



**Idaho State
University**

POLICIES AND PROCEDURES

Misconduct in Research and Scholarship

ISUPP 7060

POLICY INFORMATION

Policy Section: *Research*

Policy Title: *Misconduct in Research and Scholarship*

Responsible Executive (RE): *Vice President for Research*

Sponsoring Organization (SO): *Office for Research*

Dates: Effective Date: *April 8, 2013 (1-27-14, 9-20-17, 8-22-18, 10-20-20)*

Revised: *March 30, 2023*

Review Date: *March 2028*

I. INTRODUCTION

ISU is an institution dedicated to the development and dissemination of knowledge. As such, ISU has the responsibility to foster an environment of academic freedom in which new methods, ideas, and knowledge may be developed and tested, while maintaining integrity and ethical conduct during research performance. Situations may arise leading to infractions or allegations of infractions of the accepted practical and/or ethical standards for conducting research and scholarly activities. Under federal regulations and guidelines, the University is obligated to investigate and resolve all such infractions and allegations. Misconduct proceedings shall have three main purposes: a) to maintain the integrity and accountability of the research and scholarly activities at ISU, b) to protect innocent scholars from harassment, and c) to protect the individual reporting allegations from possible retribution.

As a recipient of funds sponsored by Public Health Service (PHS), ISU complies with the regulations specific to this agency to remain qualified. Therefore, ISU adopts the core language and structure of its Misconduct in Research and Scholarship policy and associated procedures from the template provided by the Office for Research Integrity (ORI) within the U.S. Department of Health and Human Services – the parent agency of PHS (whose component agencies include NIH, FDA, HRSA, CDC, among others). The resulting policy is consistent with ISU's mission and goals.

The procedures are applied with specific rigor where PHS funding is involved, as a matter of compliance.

Further Authority:

- Public Health Service (PHS) Policies on Research Misconduct: 42 CFR Part 93. 102,103, 104, 106, 108, 222, 201, 203, 300, 302, 304, 305, 307, 308, 309, 310, 313, 314, 315, 317 and 318.
- Public Health Service (PHS) Policies on Research Misconduct: 42 CFR Part 93.
- The National Science Foundation regulations on Misconduct in Science and Engineering Research: 45 CFR Part 689. 4, 6, and 10.
- Applicable procedures by the HHS Office of Research Integrity: <https://ori.hhs.gov> Handling of Research Misconduct.
- Misconduct policies of any other sponsoring agency

II. POLICY STATEMENT

All faculty, staff, and students involved in research and scholarly activities under ISU's auspices are expected to conform with the accepted standards for the ethical conduct of research and scholarly activities within their field(s). This policy therefore applies to all individuals at ISU engaged in scholarship and research.

All institutional members are obligated to report observed, suspected, or apparent research misconduct. If an individual is unsure whether a suspected incident falls under the definitions of research misconduct, they should seek counsel from the Research Integrity Officer (RIO). If, and when, allegations or reports of misconduct arise, the University is responsible to respond (inquire, assess, and investigate), to further take steps to resolve and address such infractions of misconduct, should they be proven valid.

To meet this responsibility, the Vice President for Research or their designee will serve as the RIO and may delegate the administration of this policy as needed. The Provost will serve as the Deciding Official (DO). The RIO is the proper authority to contact with concerns regarding misconduct in research or scholarly activities.

Research misconduct means misconduct in research and scholarship, as defined as:

- A. Fabrication or falsification of data, plagiarism, or other practices which seriously deviates from those that are commonly accepted within the academic or scientific community for proposing, conducting, implementing, or reporting research.

- B. Failure to comply with federal, state, or University requirements for protecting researchers, human subjects, and the public during research and for ensuring the welfare of laboratory animals.
- C. Use of research funds, facilities, or staff for unauthorized and/or illegal activities.

Research misconduct does not include honest error or honest differences in interpretations or judgements of data but those intentionally, and knowingly, or recklessly committed.

Current federal definitions are outlined in 42 CFR Part 93.

III. AUTHORITY AND RESPONSIBILITIES

The enforcement of this policy is the responsibility of the Vice President for Research or their designee.

Applicability. All faculty and staff are responsible for complying with this policy as a condition of employment and the conduct of research and scholarly activities. All faculty and staff are responsible to be familiar with the Implementing Procedures and Appendix for Implementing Procedures for ISUPP 7060 prior to making a report of misconduct. This ensures that complainants understand what actions they are instigating, the scope of their protections, and the sequence of events that follow each report. The allegations or claim of misconduct by a complainant must be proven by preponderance of the evidence.

Eligibility. This policy applies only to allegations of research misconduct that occurred within the previous six (6) years from the date when the institution or sponsoring agency (ex: HHS) received the allegation. This timeframe is subject to the subsequent use, health or safety of the public, and the grandfather exceptions in 42 CFR § 93.105(b).

IV. PROCEDURES

Institutional investigation and resolution of alleged misconduct in research and scholarly activities are based on federal regulations. It is the responsibility of the RIO to develop (and update as needed) detailed procedures to address the institutional approach to potential misconduct.

Implementing Procedures for Responding to Allegations of Misconduct in Research and Scholarship and accompanying Appendix provide detailed descriptions of the processes, definitions, and the workflow involved in ISU's response when a Misconduct allegation is reported. This Procedure is available through the Research Outreach and Compliance portion of the Office for Research website under Research Misconduct.