

[Home](#)

## II-27.6 Ethics in Research

(President 7/3/84; amended 10/95; 10/97; 3/10; 3/13; 8/14; 7/1/17)

Effective July 1, 2017, this policy has been revised. For the most current version without redlining, return to [II-27](#).

- a. Policy. The University of Iowa is committed to maintaining a climate that promotes faithful attention to high ethical standards, that enhances the research process, and that does not inhibit the productivity and creativity of scholars. Instances of research misconduct are inconsistent with such a climate of integrity.

Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

When committed, research misconduct shatters individual careers, taints the conduct of objective research, undermines the credibility of scholarship, and destroys the confidence among scholars as well as between the University and the public.

All researchers — faculty, staff, and students — must be unfailingly honest in their work, must refrain from deliberate distortion or misrepresentation, and must take regular precautions against the common causes of error. Steps to minimize the possibility of research misconduct include the following:

- (1) Researchers must accept responsibility for the quality and integrity of the work reported by them and their collaborators; emphasis must be placed upon the quality and significance of research rather than on quantity and visibility;
- (2) Consistent with II-27.10 University of Iowa Authorship Policy, only those who have had a genuine role in the research should be included in authorship of papers, and all named authors should accept responsibility for the quality and integrity of the work reported; and
- (3) Researchers should retain research data and records for a period

of at least five years following publication to provide verification of the validity of the reported results.

(4) Deterrents to research misconduct include the possibility that it will be quickly detected and exposed. The likelihood that falsified, fabricated, or plagiarized research will go unquestioned is small. Yet despite the self-correcting nature of research, instances of research misconduct do occur, and in these cases it is the obligation of faculty, staff, and students to report suspected instances of research misconduct to appropriate University officials.

b. Scope. This policy and the associated procedures apply to:

(1) The planning, conduct, reporting, and review of research, research training, and research-related activities (such as, for example, the operation of tissue and data banks and the dissemination of research information), whether funded or not, and regardless of the source of any funding; and

(2) Any person engaged in the above who is employed by or has an official affiliation with The University of Iowa, including any faculty member, staff member, student, postdoctoral scholar, trainee, fellow, visiting scholar, adjunct faculty member, and guest or research collaborator working on campus with University resources.

c. This policy does not apply to authorship or collaboration disputes.

d. Definitions.

(1) "Allegation" means a disclosure of possible research misconduct made to the University through any means of communication.

(2) "Complainant" means a person who in good faith makes an allegation of research misconduct.

(3) "Good faith" is defined as a belief in the truth of an allegation such as might be held by a reasonable person in the same circumstances and based on the information known at the time. An allegation is not made in good faith if it is made with knowing or reckless disregard for information that would negate it.

(4) "Inquiry" means a preliminary review of an allegation to determine whether there is a reasonable basis for concluding that the definition of research misconduct is met and whether the allegation has sufficient substance to warrant an investigation.

(5) "Investigation" means the formal development of a factual record and examination of that record leading either to a recommended finding, based on the preponderance of the evidence, that research misconduct occurred or, based on that same standard, a recommended finding to the contrary.

(6) "Preponderance of the evidence" means proof by information that, after comparison with that opposing it, leads to the conclusion that the fact at issue is more likely to be true than not. The University has the burden of proving by a preponderance of the evidence that research misconduct has occurred. The burden then shifts to the respondent to prove, by a preponderance of the evidence, any affirmative defense.

(7) "Reporting Contact" means the branch of the federal funding agency sponsoring the research that is designated by federal regulation to receive information relating to research misconduct. For example, reports involving research funded by the U.S. Public Health Service are required to be sent to the PHS Office of Research Integrity; those involving the National Science Foundation are required to be sent to the NSF Office of Inspector General. "Reporting Contact" may also mean any other external sponsor of University research where reporting on research misconduct is required by contract.

(8) "Research" means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to general knowledge (basic research) or specific knowledge (applied research).

(9) "Research misconduct" means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

(a) "Fabrication" is making up data or results and recording or reporting them.

(b) "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.

(c) "Plagiarism" is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

(10) Research misconduct does not include honest error or differences of opinion.

A finding of research misconduct must meet this definition; must involve a significant departure from accepted practices of the relevant research community; must be committed intentionally, knowingly, or recklessly; and must be proven by a preponderance of the evidence.

(11) "Research record" means the record of data or results that embody the facts resulting from scientific inquiry, including, but not limited to, research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, and any documents and materials provided to the University by a respondent in the course of a research misconduct proceeding.

(12) "Respondent" means the person against whom an allegation of research misconduct is directed.

e. Procedures.

(1) Research Integrity Officer. The Vice President for Research and Economic Development (VPRED) will appoint an institutional Research Integrity Officer (RIO), who is responsible for the implementation of this policy. The RIO must have the necessary expertise to evaluate the evidence and issues related to the allegation, to interview the parties and the witnesses, and to conduct the initial inquiry.

(2) Reporting allegations to the University. All members of the University community should report suspected research misconduct to the VPRED or the RIO as soon as possible after it is believed to have occurred. Reports to the VPRED are immediately reported to the RIO and vice versa. The RIO then notifies the Provost of the allegation, as well as the Associate Dean for Research from the respondent's college.

(3) RIO conflict of interest. At each stage of the process, the RIO will carry out his or her responsibilities without any unresolved personal, professional, or financial conflicts of interest with the complainant, the respondent, or any witness. Within 10 days of receipt of the notice of inquiry, the respondent may object in writing to the RIO's involvement based on a conflict of interest on the part of the RIO. Within 5 days of receipt of the objection, the VPRED will determine whether to replace the RIO with a qualified substitute, who will carry out the RIO's

responsibilities set forth in this policy.

(4) Confidentiality and fair treatment. To the extent allowed by law, the confidentiality of the complainant, the respondent, witnesses, and research subjects identifiable from research records or evidence will be protected and disclosure of their identity limited to those who need to know as part of their involvement with the research misconduct proceeding. Inquiries and investigations will be conducted in this manner unless to do so would compromise public health and safety or the effective completion of the inquiry or investigation. Any process prescribed under this policy will be conducted in a manner that ensures fair treatment of the respondent.

(5) Assessment of allegation. Upon receipt of an allegation of research misconduct, the RIO will promptly assess the allegation to determine whether an inquiry is warranted. An inquiry is warranted only when an allegation is sufficiently credible and specific enough to identify conduct that presents an issue of potential research misconduct and thus falls within the scope of this policy.

(6) Inquiry. When the allegation is assessed to warrant initiation of an inquiry, the RIO will perform the inquiry for the purpose described above in paragraph c(4). Upon opening an inquiry, the RIO will provide written notice of the alleged misconduct and initiation of the inquiry to the respondent (and, in the case of sponsored research, the Principal Investigator where he or she is not the respondent). At the same time, the RIO will sequester all relevant records and any other evidence needed to conduct the inquiry. The RIO may elect to interview the complainant, the respondent, and any additional witnesses with possible information related to the allegation at hand. Where the RIO lacks sufficient specialized expertise, the RIO may consult with qualified experts in order to determine whether an investigation of the alleged misconduct is warranted. Any additional respondents identified during the inquiry process must also be promptly notified of their status.

(7) Inquiry report and recommendation. The RIO will produce a written inquiry report including:

- (a) the name and position of the respondent;
- (b) a description of the allegations of research misconduct;
- (c) the source of research support, including identifying any

grant or contract and any publications listing such support;

(d) a summary of the inquiry process used;

(e) a list of the research records reviewed;

(f) the basis for recommending that the alleged actions either warrant or do not warrant an investigation; and

(g) the RIO's recommendation as to whether an investigation is warranted and whether any other actions should be taken in the event an investigation is not recommended.

(8) Opportunity for comment. The RIO will provide the respondent with a copy of the draft inquiry report for comment and rebuttal. Within 14 calendar days of receipt of the draft report, the respondent will provide comments on the draft inquiry report to the RIO. Comments submitted by the respondent will become part of the final inquiry report and record. Based on those comments, the RIO may revise the report as appropriate.

(9) Inquiry timeline. The RIO will complete the inquiry and submit the written inquiry report and recommendation to the VRPED for final institutional action within 60 calendar days of initiating the inquiry, unless the VPRED determines that circumstances clearly warrant a longer period and approves an extension for good cause. In such cases, the inquiry record must include documentation of the reasons for the extension, and the respondent must be notified of the extension.

(10) VPRED decision and action on the inquiry report. The VPRED will review the inquiry report and either approve or reject the recommendation of the RIO, stating in writing the reasons for that decision. In the course of this review, the VPRED may also request additional information to assist in acting on the recommendation of the RIO.

(11) Notice to Reporting Contact. Where the VPRED approves a recommendation for an investigation in a case involving federal funding, the RIO will notify the Reporting Contact for the relevant federal funding agency on or before the start of the investigation and will provide a copy of the inquiry report and the VPRED's written decision to the Reporting Contact.

(12) Investigation. The investigation of a research misconduct allegation must be initiated within 30 calendar days of the VPRED's decision that an investigation is warranted. The RIO shall notify the respondent in writing of the VPRED decision prior to the start of the investigation. Before or at the time the notice is provided to the respondent, the RIO will also sequester any additional research records or evidence required to conduct the investigation not previously sequestered at the inquiry stage.

(13) Research Misconduct Committee Pool. The VPRED shall maintain a representative pool of scholars, selected from the tenured faculty, the emeritus faculty, or equivalent rank research scientists, research engineers, and research/clinical faculty. Pool membership shall be by nomination by each college's respective Associate Dean for Research; pool members shall serve three-year terms.

(14) Research Misconduct Committee. The VPRED shall appoint a Research Misconduct Committee (RMC) of seven scholars selected from the Research Misconduct Committee Pool, with no more than one member from any one college. Members of the RMC must have no actual or potential personal, professional, or financial conflict of interest with the complainant, the respondent, or any witnesses and should collectively possess an appropriate level of scientific expertise to competently evaluate the evidence of alleged research misconduct. The RIO attends meetings of the committee to assist the committee in its work.

(15) Notice to the respondent of committee composition. The RIO will notify the respondent of the RMC membership within 5 days. If the respondent submits a written objection to any member of the RMC, the RIO will determine whether a conflict or other circumstance exists such that a committee member's continued participation in the investigation would be improper or raise a perception of impropriety sufficient to require replacement of the challenged member with a qualified substitute from the RMC pool.

(16) Committee meetings. The RIO will convene the first meeting of the RMC to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality, for developing a specific investigation plan, and for ensuring a thorough and sufficiently documented investigation. The RMC will make and the University will maintain transcripts or recordings of any witness interviews.

(17) Use of consultants or content experts. Consultants or content experts may be used at the discretion of the RMC to provide information or specialized content knowledge, but should not be present during final committee deliberations and are not members of the committee.

(18) Investigation report. The RMC will prepare a written investigation report that:

(a) describes the specific allegation(s) of research misconduct;

(b) describes the source(s) of funding, if any;

(c) describes the policies and procedures under which the investigation was conducted;

(d) describes the research record and the evidence reviewed, as well as any evidence sequestered but not reviewed; and

(e) states the committee's recommended findings relative to each allegation and explains the basis for each finding. Where the committee recommends a finding of research misconduct, the report will include recommendations for appropriate institutional actions, including, for example, whether any publications should be corrected or retracted, and will list any current support or known applications for support that the respondent has pending with any federal research sponsor.

(19) Opportunity for comment. The RMC will provide the respondent a copy of its draft investigation report for comment and rebuttal. The respondent will be allowed 14 days to review and comment on the draft report. The respondent's comments will be attached to the final investigation report. The report will take into consideration the respondent's comments in addition to all other evidence.

(20) Investigation timeline. An investigation by the RMC should be completed within 120 calendar days of initiation, with the initiation being defined as the first meeting of the RMC. This includes conducting the investigation, preparing the report of findings, making the draft report available for comment, submitting the report to the VPRED for final institutional action, and submitting the institution's final report to the Reporting Contact. If the RMC determines that it will not be able to complete the investigation in 120 days, the RIO will notify the VPRED and submit to the Reporting Contact a written



request for an extension that explains the delay, reports on the progress to date, estimates the date of completion of the report, and describes other necessary steps to be taken. If the Reporting Contact grants the request the RIO will file periodic progress reports on behalf of the committee as requested by the Reporting Contact.

(21) Institutional decision and action on investigation report. The RMC submits the final written report of its recommended findings to the RIO, who meets with the VPRED to discuss the report. The VPRED makes the final institutional decision whether to accept, modify, or reject the committee report recommendations.

(a) If the VPRED accepts the RMC's recommendations without modification, the VPRED's determination, together with the RMC's investigation report, constitutes the final institutional report for purposes of federal funding agency review.

(b) If the VPRED's determination differs from the committee's recommendations, the VPRED will explain in the institution's letter transmitting the RMC report to the Reporting Contact the detailed basis for reaching a conclusion different from the RMC's recommendations. The VPRED's written explanation should be consistent with this policy and its definition of research misconduct and should be based on the evidence reviewed by the RMC to which the respondent has had an opportunity to respond.

(22) Notification. The respondent will be notified in writing at the conclusion of the investigation of its outcome and the respondent will be provided a copy of the institution's final investigation report.

If the findings of the investigation warrant personnel or other administrative actions, the VPRED will meet with the appropriate senior administrator who has oversight responsibility for the respondent's department/unit or the respondent's University classification (either the Executive Vice President and Provost or other vice president) and appropriate action will be initiated in accord with University policy as follows:

(a) Faculty. Research misconduct is in violation of III-15.3b Responsibilities to Scholarship concerning professional ethics and academic responsibilities, and all such matters are governed by III-29 Faculty Dispute Procedures and, more specifically, by the portion of the dispute procedures dealing

with faculty ethics (III-29.7).

(b) Professional and scientific staff. Disciplinary actions resulting from investigations of misconduct are taken by the vice president responsible for the unit employing the respondent staff member.

Appeals from administrative actions involving professional and scientific personnel are governed by III-28 Conflict Management Resources for University Staff. ~~The procedure contained therein contemplates that a Hearing Officer will be used, with the final decision being made by a Reviewing Officer appointed by the President.~~

(c) Merit staff. Disciplinary action resulting from investigations of misconduct involving merit staff personnel are taken in accordance with the ~~collective bargaining agreement~~ Regent Merit System Rules, with applicable appeal procedures including III-28 Conflict Management Resources for University Staff.

(d) Graduate assistants. Disciplinary procedures, including dismissal of graduate assistants, is covered by III-12.4 Graduate Assistant Dismissal Procedure.

(e) Others. Disciplinary action related to other categories of individuals within the University, not covered in paragraphs (c) through (f) above, including postdoctoral trainees, professional students, and undergraduates, will be undertaken by the Executive Vice President and Provost or the vice president responsible for such individuals, as applicable.

(23) In addition to the foregoing, the University may take other administrative actions appropriate to the outcome of the investigation. For example, in the case of a finding of research misconduct, the University may require the withdrawal of pending abstracts and publications emanating from the research, and give notice in sufficient detail to editors of journals in which previous abstracts and publications have appeared to inform the relevant academic and public communities and to correct the public record.

(24) Notice to Reporting Contact of completion of investigation. Once

the institution has accepted the investigation report and determined any administrative action(s) to be taken in response to it, the RIO is responsible for complying with any notice requirements of federal agencies funding the research. The University will comply with any actions required by the funding agency, including the obligation to make restitution for the funding, if applicable.

(25) The responsible vice president or Executive Vice President and Provost, as applicable, oversees any audits and corrective action that may be required as a result of the findings of the investigation.

(26) Finding of no research misconduct. If no investigation is warranted following an inquiry, or if the alleged misconduct is not substantiated by the finding of an investigation and the Reporting Contact concurs in that conclusion, the RIO will consult with the respondent and undertake all reasonable, practical, and appropriate efforts to restore the respondent's reputation. Depending on the particular circumstances, the RIO should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in forums in which the allegation of research misconduct was previously publicized, or expunging all reference to the research misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation must first be approved by the VPRED.

(27) Retaliation; reputation of complainant and others. Regardless of whether the institution or the Reporting Contact determines that research misconduct occurred, the RIO will undertake all reasonable and practical efforts during the inquiry and/or investigation stages to protect complainants who make allegations of research misconduct in good faith, witnesses, and committee members. Those who make allegations with knowing or reckless disregard for their truth will be subject to discipline under applicable University policies. Upon completion of an investigation, the VPRED will consult with the complainant and determine what steps, if any, are needed to restore the position and reputation of the complainant. The same process will also be followed to protect or restore the position and reputation of any witness or committee member, if needed. The RIO is responsible for implementing any steps the VPRED approves.

(28) Circumstances requiring immediate reporting. The RIO will notify the Reporting Contact at any stage of the inquiry or investigation if:

- (a) there is an immediate public health or safety hazard involved;
- (b) there is an immediate need to protect sponsoring agency funds, interests, or equipment;
- (c) research activities should be suspended;
- (d) there is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is/are the subject of the allegations, as well as his or her co-investigators and associates, if any;
- (e) it is probable that the alleged incident is going to be reported publicly, so that the agency may take appropriate steps to safeguard evidence and protect the rights of those involved;
- (f) the research community or public should be informed (e.g., where the allegation involves a public health-sensitive issue such as a clinical trial); or
- (g) there is a reasonable indication of possible violation of civil or criminal law. In this instance, the institution must inform the Reporting Contact within 24 hours of obtaining that information.

(29) Interim administrative actions and reports. Interim administrative actions will be taken, as appropriate, to protect federal agency funds and equipment and the public health, and to ensure that the purposes of the financial support from the federal agency are carried out.

If the University of Iowa plans to terminate an inquiry or investigation for any reason without completing all relevant requirements of the applicable federal agency regulations (other than closing an inquiry because no investigation is warranted or a finding of no misconduct from a completed investigation), the RIO will submit a report of the planned termination to the Reporting Contact, including a description of the reasons for the proposed termination.

The RIO will report to the Reporting Contact as required by regulation and keep the Reporting Contact apprised of any developments during the course of the inquiry or investigation that may affect current or potential funding for the individual(s) under investigation or that the federal agency needs to know to ensure appropriate use of

funds and otherwise protect the public interest.

The University will provide full and continuing cooperation with any federal funding agency during its oversight review of any alleged research misconduct or any subsequent administrative hearings or appeals resulting from agency oversight review.

(30) Records. All records pertaining to an allegation of research misconduct shall be kept in accordance with the record-keeping requirements of the federal funding agency.