

JACKSONVILLE STATE UNIVERSITY
Manual of Policies and Procedures

POLICY NUMBER: II:06

DATE: March 1990

**REVISION/REVIEW DATES: May 1997, September 2008, October 2011,
March 2015, June 2023**

SUBJECT: Misconduct in Research, Scholarly, and Creative Endeavors

APPROVED: Dr. Don C. Killingsworth, Jr., President

PURPOSE

An important goal of Jacksonville State University (JSU) is the furthering of research, scholarly activities and creative endeavors, while upholding the highest ethical and moral standards. This policy ensures the highest standards for integrity in research, scholarly, and creative activities for all employees. Additionally, this policy affirms the University's efforts to establish and abide by policies that meet federal requirements for research integrity, as set forth in the Federal Research Misconduct Policy, which governs all federal funding agencies. Finally, the policy outlines the University's procedure to address misconduct.

POLICY

1. JSU expects faculty or staff of JSU who engage in research or other scholarly or creative activity or who works with students or others engaged in research or scholarly or creative activity will do so responsibly and with the utmost integrity.
2. The University follows the Federal Research Misconduct Policy (FRMP), available online at <https://ori.hhs.gov/federal-research-misconduct-policy>, which defines "research misconduct" as "fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results." The FRMP provides these further definitions of terms:
 - **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 [i.e., the record of data or results that embody the facts emerging from the research, and includes, but is not limited to, research proposals, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, and books].
 - **Plagiarism** is the appropriation of another person's ideas, processes, results, or words without giving proper credit.
3. Misconduct in research, scholarly, or creative endeavors **does not include** honest error or differences of opinion.

4. Research, as used herein, includes all basic, applied, and demonstration research in all fields of science, engineering, and mathematics. This includes, but is not limited to, research in economics, education, linguistics, medicine, psychology, social sciences, statistics, and research involving human subjects or animals.
5. The University also requires integrity in all other scholarly work and artistic endeavors.
6. All members of the University community are expected to take such misconduct seriously and to report suspected misconduct as noted below.

Guidelines

1. Principal Investigators and other positions of authority to oversee faculty, staff, or students on a research project are expected to provide appropriate training and to oversee research, scholarly, and creative activities, to the end that these individuals maintain the highest professional standards.
2. Research results should be supported by verifiable evidence. Faculty, staff, and students should maintain sufficient written records or other documentation of their work.
3. Faculty, staff, and students are encouraged to engage in free discussion of results, to share data and techniques, and to avoid secrecy in the conduct of original investigations. Independent confirmation of results is important in direct proportion to the significance of the results in question and may be crucial to the establishment of new concepts.
4. Faculty and staff are responsible for the quality of all reports based on their own efforts or on the collaborative work of students, technicians, or colleagues, especially those which bear the faculty member's name. In this context, the word "reports" is used here to describe manuscripts submitted for publication as well as abstracts of papers submitted for presentation at meetings. The same standards of integrity apply to abstracts as to full-length publications. No faculty or staff member shall allow his/her name to be used on any report containing results for which that faculty or staff member cannot assume full professional and ethical responsibility.
5. Faculty and staff conducting research are encouraged to increase the awareness of students and others of the importance of maintaining high standards in research and to discuss issues related to research ethics in formal courses, in seminars, by appropriate training in the responsible conduct of research, and by other informal means.
6. It is the responsibility of any employee who becomes aware of evidence of misconduct in research, scholarship, or creative endeavors to present such evidence in writing to the department head or supervisor of the suspected individual. If a constituent is unable to report this to the department head or supervisor, the report may be presented to the dean of the college or the person to whom the supervisor reports. A written report may be delivered in person, via email, through the U.S. Postal Service or campus mail.

7. JSU Policy I:05:04, "Code of Conduct and Ethics," also provides information on reporting illegal or unethical behavior. Policy I:05:04 notes that "An employee will not be disciplined, lose his/her job, or be subject to retaliation in response to asking questions or voicing concerns about JSU's ethical or legal obligations, so long as the employee is acting in good faith. Good faith does not necessarily mean being correct, but it does imply that the employee subjectively believes the information communicated is correct. with instructions for reporting."
8. A finding of research misconduct requires that
 - There be a significant departure from accepted practices of the relevant research community; and
 - The misconduct be committed intentionally, or knowingly, or recklessly; and
The allegation be proven by a preponderance of evidence.

GUIDELINES FOR INVESTIGATIONS OF ALLEGED MISCONDUCT WITH REGARD TO THE CONDUCT OF REPORTING OF RESEARCH, SCHOLARLY OR CREATIVE ENDEAVORS

1. Upon being informed by the Provost and Senior Vice President for Academic Affairs that a reasonable likelihood of misconduct exists, the Provost will then appoint an investigating committee and committee chair, within 30 days. Members of the committee will consist of a department head, a dean, and three faculty members, tenured if available, who have the expertise to deal with technical aspects of the activities in question. At least two of these faculty members must be from outside the suspected individual's department or unit. No one making an allegation of misconduct shall be a committee member.

The Provost shall take precautions not to appoint any committee member who has a real or apparent conflict of interest with the outcome of the investigation. The Chair shall conduct meetings of this committee as frequently as required to determine whether the activities in question are indeed misconduct. All such meetings and the deliberations thereof shall be held in confidence to protect the affected individual or individuals. Those accused of misconduct shall be afforded an opportunity to appear before the committee to comment on allegations and/or findings of the committee. The committee should obtain comments from the individual(s) subject to the investigation and prepare a report which shall be submitted by the Chair to the Provost and Senior Vice President for Academic Affairs, who will share findings with the President. The Provost and Senior Vice President for Academic Affairs, based on the committee's findings, shall determine what actions are appropriate. An appeal to the President is possible by those charged.

2. Any party investigating such allegations should take precautions to avoid undue publicity surrounding the allegations during the investigation and protect the privacy interests of those charged with alleged misconduct. Those charged with misconduct should be given an opportunity to respond to the allegations. The Committee should complete its investigation within 30 days.

3. To the extent required by law, grant or regulation, any involved funding agency shall be notified of the outcome of any investigation.
4. Records documenting the inquiry will be maintained for at least seven years and will be available to authorized agency personnel on request.
5. Misconduct in Research which has been proven by the committee may carry penalties which are applicable to UHC policies listed in the JSU faculty handbook.

RESPONSIBILITY

The Provost and Senior Vice President for Academic Affairs is responsible for this policy.

EVALUATION

This policy will be reviewed at least every five (5) years.