Title: **Ethical Conduct of Research and Research Misconduct**
Date: **1-4-07; rev. 9-11-24**
Approved: **WPL**

INTRODUCTION

This statement sets forth Boston College's policy on the ethical conduct of research and
This Policy

manner. It is of paramount importance that full attention be given to the rights of all individuals involved.

DEFINITIONS

Research misconduct means fabrication, falsification or plagiarism in proposing, performing, or reviewing research or reporting research results, or in the conduct of other academic pursuits. It also includes unethical research involving living research subjects as well as retaliation against those making allegations of research misconduct. Research misconduct does not include honest error or differences of opinion.

Allegation means a disclosure of possible research misconduct through any means of communication. The disclosure may be by written or oral statement or other communication to a University official.

Complainant means a person who in good faith makes an allegation of research misconduct.

Evidence means any document, tangible item, or testimony offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact.

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.

Good faith as applied to a Complainant or witness, means having a belief in the truth of one's allegation or testimony that a reasonable person in the Complainant's or witness's position could have based on the information known to the Complainant or witness at the time. An allegation or cooperation with a research misconduct proceeding is not in good faith if made with knowing or reckless disregard for information that would negate the allegation or testimony. Good faith as applied to a committee member means cooperating with the research misconduct proceeding by carrying out the duties assigned impartially for the purpose of helping the University meet its responsibilities under this Policy and applicable contracts or regulations. A committee member does not act in good faith if his or her acts or omissions in serving on the committee are dishonest or influenced by personal, professional, or financial conflicts of interest with those involved in the research misconduct proceeding.

Inquiry means preliminary information-gathering and preliminary fact-finding that meets the criteria set forth below.

Investigation means the formal development of a factual record and the examination of that record leading to a decision either to make a finding of no research misconduct or to recommend a finding of research misconduct,

misconduct proceedings.

as appropriate before passing on the matter.

b. If the allegation appears to merit

Public Health Service policy requires that an Investigation be commenced within thirty (30) days of determining that an investigation is warranted, and that the Investigation be completed within one hundred and twenty (120) days, unless permission for extension is granted by the relevant funding agency.

e. The Investigation Committee will function as an independent fact finding and investigative body. Using the allegation of research misconduct as a basis, the Investigation Committee will examine all relevant writings, data, physical evidence, and witnesses to determine whether a finding of research misconduct should be made. All members of the Investigation Committee must be present when a witness is interviewed or physical evidence is examined. Investigation Committee members may examine writings or transcripts of data independently, provided that all members must be present whenever the Investigation Committee discusses the allegation.

f. The Investigation shall include a review of all research records related or helpful in the matter and may also include a review of other documents such as grant or contract files, correspondence and memoranda of telephone calls. The Investigation may also include inspection of laboratory or clinical facilities, equipment and/or materials, interviews of persons involved in or having knowledge about the matters raised in the allegation, and where necessary, solicitation of expert advice relevant to the Investigation. The Investigation Committee will focus on the matters contained in the allegation of research misconduct, but may review previous research efforts of the affected personnel, or records of previous Inquiries and Investigations into research misconduct, if relevant to the Investigation. Complete summaries of any interviews conducted should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file, provided that any sponsor requirements with respect to interviews shall be followed, including, if applicable, the recording of interviews.

g. The Respondent

commenced

counsel may observe but shall not participate in the proceedings. With the prior approval of the Investigation Committee, the Respondent may also be accompanied by a non-attorney colleague.

k. The Investigation Committee will prepare a draft final report, which may include, but need not be limited to, the following elements: (i) description of the allegation of research misconduct, including identification of the Respondent; (ii) description of any PHS support other support, including, for example, the numbers of any grants that are involved, grant applications, contracts, and publications listing PHS support or other forms of support; (iii) description of the specific allegations of research misconduct considered in the Investigation; (iv) reference to this Policy and any other policies under which the investigation was conducted; (v) summary of the research records and evidence reviewed; and (vi) for each allegation of research misconduct identified during the Investigation, a statement of finding as to whether research misconduct did or did not occur, and if so, such finding may (A) identify whether the research misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (B) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the Respondent, including any effort by Respondent

prudent.

p. At the conclusion of the Investigation, all originals and copies of all evidence, committee notes, paper and digital files, and documents obtained or developed shall be transmitted by the Chair of the Investigation Committee and sent to the Director (RSIC). The Director (RSIC) shall maintain these records in accordance with this Policy as set forth below.

4. Custody of Research Records and Evidence:

a. As may be appropriate to the particular case, either before or at such time as the Vice Provost for Research notifies the Respondent of the allegation, Inquiry or Investigation, the Vice Provost for Research will promptly take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments;

b. Where appropriate, the Vice Provost for Research will give the Respondent copies of, or reasonable, supervised access to the research records;

c. The Vice Provost for Research will undertake all reasonable and practical efforts to take custody of additional research records or evidence that is discovered during the course of a research misconduct proceeding, except that where the research records or evidence encompass scientific instruments