



Policy Title:	Academic Research Misconduct
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Policy Management Area(s):	Research

## SUMMARY:

Coastal Carolina University has established a policy on misconduct applicable to all research at the institution, has designated a committee responsible for receiving allegations of misconduct, and has created a process for resolving such allegations. Since instances of research misconduct are extremely serious matters, the University has developed policies and procedures to help prevent, identify and resolve these matters.

## POLICY:

### I. PURPOSE OF POLICY

Coastal Carolina University, through its commitment to academic excellence and ethical leadership, strives to promote a climate of honesty in research. The University recognizes the importance of open debate regarding correct methodologies and protocols and that honest errors are an inevitable part of the research process.

In order to sustain the atmosphere of trust essential to quality research, ensure the integrity of research and maintain public confidence in research results, misconduct must be dealt with decisively and collectively. Federal agencies are mandating that institutions engaged in federally funded research develop policies and procedures for dealing with research misconduct.

All policies on research misconduct must contain procedures for distinguishing instances of genuine and serious misconduct from honest errors, insignificant deviations from acceptable practices, simple carelessness and minor infractions. The policy and procedures in this document will allow such distinctions to be made in a manner that minimizes disruptiveness and protects the conscientious, honest researcher from false or mistaken accusations.

## II. SCOPE

The policy and procedures set forth herein shall apply to all research activities which are designed to or do in fact contribute to general knowledge (basic research) or specific knowledge (applied research) and not merely to a classroom assignment; sponsored by Coastal Carolina University; and conducted by Coastal Carolina University employees, students or others as part of their employment or educational responsibilities.

## III. POLICY STATEMENT AND DEFINITION

Coastal Carolina University expects that all endeavors will be conducted with absolute integrity, and that faculty engaged in research will be well informed on what constitutes ethical conduct in research.

Research misconduct includes falsification, fabrication, plagiarism, misappropriation or other practices that seriously deviate from those that are commonly accepted within the academic community for proposing, conducting or reviewing research, or in reporting research results. For the purpose of this document, we consider the term “research” to encompass both research and scholarship.

### A. Finding of research misconduct requires:

1. There be a significant departure from accepted practices of the relevant research community; and
2. The misconduct be committed intentionally, knowingly or recklessly; and
3. The allegation be proven by a preponderance of the evidence.

### B. Research misconduct requires that the person committed the misconduct intentionally, knowingly or recklessly.

1. “Intentionally” means intending the result of one’s actions to result in a prohibited act — such as plagiarism, falsification, fabrication, misappropriation, retaliation or other fraud — which is a violation of the Research Misconduct Policy.  
“Intentionally” does not require that one was aware the resulting act was a violation of the Research Misconduct Policy or that one intended to violate the policy.
2. “Knowingly” means being aware that one’s actions are practically certain to result in the prohibited act — such as plagiarism, falsification, fabrication, misappropriation, retaliation or other fraud — which is a violation of the Research Misconduct Policy.
3. “Recklessly” means a conscious disregard of a substantial and unjustifiable risk that one’s action will result in the prohibited act — such as plagiarism, falsification, fabrication, misappropriation, retaliation or other fraud — which is a violation of the Research Misconduct Policy.<sup>1</sup>

C. Research misconduct involves

1. Fabrication of data.

Fabrication is making up data or results and recording or reporting them. Falsification of data, research procedures or data analysis. Falsification can range from selective reporting, such as purposeful omission of conflicting data with the intent to falsify conclusions, to changing data or results such that the research is not accurately represented in the research record.

2. Plagiarism.

Plagiarism is a representation of another's work as one's own. Subtle forms of plagiarism include inadequate citation and footnoting, along with presentation of the same data in more than one publication without citation.

3. Misappropriation of other's ideas through the unauthorized use of privileged information, such as acting upon an idea obtained from someone's research proposal during peer review.

4. Other fraudulent actions in proposing, conducting, reporting or reviewing any research activity

5. Retaliation of any kind against a person who has reported or provided information about suspected alleged misconduct and who has not acted in bad faith

D. Research misconduct does not include honest error or honest differences in interpretations or judgments of data.

E. Principal Investigators (PI) and others in positions of responsibility for the conduct of research activity shall exercise reasonable supervision of those under their direction to ensure the integrity of the research activity being conducted. The University assumes primary responsibility for investigating and resolving allegations of research misconduct made against its employees.

F. Those responsible for conducting inquiries and investigations into research misconduct shall be guided by the following important principles:

1. The University must vigorously pursue and resolve any charges of misconduct in research.

2. All parties must be treated fairly, bearing in mind the vulnerabilities of an individual position and the sensitive nature of academic reputations.

3. Confidentiality must be maintained to the maximum practical extent.

4. Conflict of interest, real and potential, must be minimized.

5. All stages of the procedure must be fully documented.

All parties are responsible for acting in such a way as to avoid unnecessary damage to the general enterprise of academic research. Nevertheless, the University may be required to inform appropriate funding agencies of its actions when the work is supported by extramural funding. If it is found that misleading data or information has been published, the University is responsible for setting the public record straight, for example, by informing the editors of scientific or scholarly journals.

#### IV. Procedural Overview

##### A. Allegation

1. All employees or individuals associated with the University should report observed, suspected or apparent research misconduct in writing to the Associate Provost for Research, who will serve as the Research Misconduct Committee Chair. Anyone who receives an inquiry about Research misconduct should refer the inquiring person to the Research Misconduct Committee chair.

2. If deemed appropriate, the Research Misconduct Committee Chair, in consultation with the Dean responsible for overseeing the department under which the allegation falls, may appoint a temporary Research Misconduct Committee Chairperson for the duration of the case. Should there exist conflict of interest with the Research Misconduct Committee Chair, the allegation should be taken to the Dean with responsibility for overseeing the department under which the allegation falls. If there is a conflict of interest with both the Research Misconduct Committee Chair and the Dean, then the allegation should be taken to the Provost, who shall appoint a temporary Research Misconduct Committee Chairperson for the duration of case.

3. The University reserves the right to take interim administrative actions to protect various interests, including but not limited to: public health, the interest of staff and colleagues, the integrity of research data and the research process, or external funds and equipment

B. The procedure to be followed once an allegation has been made has four stages: *inquiry, investigation, report of findings and resolution.*

##### C. Inquiry

1. The Research Misconduct Chair, in concert with the Dean who oversees the subject of the allegation (the Respondent) shall initiate an inquiry to determine, with minimum publicity and maximum confidentiality, whether an allegation warrants a formal investigation.

2. If the complainant decides not to file a formal allegation after meeting with the Research Misconduct Committee Chair, but the Chair believes there is sufficient cause and evidence to warrant inquiry, the Chair may then draft an allegation and initiate the inquiry process.

3. The Research Misconduct Committee Chair must notify the Provost and the Associate Vice President of Human Resources that an Inquiry under the Research Misconduct Policy has begun, and of the name of the respondent

and complainant.

4. The Research Misconduct Committee Chair, in concert with the Dean, shall conduct an inquiry which shall include informal consultation with the complainant and the respondent into the circumstances of the allegations and determine whether there are sufficient grounds to indicate that these have validity. The alleged offender shall in all cases be informed of the nature of the charges. If the inquiry identifies additional respondents, the institution must notify them.
5. If the respondent admits to the misconduct, the respondent should be asked immediately to sign a statement attesting to the occurrence and extent of misconduct. Normally, an admission is a sufficient basis for closing a case. Further investigation may be needed to determine the extent of misconduct or to explore additional issues.
6. The Research Misconduct Committee Chair and Dean will prepare a brief inquiry report recommending an investigation or a dismissal of the allegation of Research misconduct and present it to the Provost and Director of Human Resources. Based on the Provost's approval decision, the Research Misconduct Committee Chair will report the appropriate action to the complainant and respondent.

#### D. Investigation by the Research Misconduct Committee

1. The Research Misconduct Committee Chair will appoint individuals to serve on the Research Misconduct Committee. These individuals may be scientists, subject matter experts, administrators, lawyers, or other qualified persons, and they may be from inside or outside the College. The committee shall have an odd number of members, with a minimum of 3 and a maximum of 7 members.
2. The purpose of the Research Misconduct Committee is to collect and thoroughly examine, with minimum publicity and maximum confidentiality, all evidence pertaining to the allegation and determine whether research misconduct has taken place.
3. If the alleged Research misconduct involves federal research funding, and if an investigation is warranted following the inquiry stage, the Research Misconduct Committee Chair must work with the Director of the Office of Sponsored Programs and Research (OSPRS) to provide a written notice, prior to the initiation of the investigation, to the Office of Research Integrity (ORI), U.S. Department of Health and Human Services, compliant with 42 CFR Part 93 of the Code of Federal Regulations, including the written finding by the Provost and a copy of the inquiry report. The Research Misconduct Committee Chair shall report promptly to the head of the appropriate funding agency incidents of alleged or apparent misconduct that are judged to warrant investigation.

## E. Report of findings

1. When the Research Misconduct Committee reaches a conclusion regarding the case, a preliminary report which reviews all the information considered and the Committee's conclusion shall be transmitted to the respondent and complainant. If the identity of the complainant is unknown to the respondent, the complainant's identity will be redacted. When there is more than one respondent, each shall receive all parts of the completed preliminary report that are pertinent to their role. The respondent(s) and the complainant shall be allowed five working days to prepare written comments, which the Committee shall consider before the report is finalized.
2. The completed report along with the respondent's and complainants comments on the preliminary report shall then be submitted to the Provost. When there is more than one (1) respondent, each shall receive all parts of the completed preliminary report that are pertinent to his or her role.
3. A final Report of Findings by the Research Misconduct Committee will then be sent to the Provost. The report will include the contents of the preliminary report, the respondent's and complainant's comments on the preliminary report, a clear conveyance of the committee's findings on whether misconduct has taken place, and a recommended resolution.

## F. Resolution

1. After receipt of the investigation report, the Provost, in consultation with the Research Misconduct Committee Chair, will make a decision. If this determination varies from that of the Research Misconduct Committee, the Provost will explain in detail and in writing to the Committee the basis for rendering a different decision.
2. The Provost will notify both the respondent and the complainant of the outcome of the investigation and any resulting disciplinary action. In addition, the Provost 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 Research Misconduct Committee Chair is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.
3. If a finding of Research misconduct is made for activities involving federal research funding, the Research Misconduct Committee Chairperson will work with the Director of the Office of Sponsored Programs and Research Services to file an annual report with the Office of Research Integrity (ORI), U.S. Department of Health and Human Services, which contains information specified by ORI on the institution's compliance with 42 CFR Part 93 of the Code of Federal Regulations.
4. If it is determined that no Research misconduct has occurred, the matter will be closed and the discussion with the respondent shall focus on how the respondent's record shall be cleared. This shall include removing all material related to this case

from the respondent's personnel files and notifying appropriate personnel within the Coastal Carolina University community.

#### V. Petition

'The respondent may petition the final determination. If the respondent is a faculty member, the appeal will begin at the point in the Faculty Grievance Procedure in the Faculty Manual when a grievance committee is convened to hear the appeal. If the Respondent is a staff member, the appeal will be in accordance with University Human Resources policies and procedures. If the Respondent is a student, the appeal will be reviewed by a Student Conduct Board Hearing, in accordance with the Code of Student Conduct.