

I. Definitions

- A. *Complainant* – anyone who makes an allegation of research misconduct.
- B. *Designated Official* – the Provost and Vice President for Academic Affairs or designee. The Deciding Official will not be the same individual as the RIO and should have no direct prior involvement in the preliminary assessment, inquiry, or investigation.
- C. *Research Integrity Officer* – the Associate Vice President for Research, Innovation, and Economic Development or designee. The RIO administers the procedures for responding to allegations of research misconduct.
- D. *Research Misconduct* – 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.
 - i. Fabrication--making up data or results and recording or reporting them.
 - ii. Falsification--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.
 - iii. Plagiarism--the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.
- E. *Research Integrity* – research integrity, also known as the responsible conduct of research (RCR), is the practice of scientific investigation with integrity. It involves the awareness and application of established professional norms and ethical principles in the performance of all activities related to scientific research. Research integrity encompass the following nine areas: Authorship, Collaborative Research, Conflicts of Interest and Commitment, Research Data Management, Financial Responsibility, Mentoring, Peer Review, Human Research Protection, and Animal Care and Use.
- F. *Respondent* - the person(s) against whom an allegation of research misconduct is directed or the subject(s) of a preliminary assessment, inquiry, or investigation.

II. Policy Statement

California State University, Sacramento (Sacramento State) is committed to the ethical principles and procedures upholding integrity in all forms of research, scholarly, and creative activity (research). Each member of the research community has a responsibility to foster an environment that promotes intellectual honesty and integrity, and that does not tolerate misconduct in any aspect of research or scholarly endeavor.

III. Why the policy is necessary

This policy specifies Sacramento State's responsibilities regarding research misconduct to comply with the Federal Policy on Research Misconduct from the Office of Science and Technology Policy (Volume 65, Number 235 Page 76260-76264) and Public Health Service Policies on Research Misconduct (42 CFR Part 93).

IV. Delegation

The Provost and Vice President for Academic Affairs delegates to the Offices of Research, Innovation, and Economic Development's Associate Vice President responsibility for carrying out this policy and procedure. The Associate Vice President is responsible for assessing allegations of research misconduct, determining when such allegations warrant inquiries, and for overseeing inquiries and investigations.

V. Scope

This policy applies to all research conducted at Sacramento State, regardless of funding source.

VI. Who the Policy applies to

This policy applies to all individuals engaged in research, including any person paid by, under the control of, or affiliated with Sacramento State, such as scientists, trainees, technicians and other staff members, students, fellows, guest researchers or collaborators. This policy applies to those individuals who were engaged in the research that is the subject of an allegation of research misconduct, but who are no longer affiliated with Sacramento State at the time an allegation is reported.

VII. Responsibilities

A. *Research Integrity Officer (RIO)*

The Associate Vice President for Research, Innovation, and Economic Development or designee serves as RIO, who has primary responsibility for responding to allegations of research misconduct through the administration of the procedures.

B. *Complainant*

The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with the inquiry and investigation.

C. *Respondent*

The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry and investigation.

D. *Deciding Official (DO)*

The Provost and Vice President for Academic Affairs serves as DO and receives inquiry and investigation reports. The DO, in consultation with the RIO and other appropriate institutional officials, makes final determinations to move an inquiry to an investigation and accept findings of an investigation on behalf of Sacramento State.

VIII. General Policies and Principles

A. Responsibility to Report Misconduct

It is the responsibility of each member of the Sacramento State campus to report observed, suspected, or apparent research misconduct to the Research Integrity Officer (RIO). If an individual is unsure whether a suspected incident falls within the definition of research misconduct, they may meet with or contact the RIO to discuss the suspected research misconduct informally, and may include discussing it confidentially and/or hypothetically. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO may refer the individual or allegation to other offices or officials with responsibility for resolving the problem.

At any time, an institutional member may have confidential discussions and consultations about concerns of possible misconduct with the RIO and are counseled about appropriate procedures for reporting allegations.

B. Cooperation with Misconduct Proceedings

Sacramento State members shall cooperate with the RIO and other institutional officials in the review of allegations and the conduct of inquiries and investigations. Sacramento State members, including respondents, are obligated to provide evidence relevant to allegations to the RIO or other institutional officials.

C. Confidentiality

The RIO shall: (1) limit disclosure of the identity of respondents and complainants to those who need to know in order to carry out a thorough, competent, objective and fair research misconduct proceeding; and (2) except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The RIO uses written confidentiality agreements or other mechanisms to ensure that the recipient does not make any further disclosure of identifying information.

D. Protecting complainants, witnesses, and committee members

Sacramento State members may not retaliate in any way against complainants, witnesses, or committee members (Link: [Policy Against Harassment and Retaliation, HRS-0127](#)). Sacramento State members should immediately report any alleged or apparent retaliation against complainants, witnesses or committee members to the RIO or the appropriate personnel in Human Resources.

E. Protecting the Respondent

As requested and as appropriate, the RIO and other Sacramento State officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct, but against whom no finding of research misconduct is made.

During the research misconduct proceeding, the RIO is responsible for ensuring that respondents receive all the notices and opportunities provided for in this policy and the procedure. Respondents may consult with legal counsel or a non-lawyer personal adviser, such as a union representative (who is not a principal or witness in the case), to seek advice and may bring the counsel or personal adviser to an appeal after completion of the investigation.

F. Interim Remedial Actions

Throughout the research misconduct proceeding, the RIO reviews the situation to determine if there is any threat of harm to public health, federal funds and equipment, or the integrity of the Public Health Services (PHS) supported research process. In the event of such a threat, the RIO, in consultation with the DO and the Office of Research Integrity, takes appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the research process and the handling of federal funds and equipment, reassignment of personnel or of the responsibility for the handling of federal funds and equipment, suspension of research activities, additional review of research data and results or delaying publication. The RIO shall, at any time during a research misconduct proceeding, notify the appropriate federal agency immediately if they have reason to believe that any of the following conditions exist:

1. Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
2. Federal resources or interests are threatened;
3. Research activities should be suspended;
4. There is a reasonable indication of possible violations of civil or criminal law;
5. Federal action is required to protect the interests of those involved in the research misconduct proceeding;
6. The research misconduct proceeding may be made public prematurely and federal action may be necessary to safeguard evidence and protect the rights of those involved; or
7. The research community or public should be informed if warranted by the nature of the research.

IX. Composition of Committees

A. Inquiry Committee

An inquiry committee is appointed by the RIO, in consultation with other institutional officials as appropriate. The committee may include up to three internal and/or external individuals from the same or similar discipline with the same or similar expertise and that do not have unresolved personal, professional, or financial conflicts of interest with those involved with the injury. Normally, these individuals would be tenure-track faculty members. A chair is appointed from among the committee.

B. Investigation Committee

An investigation committee is appointed by the RIO, in consultation with other institutional officials as appropriate. The committee may include up to five members with the following qualifications:

1. At least one tenure-track faculty member, including those in FERP status, from an external institution of higher education from the same discipline with the same or similar expertise,
2. At least one internal tenure-track faculty member, including those in FERP status, from the respondent's Department or College, and

3. At least one internal tenure-track faculty member, including those in FERP status, from a different College of the respondent.

Members cannot have unresolved personal, professional, or financial conflicts of interest with those involved with the injury. A chair is appointed from among the committee.

X. Procedures for Responding to Allegations of Research Misconduct:

This procedure sets forth the methods for assessing allegations of research misconduct or research integrity violations, conducting inquiries and investigations related to possible misconduct, and reporting the results to the appropriate federal agencies.

In regard to research conducted with federal funds, allegations of research misconduct (fabrication, falsification or plagiarism) are mandated by federal regulations as provided in the procedures for research misconduct. Allegations of research misconduct involving non-federally funded research or allegations of research integrity violations other than fabrication, falsification or plagiarism may follow the same procedures for research misconduct. In the event that these procedures are not followed, the Provost and Vice President for Academic Affairs and/or the Associate Vice President for Research, Innovation, and Economic Development, in consultation with appropriate institutional officials as needed, will determine what procedure applies in accordance with the funder or other Sacramento State policies and procedures.

XI. Related Campus Policies

- Student Conduct Code: <http://www.csus.edu/umannual/student/UMS16150.HTM>
- Academic Honesty: <http://www.csus.edu/umannual/student/STU-0100.htm>
- Statement on Faculty Responsibility and Professional Ethics: <http://www.csus.edu/umannual/hr/HRS-0117.html>
- Academic Freedom and Responsibility: <http://www.csus.edu/umannual/acad/UMA00200.htm>
- Office of Science and Technology Policy: <https://ori.hhs.gov/federal-policies>
- Policy Against Harassment and Retaliation, HRS-0127