



## INSTITUTIONAL POLICY: R-03

Category:	Research
Subject:	Research Misconduct
Effective Date:	March 9, 2010
Last Revision Date:	September 21, 2016 (updated January 7, 2019)
Applicability	Faculty, Staff, Students, and all others involved in research, research training, and related research activities

### **R 03-1. Authority**

W. Va. Code § 18B-1-6

### **R 03-2. Introduction**

- 2.1 The West Virginia School of Osteopathic Medicine (“WVSOM”) hereby establishes its policy regarding Research Misconduct in compliance with the Public Health Service Policies on Research Misconduct, 42 C.F.R. Part 93. This policy is applicable to all WVSOM research, research training, and related research activities regardless of source of funding for the research being conducted.
- 2.2 WVSOM recognizes the destructive nature of Research Misconduct on the scientific process, on the integrity of the institution, its faculty, its research enterprise and on public confidence. For this reason, Institutional Members shall not engage in such behavior. Institutional Members, including members of the community serving on WVSOM research related committees, must report observed, suspected, or apparent Research Misconduct to the Associate Dean for Research and Sponsored Programs. Decisions concerning allegations of Research Misconduct will depend on (1) evidentiary findings of misconduct and (2) the seriousness of the misconduct.

### **R 03-3. Definitions**

- 3.1 “Adjudication” means the phase during which the investigation recommendations are reviewed and appropriate corrective actions determined.
- 3.2 “Fabrication” means making up data or results and recording or reporting them.
- 3.3 “Falsification” means 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.
- 3.4 “Inquiry” means preliminary information-gathering and preliminary fact-finding conducted for the assessment of whether the allegation has substance and if an investigation is warranted.

- 3.5 “Institutional Members” means all individuals employed by or affiliated with WVSOM, including but not limited to officials, faculty, teaching and support staff, researchers, research coordinators, clinical technicians, students, volunteers, agents, and contractors, subcontractors, and subawardees, and their employees.
- 3.6 “Investigation” means the formal development of a factual record and the examination of that record leading to a decision not to make a finding of Research Misconduct or to a recommendation for a finding of Research Misconduct which may include a recommendation for other appropriate actions.
- 3.7 “Plagiarism” means the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit.
- 3.8 “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.

#### **R 03-4. Response to Allegations and Procedures**

- 4.1 WVSOM commits to taking the following steps as necessary in responding to and resolving allegations of Research Misconduct: Inquiry, Investigation and Adjudication.
- 4.2 The procedures for reporting allegations of Research Misconduct and the process for handling these allegations are set forth in WVSOM’s procedure on Research Misconduct, and can be found at the following WVSOM website link:

<http://www.wvsom.edu/sites/default/files/u60/Procedure%20for%20IP%20R-03%20Research%20Misconduct%20%2804-28-16%29.pdf>.

#### **R 03-5. Basis of Findings**

Decisions concerning allegations of Research Misconduct will depend on evidentiary findings of misconduct:

- 5.1 The allegations must be proven by a preponderance of the evidence;
- 5.2 The Research Misconduct is committed intentionally, knowingly, or recklessly; and
- 5.3 There is a significant departure from accepted practices of the relevant research community.

#### **R 03-6. Seriousness of Research Misconduct**

If Research Misconduct is found, the disciplinary process, including the determinations of the nature and severity of the disciplinary action, shall follow applicable WVSOM policies and procedures on disciplinary actions, including WVSOM faculty, staff, and student handbooks. Disciplinary action based on a finding of Research Misconduct will take into account the seriousness of the misconduct, including but not limited to:

- 6.1 The degree to which the Research Misconduct was knowing, intentional, or reckless;
- 6.2 Whether it was an isolated event or reflective of a pattern of behavior; or

- 6.3 If it had significant impact on the research record, research subjects, other researchers, institutions, or the public welfare.

**R 03-7. References**

- 7.1 Federal Register, Vol. 70, No. 94 dated Tuesday, May 17, 2005/ Rules and Regulations: [http://ori.hhs.gov/documents/42\\_cfr\\_parts\\_50\\_and\\_93\\_2005.pdf](http://ori.hhs.gov/documents/42_cfr_parts_50_and_93_2005.pdf)
- 7.2 Federal Policy on Research Misconduct, National Science and Technology Council, Executive Office of the President of the United States, December 6, 2000: <https://www.federalregister.gov/articles/2000/12/06/00-30852/executive-office-of-the-president-federal-policy-on-research-misconduct-preamble-for-research#h-17>