

**TITLE:** Misconduct in Research

**ORIGINATOR:** Chief Academic Officer

**APPROVAL DATE:** June 2, 2023

**EFFECTIVE DATE:** June 2, 2023

**PURPOSE:** To establish policies and procedures for reporting and investigating misconduct in research

**SEE ALSO:**

**REVIEWER:** Chief Academic Officer

**REVIEW DATE:** Spring 2028, Every 5 years

**OPERATING DETAILS:**

1. Mississippi University for Women encourages high ethical standards in the conduct of research. Employees are expected to establish high standards of conduct and have clearly defined responsibilities to prevent misconduct from occurring. These practices should include, at a minimum, properly designed experimental protocols, proper recording techniques and proper retaining and storing of research data. All authors on a collaborative study accept full responsibility for the research for which each is responsible.
2. Misconduct in Research is defined by the U.S. Department of Health & Human Services Office of Research Integrity as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Misconduct does not include honest error or honest differences in interpretation or judgments of data.
  - Fabrication is making up data or results and recording or reporting them.
  - 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.
  - Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Failure to comply with the policies and procedures administered by the University's Institutional Review Board will also be considered as misconduct in research.

3. Employees of Mississippi University for Women are responsible for reporting potential misconduct in research. The complainant and the respondent are protected by the confidentiality of this process and by other policies which govern the University.
4. Allegations or complaints involving the possibility of misconduct in research should be made to the Chief Academic Officer (CAO), who will activate the inquiry process.
5. The procedures for the inquiry and investigation are:
  - a) The chair of the Faculty Research Committee will convene the committee.
  - b) The CAO will disseminate the allegations or complaints of misconduct to the committee and the respondent's supervising president's cabinet member in writing. The Faculty Research Committee will conduct an inquiry to determine if the possibility of misconduct in research has occurred. Legal counsel may be involved in the inquiry process as circumstances necessitate.
  - c) The respondent will be notified of the allegations or complaints by the CAO and will be required to cooperate by providing the material necessary to conduct the inquiry or investigation.
  - d) The inquiry process must be completed within 30 days of the initial notification to the respondent. If the Faculty Research Committee is unable to complete the inquiry within 30 days, they may request a 30-day extension, in writing, to the CAO.
  - e) The Faculty Research Committee must provide written documentation to the CAO summarizing their process and state the conclusion of the inquiry. The completion of the inquiry will be marked by a determination of whether an investigation is warranted or there is no finding of potential misconduct.
  - f) The respondent and the respondent's supervising president's cabinet member will be informed by the CAO, in writing, whether or not there will be an investigation. The complainant should also be informed, in writing, by the CAO of the results of the inquiry.

- g) In the event the inquiry results in the need for an investigation the CAO and the respondent's supervising president's cabinet member will appoint a 3-member review board of the respondent's peers and charge them to conduct an investigation. Legal counsel may be involved in the investigation process as circumstances necessitate.
  - h) The peer review board will have 30 days to conduct an investigation on the possibility of misconduct. In the event the investigation cannot be completed in 30 days the peer review board may request a 30-day extension, in writing, from the CAO.
  - i) The peer review board must provide written documentation to the CAO summarizing their investigation and determining whether misconduct in research did or did not occur. This determination will be based on a majority vote.
  - j) It will be the CAO and the respondent's supervising cabinet member who make the final determination of disciplinary action.
  - k) The CAO will provide to the respondent and the respondent's supervising president's cabinet member, in writing, the results of the investigation and what disciplinary will be administered within 10 days of completion of the investigation.
  - l) The inquiry and investigation process should be confidential.
6. If the employee alleged to have committed misconduct in research is found to have committed misconduct by the peer review board, the employee may appeal the results of the findings to the President of the University.
7. The appeal must be made in writing to the President of the University within 10 days of receipt of the notification letter from the CAO. The letter must state the reasoning behind the appeal and must include only the specifics stated in the inquiry and investigation. The President will review the appeal and take action as they deem appropriate.
8. Disciplinary actions against an employee found to have committed misconduct of research may consist of but may not be limited to one of the following:
- a) Letter of reprimand
  - b) Removal from the project
  - c) Probation

d) Suspension

e) Termination of Employment

9. If an external agency is sponsoring the research, the CAO, the Chair of the Faculty Research Committee and the Peer Review Board will work through the sponsored programs office to ensure the rules and regulations for misconduct in research are met for the external agency.