquiry committee. The committee should conclude its investigation within 120 days of its convening.
- 3.10 If, on the basis of the report and recommendation of the investigation committee, the Provost as DO determines that there is *proof* of unethical or fraudulent acts, the Provost shall report this conclusion as well as recommendations regarding the imposition of sanctions and/or disciplinary

actions to the President. The President shall make the final determination regarding the appropriateness of the recommendation. Sanctions may include, but are not limited to, written reprimand, termination of current research activity, public disassociation of the College from any future unauthorized research activity, restriction from future research activities, and debarment from intramural funded research programs. The President may also determine if the matter warrants disciplinary action.

- 3.11 The President shall determine if information about the charges, their investigation, or their disposition should be released to the public, the press, or specific parties (e.g., editors of journals in which papers or reports of research in question may have appeared). In cases involving externally funded research, the sponsoring agency will be notified of the findings of the investigation and of the final disposition of any sanctions, disciplinary actions, or restitution to be made.

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