

# **THE JOHNS HOPKINS UNIVERSITY ZANVYL KRIEGER SCHOOL OF ARTS AND SCIENCES POLICY ON INTEGRITY IN RESEARCH**

## **INTRODUCTION**

The Johns Hopkins University Policy on Integrity in Research [adopted May, 1988] states: “The Johns Hopkins University’s excellence in research rests, in part, on its faculty’s and students’ dedication to objective inquiry and uncompromising pursuit of truth. Integrity in the performance of research is essential, and it must be scrupulously and vigorously maintained.” Each Division of the University has the responsibility to adopt procedures for dealing with allegations of research misconduct.

The *Zanvyl Krieger School of Arts and Sciences Policy on Integrity in Research* establishes the following procedures, consistent with general University policy and pertinent federal regulations. The goal of these procedures is to provide a fair, deliberative, and efficient process for investigating and resolving allegations of research misconduct.

### **Definition**

Research misconduct includes research fraud: the intentional falsification or fabrication of data or results, dishonesty, plagiarism, misconduct in the application of research procedures so as to bias results, or other deceptive research or reporting practices. Research misconduct also includes failure to comply with University or governmental rules, regulations, and laws, and disregard of the norms of professional academic conduct, which conduct if subjected to scrutiny would adversely affect the integrity and reputation of the academic and research activities of the University and its faculty. Research misconduct does not include honest error or honest differences in either interpretation or judgment of data or opinion.

### **Policy**

Research misconduct by faculty, staff or students is unacceptable. It is the responsibility of all members of the Arts & Sciences academic community to adhere to strict standards of integrity in their research and to report acts of misconduct when they are known or are suspected to have occurred. It is the responsibility of faculty and other supervisors of research to monitor carefully the research under their supervision and to subject research procedures and findings to rigorous evaluation. To this end the School of Arts and Sciences has established these procedures to foster an academic environment that encourages, fosters and maintains integrity in research, and that preserves the reputation for excellence that is the proud heritage of The Johns Hopkins University.

## **PROMOTING INTEGRITY IN RESEARCH**

Chairs of the academic departments and directors of research centers in the School of Arts and Sciences are responsible for informing their faculty, students, and staff of this Policy on Integrity in Research and of their

personal responsibility for the integrity of the research in which they personally participate at any level. This should be done on at least an annual basis and should include the distribution to researchers (faculty, staff, and students) of copies of this policy as well as of other appropriate University policies.

Any faculty member, student, or staff member who suspects that research misconduct has occurred has an obligation to report that suspicion to the chair of the department, the director of the research center, the Associate Dean for Research, or the Dean. Information of this nature directed to any other person in authority, such as the Dean of Students, shall be referred to the Associate Dean for Research.

## **PROCEDURES FOR DEALING WITH ALLEGATIONS OF RESEARCH MISCONDUCT**

### *1. Responsibilities of the Associate Dean for Research.*

The Associate Dean for Research in the School of Arts and Sciences has the responsibility for ensuring the resolution of allegations of research misconduct and for implementing the procedures specified in this policy. Suspected incidents of research misconduct should be reported, in writing, to the Associate Dean and can be reported by any individual at any time. Inquiries and investigations also may be initiated by the Associate Dean for Research upon information that may come to the School's attention from any source whatsoever.

Persons bringing allegations of research fraud should be assured that there will be no retaliation or recriminations for allegations made in good faith.

### *2. Confidentiality.*

All procedures related to investigation of allegation(s) of research misconduct will be kept confidential to the maximum extent possible to protect both accused persons and informants. Therefore, as few individuals as feasible shall be involved in resolving allegations of research misconduct. Records of allegations, evidence and proceedings will be kept by the Associate Dean in a sequestered file.

### *3. Inquiry vs. Investigation.*

Procedures shall include two major-phases: an inquiry and an investigation.

a. Inquiry: An inquiry is the initial step after an allegation of research misconduct is made. Its purpose is dual: It is intended to determine whether the allegations warrant a full investigation, and, no less importantly, it is intended to identify and provide prompt termination of accusations of research misconduct that are patently groundless, frivolous or apparently malicious and for which no supporting evidence exists.

An inquiry generally involves fewer people and is less formal than an investigation. Upon receipt of an allegation, the Associate Dean for Research will review the allegation and if, in the Associate Dean's discretion, the matter bears further examination, the Associate Dean may inquire alone or convene a committee of one to three individuals, generally full-professors or professors emeriti without any personal interest in the matter and who are free of bias of any kind, to evaluate the allegations.

In the event that there is a conflict of interest on the part of the Associate Dean for Research, or if the Associate Dean is unable to exercise independent judgment for any reason, the responsibility for proceeding to a resolution of the allegation will be referred to the Associate Dean for Academic Affairs.

b. Investigation: An investigation is conducted after an inquiry has concluded that there are sufficient grounds to warrant further study of the allegations. An investigation is commenced when the Vice-Provost for Research and the Provost are notified that an inquiry has found sufficient grounds to proceed to an investigation. It will be the responsibility of the Provost's office to notify the Office of the General Counsel that an investigation is being conducted. In the discretion of the Associate Dean, the committee appointed to conduct the inquiry may be requested to sit as the Investigation Committee or it may be expanded by the Associate Dean to no more than 5 full-professors or professors emeriti, upon consultation with the Dean and/or the Vice-Provost for Research. In order to bring appropriate expertise to bear on the subject matter before the Investigation Committee or for other good cause, persons may be appointed to the Investigation Committee from other University divisions or, in the event of extraordinary circumstances, from other academic institutions. Persons serving on the Inquiry Committee who have resigned or recused themselves from further service must be mindful of their obligation to maintain confidentiality.

The purpose of the investigation is to assemble all relevant information relating to the alleged misconduct from documentation, from interviews with those involved, and from interviews with those knowledgeable about the activities under investigation. Both the accused and the accuser(s) shall be invited to suggest avenues of inquiry or sources of information for the Investigation Committee to pursue. The collection of relevant information by the Committee is to be conducted in an objective, independent, unbiased, and thorough manner to the fullest extent of its authority to do so. The Committee will conduct a careful review of the allegations, employing procedures appropriate to the subject nature of the investigation, and designed to afford a fair opportunity to all concerned individuals to present pertinent information and views to the Committee. Throughout the investigation, the accused and any collaborators or supervisors whose role in the alleged misconduct is under scrutiny should be afforded the opportunity to respond to questions related to their own activities and conduct, and to provide additional information relevant to the subject matter under review.

The Investigation Committee will determine whether significant research misconduct has occurred.

The Committee will produce a written report of its investigation that should include the identity of persons interviewed and those from whom information was received, the evidence examined, the Committee's conclusion, and a recommendation for disposition. The Committee's report will be presented to the Associate Dean for Research upon completion of the investigation.

#### *4. Notification persons accused*

Any person holding an appointment, position or student status within Arts and Sciences who is accused of research misconduct will be notified in writing not later than two weeks after an inquiry has been initiated, but at the discretion of the Associate Dean for Research earlier, and in any event prior to the initiation of an investigation. If an inquiry or investigation finds an allegation to be without merit, the accused individual will be informed in writing of the outcome within two weeks of the finding. In the event an investigation finds significant research misconduct to have occurred, the accused individual will be informed in writing of the outcome within two weeks of the completion of the report of the Investigation Committee.

The notification of the accused shall include a recitation of the charges and the source of the accusation. The person accused shall be informed promptly of any amendment of the original charges. The accused will be notified of the identity of the members of the Investigation Committee and may request the substitution of a member for reasons of particular bias or potential conflict of interest.

The accused shall be provided with written notification of the place, time and date of a meeting at which his or her appearance is requested. Unless waived by the accused, no initial meeting between the accused and the Investigation Committee shall take place sooner than seven (7) days after the receipt of the notification of charges.

The failure or refusal of the accused to meet with the Investigation Committee shall not deter the investigation.

If the accused is no longer a member of the Johns Hopkins academic community, the requirements of written notice and an opportunity to answer to the charge of misconduct shall be observed as far as is practicable, but a failure of the accused to respond or to make himself or herself available to those with investigatory responsibilities shall not deter the investigation.

Neither the accused, the accuser, nor witnesses may appear before the Investigation Committee with legal counsel. Neither shall the Committee have legal counsel present at meetings when interviews are held. The accused and the accuser shall have the opportunity to consult with an uninvolved faculty member and to be accompanied by that faculty member when appearing before the Committee.

All meetings of the Investigation Committee with the accused and witnesses shall be recorded and copies may be furnished to the accused upon request. Deliberations of the Investigation Committee will not be recorded.

The Vice-Provost for Research and Provost will be informed by the Associate Dean of allegations of research misconduct and the progress of inquiries and investigations. The times of such notification are at the discretion of the Associate Dean, but will commence no later than the conclusion of an inquiry.

Any granting agency that supports or has supported the research in question must be informed that an investigation is taking place, consistent with the applicable agency rules.

Sponsors of research and other external organizations affected by research misconduct, e.g., journals, will be notified at an appropriate time. Notification will normally occur after an investigation has established that research misconduct has been committed. If required by federal regulation or if in extraordinary circumstances where, in the judgment of the Associate Dean, Dean, Vice-Provost for Research, or the Provost, there are compelling reasons for earlier disclosure, external organizations may be alerted to the pending charges of research misconduct prior to the completion of an investigation. The General Counsel of the University shall be consulted prior to any communication outside of the University.

##### *5. Role of the General Counsel.*

The Associate Dean for Research will consult with the General Counsel of the University as soon as is reasonable after an allegation of research misconduct. The consultation should occur before the initiation of an inquiry. Specific direction and procedures, other than outlined herein, upon the advice of the General Counsel may be instituted on a case by case basis.

The responsibilities of the General Counsel shall include:

- a. to ensure compliance with all applicable laws, government regulations, and policies of the University;

- b. to monitor the progress of the resolution of each allegation of research misconduct to ensure adherence to the established School and University procedures;
- c. to ensure procedural fairness to the accused, the accuser and witnesses.

The Office of the General Counsel will not act as the prosecutor or defender of the accused, but will act as an impartial legal advisor to the Administration of the School of Arts and Sciences and the University.

Procedural questions from the accused, accuser or prospective witnesses should be referred to the Office of the Associate Dean for Research and, when necessary, referred to the Office of the General Counsel.

The Office of the General Counsel is available to render legal and procedural advice to the academic and administrative officers, and duly constituted committees of the University and School. Individuals serving in any of these capacities are encouraged to seek legal guidance regarding any procedural question, particularly in connection with the preparation of written reports of actions taken, and before any action is taken with respect to any person believed to have made an accusation of research misconduct in bad faith.

Any contact or inquiry to the School from an attorney outside the University, including contacts and inquiries emanating from legal representative or any government agency, must be referred to the Office of the General Counsel.

#### *6. Allegations that Involve More Than One Division.*

In the event of allegations that involve individuals from more than one Division or individuals with appointments in more than one Division, the Vice-Provost for Research, and the Associate Deans for Research of the involved Divisions will coordinate the resolution of the allegations. The Vice-Provost for Research will help to reconcile differences in the divisional procedures that may have a substantive effect on the fairness of the proceedings; decisions of the Vice-Provost will be final.

#### *7. Protecting Informants.*

Informants may be in sensitive positions relative to colleagues and superiors. Thus, all procedures in Arts and Sciences will be conducted so as to protect informants from retaliation. Consideration will be given to the creation of mechanisms for informal, confidential discussion of possible acts of research misconduct, prior to the initiation of an inquiry.

#### *8. Disciplinary Actions.*

Disciplinary actions taken as a result of a finding that research misconduct has occurred will be consistent with appointment and tenure policies for faculty and with disciplinary policies for students and staff within the School of Arts and Sciences. Such actions will be directed by the Dean of Arts and Sciences, who shall inform the accused individual in writing within two weeks of the completion of the report of the Investigative Committee.

#### *9. Appeals.*

If there is no response from the accused individual within two weeks of notification of the Dean's actions, it will be presumed that the findings of research misconduct and the Dean's actions have been accepted. If the disposition is contested within the two weeks, then it may be appealed to the Vice-Provost for Research,

whose decision shall be final. Such an appeal must be made within four weeks of the receipt of notification of the Dean's actions.

*10. Exclusivity of Procedure.*

This procedure for the resolution of allegations of research misconduct is the exclusive mechanism with the School of Arts and Sciences for adjudication of such allegations. A person sanctioned under this procedure may not invoke any other procedure or bring the matter before any other body of the School or University in an effort to gain a re-adjudication of the charge.

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