

University of Central Arkansas

Policy for Responding to Allegations of Research Misconduct

Table of Contents

I.	Introduction	1
II.	Definitions	1
III.	Finding of Research Misconduct	3
IV.	Rights and Responsibilities	3
	A. Responsibility to Report Misconduct	3
	B. Research Integrity Officer	3
	C. Informant	4
	D. Respondent	4
	E. Deciding Official	4
V.	General Policies and Principles	4
	A. Protecting the Whistleblower	4
	B. Protecting the Respondent	5
	C. Cooperation with Inquiries and Investigations	5
	D. Preliminary Assessment of Allegations	5
VI.	Conducting the Inquiry	5
	A. Initiation and Purpose of the Inquiry	5
	B. Sequestration of the Research Records	6
	C. Appointment of the Inquiry Committee	6
	D. Charge to the Committee and the First Meeting	6
VII.	The Inquiry Report	7
	A. Elements of the Inquiry Report	7
	B. Comments on the Draft Report by the Respondent and the Informant	7
	C. Inquiry Decision and Notification	7
VIII.	Conducting the Investigation	7
	A. Purpose of the Investigation	7
	B. Sequestration of the Research Records	8
	C. Appointment of the Investigation Committee	8

D.	Charge to the Committee and the First Meeting	8
E.	Investigation Process	8
IX.	The Investigation Report	9
A.	Elements of the Investigation Report	9
B.	Comments on the Draft Report	9
C.	Institutional Review and Decision	9
D.	Time Limit for Completing the Investigation Report	9
X.	Requirements for Reporting to ORI or Funding Agency	10
XI.	Institutional Administrative Actions	11
XII.	Other Considerations	11
A.	Termination of Institutional Employment or Resignation Prior to Completing Inquiry or Investigation	11
B.	Restoration of the Respondent's Reputation	11
C.	Protection of the Whistleblower and Others	11
D.	Allegations Not Made in Good Faith	12
E.	Interim Administrative Actions	12
XIII.	Record Retention	12
XIV.	Policy Changes	12

Note: This policy should be implemented in conjunction with the Procedures for Responding to Allegation of Research Misconduct

University of Central Arkansas

Policy for Responding to Allegations of Research Misconduct

I. Introduction

It is the goal of the University of Central Arkansas to maintain an atmosphere of honesty and trust in which the pursuit and dissemination of knowledge can occur. Integrity in research and scholarship is a fundamental value upon which the University is founded. All members of the University community share responsibility for maintaining a climate of trust between scholars, researchers and students, and between the academic community and the public. Occasionally, however, researchers may, inadvertently or not, violate accepted norms of professional behavior, jeopardizing the reputation of the University, and possibly damaging their careers and those of colleagues. Therefore, a responsibility of the University of Central Arkansas is to establish and enforce policies and procedures that deal effectively and expeditiously with allegations or evidence of research misconduct.

This policy applies to all individuals paid by, under the control of, or affiliated with the University of Central Arkansas, such as the faculty; staff; graduate student assistants; undergraduate, and graduate students conducting research; postdoctoral fellows and postdoctoral research associates; faculty on sabbatical leave; visiting faculty; and adjunct faculty when performing University work. The policy will be followed when an allegation of possible research misconduct is received by an institutional official, although particular circumstances in an individual case may dictate variation from the normal procedures. Any change from normal procedures must ensure fair treatment to the respondent and informant of the allegation. Any significant variation should be approved in advance by the Deciding Official and the Research Integrity Officer (RIO) of the University of Central Arkansas, and if funding is involved, the funding agency and/or the federal Office of Research Integrity (ORI) will be notified and consulted.

II. Definitions

- A. *Allegation* means any written or oral statement or other indication of possible scientific misconduct made to an institutional official.
- B. *Conflict of interest* means the real or apparent interference of one person's interests with the interests of another person, where potential bias may occur due to prior or existing personal or professional relationships.
- C. *Deciding Official* means the institutional official who makes final determinations on allegations of scientific misconduct and any responsive institutional actions. The deciding official should have no direct prior involvement in the institution's inquiry, investigation, or allegation assessment. The Provost will serve as the Deciding Official.
- D. *Employee* means, for the purpose of these instructions only, any person paid by, under the control of, or affiliated with the institution, including but not limited to

- faculty, scientists, physicians, trainees, students, fellows, technicians, nurses, support staff, and guest researchers.
- E. *Good faith allegation* means an allegation made with the honest belief that research misconduct may have occurred. An allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.
 - F. *Informant or whistleblower* means a person who makes an allegation of research misconduct.
 - G. *Inquiry* means information-gathering and initial fact-finding to determine whether an allegation or apparent instance of research misconduct warrants an investigation.
 - H. *Investigation* means the formal examination and evaluation of all relevant facts to determine if research misconduct has occurred and, if so, to determine the responsible person and the seriousness of the misconduct.
 - I. *ORI* means the Office of Research Integrity, the office within the U.S. Department of Health and Human Services (DHHS) that is responsible for the scientific misconduct and research integrity activities of the U.S. Public Health Service (PHS).
 - J. *PHS regulation* means the Public Health Service regulation establishing standards for institutional inquiries and investigations into allegations of scientific misconduct, which is set forth at 42 C.F.R. Part 50, Subpart A, entitled "Responsibility of PHS Awardee and Applicant Institutions for Dealing With and Reporting Possible Misconduct in Science" (Appendix E).
 - K. *Research Integrity Officer (RIO)* means the institutional official responsible for assessing allegations of misconduct and determining when such allegations warrant inquiries and for overseeing inquiries and investigations. The Dean of the Graduate School will serve as the RIO.
 - L. *Research misconduct or misconduct in research* means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.
 - M. *Research record* means any data, document, computer file, computer diskette, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an allegation of scientific misconduct. A research record includes, but is not limited to, grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; X-ray film; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

- N. *Respondent* means the person against whom an allegation of scientific misconduct is directed or the person whose actions are the subject of the inquiry or investigation. There can be more than one respondent in any inquiry or investigation.
- O. *Retaliation* means any action that adversely affects the employment or other institutional status of an individual that is taken by an institution or an employee because the individual has in good faith, made an allegation of scientific misconduct or of inadequate institutional response thereto or has cooperated in good faith with an investigation of such allegation.

III. Findings of Research Misconduct

A finding of research misconduct requires that:

- 1) there be a significant departure from accepted practices of the relevant research community; and
- 2) the misconduct be committed intentionally, or knowingly, or recklessly; and
- 3) the allegation be proven by a preponderance of evidence.

IV. Rights and Responsibilities

A. Responsibility to Report Misconduct

All employees or individuals associated with the University of Central Arkansas should report any observed, suspected, or apparent research misconduct to the Research Integrity Officer (RIO), the Research Compliance Coordinator, or the appropriate college dean or department chairperson. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may contact any of the above individuals to informally discuss the suspected misconduct. 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 appropriate offices or officials with responsibility for resolving other types of misconduct.

B. Research Integrity Officer

The Graduate Dean will serve as the RIO. The RIO will have primary responsibility for implementation of the policy and procedures for responding to allegations of research misconduct. The RIO will be sensitive to the varied demands made on those who conduct research activities, those who are accused of misconduct, and those who report apparent misconduct in good faith.

The RIO will make a preliminary assessment of an allegation of research misconduct to determine whether it should advance to the inquiry stage. The RIO will appoint an individual or a committee to conduct the inquiry, or may conduct the inquiry him/herself. If needed, the RIO will appoint a committee for the investigation phase. The RIO will ensure that necessary and appropriate expertise is secured to conduct an evaluation of the relevant evidence in an inquiry and/or investigation. The RIO will take all possible measures to ensure that confidentiality is maintained.

The RIO will report to the appropriate funding agency and/or ORI as required by agency regulations and keep the agency informed 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 agency needs to know to ensure appropriate use of funds and otherwise protect the public interest. The RIO may consult with ORI at any time regarding appropriate procedures to be followed.

C. Informant of an Allegation of Misconduct

The informant will have an opportunity to testify before the inquiry and investigation committees, will be informed of the results of the inquiry and investigation, will be protected from retaliation, and may review portions of the inquiry and investigation reports pertinent to his/her allegations or testimony.

The informant is responsible for making allegations in good faith, cooperating with an inquiry or investigation, and maintaining confidentiality during an inquiry and investigation and after resolution of the case.

If it is determined that an allegation was not made in good faith, the Deciding Official will determine whether any administrative action should be taken against the informant.

D. Respondent of an Allegation of Misconduct

The respondent will be informed of the allegations as soon as an inquiry is opened, and notified in writing of the final determinations and resulting actions. The respondent will also have the opportunity to be interviewed by and present evidence to the inquiry and investigation committees, to review the draft inquiry and investigation reports, and to have the advice of personally retained counsel. The respondent is responsible for maintaining confidentiality and cooperating during an inquiry or investigation. If the respondent is not found guilty of research misconduct, he or she has the right to receive institutional assistance, as appropriate, in restoring his or her reputation.

E. Deciding Official

The Provost will serve as the Deciding Official. The Deciding Official will receive the inquiry and investigation reports and any written comments made by the respondent or the informant on the draft reports. The Deciding Official may consult with the RIO or other institutional officials and will determine whether to conduct an investigation, whether misconduct occurred, whether to impose sanctions, or whether to take other appropriate administrative actions.

V. General Policies and Principles

A. Protecting the Informant

Institutions are required to undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations. The RIO will monitor the treatment of individuals who bring allegations of misconduct or of inadequate institutional response, and those who cooperate in inquiries or investigations. The RIO

will ensure, to the extent possible, that these persons will not be retaliated against in the terms and conditions of their employment or other status at the institution, and will review instances of alleged retaliation for appropriate action. Employees should immediately report any alleged or apparent retaliation to the RIO. Also, the institution will protect the privacy of those who report misconduct in good faith, to the extent possible. The informant will be advised that if the matter is referred to an investigation committee and the informant's testimony is required, anonymity may no longer be possible.

B. Protecting the Respondent

Inquiries and investigations will be conducted in a manner that will ensure fair treatment to the respondent(s) in the inquiry or investigation and confidentiality to the maximum extent possible without compromising public health and safety or a thorough inquiry or investigation. Institutional employees accused of research misconduct may consult with legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case) to seek advice, and may bring the counsel or personal adviser to interviews or meetings on the case, but only the respondent may speak to the committee. The respondent shall be responsible for the selection and payment of counsel.

C. Cooperation with Inquiries and Investigations

Institutional employees will cooperate with the RIO and other institutional officials in the review of allegations and the conduct of inquiries and investigations. Employees have an obligation to provide relevant evidence to the RIO or other institutional officials related to misconduct allegations.

D. Preliminary Assessment of Allegations

Upon receiving an allegation of research misconduct, the RIO will assess the allegation to determine whether (1) the allegation falls under this policy's definition of research misconduct and (2) if there is sufficient information to proceed with an inquiry. To make the assessment, it may be necessary to contact the informant for more information or to contact the respondent and sequester his/her records. This will be done with the advice of institutional counsel. In conducting the assessment, the RIO may consult with other institutional officials and the Office of Research Integrity (ORI).

VI. Conducting the Inquiry

A. Initiation and Purpose of the Inquiry

Following the assessment, if the RIO determines that the allegation falls within the definition of research misconduct, and provides sufficient information to allow specific follow-up, he or she will immediately initiate the inquiry process by notifying the Deciding Official and institutional counsel. The purpose of the inquiry is to make a preliminary evaluation of the available evidence and testimony of the respondent, informant, and key witnesses to determine whether there is sufficient evidence of possible misconduct to warrant an investigation. The findings of the inquiry must be set forth in an inquiry report which is given to the Deciding Official.

B. Sequestration of the Records

The RIO must ensure that all original records and materials relevant to the allegation are immediately secured. Institutional counsel, the supervisor of the respondent and the campus police may need to be involved in sequestering the records. If extramural funding is involved, the RIO may consult with the funding agency for advice and assistance in this regard. The respondent will be notified in writing of the opening of the inquiry. This is done at the time of the sequestration of the records unless the records were sequestered during the assessment. Copies of dated receipts and a complete inventory list of the sequestered items will be given to the respondent.

C. Appointment of an Official or a Committee to Conduct the Inquiry

The RIO is responsible for conducting or designating others to conduct the inquiry and may consult with other institutional officials, as needed. In cases in which the allegations and apparent evidence are straightforward, the RIO may choose to conduct the inquiry personally or designate another qualified individual to do so. In other cases, the RIO may appoint a committee of at least three persons, with the chair being appointed by the RIO from the committee. The official or committee should be appointed within ten (10) calendar days of initiating the inquiry.

The individual(s) should not have real or apparent conflicts of interest in the case, should be unbiased, and should have the necessary and appropriate expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry. Consultants with necessary expert and technical advice may be obtained to properly consider all appropriate issues.

The RIO will notify the respondent of the proposed committee membership within seven (7) calendar days of its appointment. If the respondent submits a written objection to any appointed member of the inquiry committee or expert based on bias or conflict of interest within seven (7) calendar days, the RIO will determine whether to replace the challenged member or expert with a qualified substitute.

D. Charge to the Committee

The RIO will prepare a charge for the inquiry that describes the allegations and any related issues identified during the allegation assessment and states the purpose of the inquiry: to make an informal preliminary evaluation of the evidence and testimony of the respondent, informant, and key witnesses to determine whether there is sufficient evidence of possible research misconduct to warrant an investigation. The purpose is not to determine whether research misconduct definitely occurred or who was responsible.

The official or committee conducting the inquiry will normally interview the informant, the respondent, and key witnesses as well as examine relevant research records and materials. The evidence and testimony obtained during the inquiry will be evaluated. After consultation with the RIO and institutional counsel, the individual or committee members will decide whether there is sufficient evidence of possible research misconduct to recommend an investigation to the DO. The scope of the inquiry does not include deciding whether misconduct occurred or conducting exhaustive interviews and analyses.

VII. The Inquiry Report

A. Elements of the Inquiry Report

A written inquiry report must be prepared that states the name(s) and title(s) of the official or committee members and expert consultants, if any; the allegations; extramural financial support and agency, if any; a summary of the inquiry process used; a list of the records reviewed; summaries of any interviews; a description of the evidence in sufficient detail to demonstrate whether an investigation is warranted or not; and the determination as to whether an investigation is recommended and whether any other actions should be taken if an investigation is not recommended. The draft report should be prepared within 35 calendar days of the first meeting of the inquiry committee. Institutional counsel will review the report.

B. Comments on the Draft Report by the Respondent and the Informant

The RIO will provide access to a copy of the draft inquiry report to the respondent for comment and rebuttal, and may allow the informant to review portions of the draft report that address the informant's role and opinions in the inquiry. The RIO will establish reasonable conditions for review to protect the confidentiality of the draft report.

The informant and respondent must provide their comments, if any, to the RIO within 11 calendar days. Any comments that the informant or respondent submits concerning the draft report will become part of the final inquiry report and record.

C. Inquiry Decision and Notification

The RIO will transmit the final inquiry report and any comments to the Deciding Official no more than 54 calendar days following the first day of the inquiry. The Deciding Official will determine if findings from the inquiry provide sufficient evidence of possible research misconduct to justify conducting an investigation. The inquiry is completed when the Deciding Official makes this determination, which will be made within 60 calendar days of beginning the inquiry.

The RIO will notify both the respondent and the informant in writing of the Deciding Official's decision and will remind them of their obligation to cooperate and retain confidentiality in the event an investigation is opened. The RIO will also notify all appropriate institutional officials of the Deciding Official's decision.

If it is determined that the case will be closed after the inquiry, the Deciding Official will undertake reasonable and appropriate efforts to restore the respondent's reputation.

VIII. Conducting an Investigation

A. Purpose of an Investigation

The purpose of the investigation is to explore in detail the allegations, to examine the evidence in depth, and to determine specifically whether misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible misconduct that would justify broadening the

scope beyond the initial allegations. This is particularly important where the alleged misconduct involves potential harm to human subjects or the general public, or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation will be set forth in an investigation report.

B. Sequestration of the Research Records

The RIO will immediately sequester any additional pertinent records that were not previously sequestered during the inquiry. This sequestration should occur before or at the time the respondent is notified that an investigation has begun.

C. Appointment of the Investigation Committee

The RIO, in consultation with other institutional officials, as appropriate, will appoint an investigation committee of at least three individuals, with the chair being appointed by the RIO from the committee. This will be completed within ten (10) calendar days of the notification to the respondent that an investigation is planned, or as soon thereafter as practicable. The investigation committee should consist of individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegations, interview the principals and key witnesses, and conduct the investigation. Individuals appointed to the investigation committee may also have served on the inquiry committee. Consultants with necessary expert and technical advice should be obtained, if required to properly consider all appropriate issues.

The RIO will notify the respondent of the proposed committee membership within five (5) calendar days of its appointment. If the respondent submits a written objection to any appointed member of the committee or expert based on bias or conflict of interest within five (5) calendar days, the RIO will determine whether to replace the challenged member or expert with a qualified substitute.

D. Charge to the Committee

The charge to the investigation committee will state that the committee is to evaluate the evidence and testimony of the respondent, informant, and key witnesses to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, to what extent, who was responsible, and its seriousness. During the investigation, if additional information becomes available that substantially changes the subject matter of the investigation or would suggest additional respondents, the committee will notify the RIO, who will determine whether it is necessary to notify the respondent of the new subject matter or to provide notice to additional respondents.

E. Investigation Process

The investigation committee will be appointed and the investigation process initiated within 30 calendar days of the completion of the inquiry, if findings from that inquiry provide a sufficient basis for conducting an investigation. The investigation will normally involve examination of all documentation including, but not necessarily limited to, relevant research records, computer files, proposals, manuscripts, publications, correspondence, memoranda and notes of telephone calls. Whenever possible, the committee should interview the informant(s), the respondents(s), and other individuals

who might have information regarding aspects of the allegations. Summaries or transcripts of the interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file.

IX. The Investigation Report

A. Elements of the Investigation Report

The final report must describe the policies and procedures under which the investigation was conducted, describe how and from whom information relevant to the investigation was obtained, state the findings, and explain the basis for the findings. The report must include the actual text or an accurate summary of the views of any individual(s) found to have engaged in misconduct as well as a description of any sanctions imposed and administrative actions taken by the institution. The draft report should be prepared within 84 calendar days of the first meeting of the investigation committee.

B. Comments on the Draft Report

The RIO will provide access to a copy of the draft investigation report to the respondent for comment and rebuttal, and may allow the informant to review portions of the draft report that address the informant's role and opinions in the investigation. The RIO will establish reasonable conditions for review to protect the confidentiality of the draft report.

The informant and respondent must provide their comments, if any, to the RIO within 14 calendar days. Any comments that the informant or respondent submits concerning the draft report will become part of the final investigation report and record.

C. Institutional Review and Decision

Based on a preponderance of the evidence, the Deciding Official will make the final determination whether to accept the final investigation report, its findings, and the recommended institutional actions in whole or in part. 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, together with the investigation committee's report, constitutes the final investigation report for the university and for the purposes of ORI and/or funding agency review. When the final decision has been reached, the RIO will notify both the respondent and the informant in writing.

In addition, the Deciding Official will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case.

D. Time Limit for Completing the Investigation

An investigation should ordinarily be completed within 120 calendar days of its initiation, with the initiation being defined as the first meeting of the investigation committee. This includes conducting the investigation, preparing the report of findings, making the draft report available to the subject of the investigation for comment,

submitting the report to the Deciding Official for approval, and if applicable, submitting the report to ORI and/or the funding agency.

X. Requirements for Reporting to ORI or Funding Agency

If the research in question has been extramurally funded, an institution's decision to initiate an inquiry or investigation must be reported in writing to the director of the funding agency on or before the date the inquiry or investigation begins. Additionally, if Public Health Service funds are involved, ORI must be informed. At a minimum, the notification should include the name of the person(s) against whom the allegations have been made, the general nature of the allegation as it relates to the definition of research misconduct, and the applications or grant number(s) involved. ORI or the funding agency must also be notified of the final outcome of the investigation and must be provided with a copy of the investigation report. Any significant variations from the provisions of the institutional policies and procedures should be explained in any reports submitted to the funding agency.

If an institution plans to terminate an inquiry or investigation for any reason without completing all relevant requirements of the regulation, the RIO will submit a report of the planned termination to ORI and/or the funding agency, including a description of the reasons for the proposed termination.

If the institution determines that it will not be able to complete the investigation in 120 days of its initiation, the RIO will submit to ORI and/or the funding agency a written request for an extension that explains the delay, reports on the progress to date, outlines what remains to be done, and estimates the date of completion of the report. If the request is granted, the RIO will file periodic progress reports.

When funding or applications for funding are involved and an admission of misconduct is made, the RIO will contact the ORI and/or the funding agency for consultation and advice. Normally, the individual making the admission will be asked to sign a statement attesting to the occurrence and extent of misconduct. When the case involves PHS funds, the institution cannot accept an admission of misconduct as a basis for closing a case or not undertaking an investigation without prior approval from ORI.

The Deciding Official's determination, together with the investigation committee's report, constitutes the final investigation report for the university and for the purposes of ORI and/or a funding agency review. The RIO is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.

The RIO will notify ORI and/or the funding agency at any stage of the inquiry or investigation if:

1. there is an immediate health hazard involved;
2. there is an immediate need to protect funds or equipment;
3. there is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any;
4. it is probable that the alleged incident is going to be reported publicly;
5. the allegation involves a public health sensitive issue, e.g. a clinical trial; or
6. there is a reasonable indication of possible criminal violation. In this instance,

the institution must inform the funding agency within 24 hours of obtaining that information.

XI. Institutional Administrative Actions

The institution will take appropriate administrative actions against individuals when an allegation of research misconduct has been substantiated. If the Deciding Official determines that the alleged misconduct is substantiated by the findings, he or she will decide on the appropriate actions to be taken, after consultation with the RIO and other appropriate institutional officials. The actions may include: withdrawal or correction of all pending or published abstracts and papers emanating from the research activity where research misconduct was found; removal of the responsible person from the particular project; special monitoring of future work; letter of reprimand; probation, suspension, salary reduction, or initiation of steps leading to possible rank reduction or termination of employment; or restitution of funds as appropriate.

XII. Other Considerations

A. Termination of Employment or Resignation Prior to Completing Inquiry or Investigation

The termination of the respondent's employment, by resignation or otherwise, before or after a written allegation of possible research misconduct has been reported, may not preclude or terminate the misconduct procedures.

B. Restoration of the Respondent's Reputation

If the institution finds no research misconduct occurred and if funded, the funding agency concurs, then after consulting with the respondent, the Deciding Official will undertake diligent efforts, as appropriate, to restore the respondent's reputation. Depending on the particular circumstances, the Deciding Official 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 misconduct was previously publicized, and expunging all reference to the misconduct allegation from the respondent's personnel file.

C. Protection of the Informant and Others

Regardless of whether the institution or the funding agency determines that research misconduct occurred, the RIO will undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations of misconduct. Upon completion of an investigation, the Deciding Official will determine, after consulting with the informant, what steps, if any, are needed to restore the position or reputation of the informant(s). The RIO will also take appropriate steps during the inquiry and investigation to prevent any retaliation against the informant.

D. Allegations Not Made in Good Faith

If relevant, the Deciding Official will determine whether the informant's allegations of research misconduct were made in good faith. If an allegation was not made in good faith, the Deciding Official will determine whether any administrative action should be taken against the informant.

E. Interim Administrative Actions

Institutional officials will take interim administrative actions, as appropriate, to protect funds and ensure that the purposes of financial assistance are carried out.

XIII. Record Retention

After completion of a case and all ensuing related actions, the RIO will prepare a complete file, including the records of any inquiry or investigation and copies of all documents and other materials furnished to the RIO or committees. The RIO will keep the file for three years after completion of the case to permit later assessment of the case. Authorized funding agency and/or ORI personnel will be given access to the records upon request.

XIV. Policy Changes

Changes in Federal Regulations (such as the definition of misconduct) or University policies could necessitate changes to this policy. Appropriate notice of any such change shall be provided to the University community in writing.

Note: This policy should be implemented in conjunction with the Procedures for Responding to Allegations of Research Misconduct.