

EXECUTIVE SUMMARY: RESEARCH MISCONDUCT POLICY

Purpose

Marquette University has a duty to ensure the integrity of research and primary responsibility for responding to and reporting allegations of research misconduct. This policy applies to all disciplines of research including the applied and natural sciences, social sciences, and humanities. The university must respond to each allegation of research misconduct in a thorough, competent, timely, objective, and fair manner. The university must protect those involved in misconduct proceedings from retaliation and help restore reputations where appropriate. In order to maintain its eligibility for federal funds, Marquette's policy adheres to the federally mandated requirements for institutional research misconduct policies. Students who are accused of academic dishonesty not relating to sponsored research will be under the jurisdiction of other existing university policies.

Applicability

The policy applies to institutional members of Marquette University and includes any individual who is employed by, is an agent of, or is affiliated by contract or agreement with the institution. This includes officials, tenured and untenured faculty, administrators, teaching and support staff, researchers, research coordinators, clinical technicians, postdoctoral and other fellows, students, volunteers, agents, and contractors, subcontractors, and subawardees, and their employees.

This policy applies to allegations of research misconduct involving any research proposed, performed, reviewed, or reported, or any research record generated from that research, regardless of whether an application for federal funds resulted in an award.). Research at Marquette University includes all forms of scholarship from the various disciplines.

Research misconduct

Research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

A finding of research misconduct requires that there was a significant departure from accepted practices of the relevant research community; the misconduct was committed intentionally, knowingly, or recklessly; and the allegation is proven by a preponderance of the evidence.

This policy applies to research misconduct occurring within six years of the institution receiving an allegation. The six year limitation does not apply in the following instances:

- The respondent continues or renews an incident of alleged research misconduct (e.g., by citing or republishing the fabricated, falsified, or plagiarized research record).
- If the institution or a federal sponsor determines that the alleged misconduct may have a substantial adverse effect on the health or safety of the public.
- If the institution received the allegation before the effective date of this policy.

Process

The Vice Provost for Research serves as the Research Integrity Officer (RIO) with primary responsibility for policy oversight and implementation.

The Deciding Official is the Provost or designee. The Deciding Official evaluates the investigation report and any comments submitted by the respondent and/or complainant and determines institutional actions if appropriate.

Allegation assessment

The RIO determines whether an inquiry is warranted. Before beginning an inquiry, the RIO notifies the presumed respondent in writing. Before notifying the respondent of the allegation, inquiry, or investigation, the RIO sequesters the research records and evidence needed to conduct the research misconduct proceeding. Copies or access to the records are provided as practical.

Inquiry

The purpose of an inquiry is to conduct an initial review of the evidence to determine whether an investigation is warranted. The inquiry committee must complete the inquiry within 60 days.

The RIO appoints an inquiry committee and committee chair. The committee includes at least three Marquette faculty members. Committee members may be from inside or outside of the institution. The respondent may object to any committee member based on bias or conflict.

The committee prepares the inquiry report, and the respondent has a reasonable opportunity (no less than 7 days) for comment.

The RIO reviews the inquiry report and the respondent's comments, determines whether an investigation is warranted, and notifies the respondent and complainant.

Investigation

The investigation begins within 30 days after determining that an investigation is warranted. The investigation must be completed and an institutional determination made within the following 120 days.

The RIO appoints an investigation committee and committee chair. The committee includes at least three Marquette faculty members. Committee members may be from inside or outside of the institution, and they may be individuals who served on the inquiry committee. The respondent may object to any committee member based on bias or conflict.

The committee must interview each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation. The committee must interview any witnesses identified by the respondent.

The committee provides a draft investigation report for the respondent to comment. Any comments submitted within 30 days will be attached to the investigation report.

The Deciding Official reviews the investigation report and any comments to decide whether the institution will accept the findings. The Deciding Official determines the appropriate institutional actions. If the determination differs from the recommendation of the investigation committee, the Deciding Official must provide a written explanation. The deciding official may also return the report to the investigation committee with a request for further fact-finding or analysis. The Deciding Official's determination, along with the investigation report, constitutes the final investigation report for purposes of federal review.

The RIO notifies both the respondent and the complainant of the institution's determination.

Administrative actions

If misconduct has occurred, administrative actions may include:

- correcting the research record (e.g., withdrawal or correction of relevant papers);
- removal of the responsible person from the particular project;
- special monitoring of future work;
- debarment from extramural grants;
- initiation of steps leading to possible reprimand, probation, suspension, rank and/or salary reduction or termination of employment;

For students, administrative actions may also include:

- loss of credit for the research;
- initiation of steps leading to possible loss of assistantship, dismissal from the program, or dismissal from the university.

The decision of the deciding official with respect to the findings and corrective action is final. The Faculty Handbook already contains provisions for the due process and any appeals concerning probation, suspension, and changes in employment.