

## Executive Order No. 0973

Management Level Policy

### Office of the Chancellor

**Date** : 15 April 2020

**To** : Vice Chancellor  
Provost  
University Strategic and Governance Committee

**From** : Chancellor, Dr. Waqar Ahmad

**Subject** : **Allegations of Research Misconduct Policy**


This Executive Order is issued through the endorsement of the above Board of Directors' approval reference and under the authority of the Chancellor as outlined in the Policy on Policy Management under the Executive Order No. 0824.

Effective immediately, Vice Chancellor and Provost are given the authority to implement the approved "Allegations of Research Misconduct Policy" outlined in this Executive Order.

The attached policy is aligned with ADU strategic goals by creating a high performance learning environment conducive to intellectual and personal growth of faculty and students, achieving academic excellence at every level, instilling a culture of valuing people and creating an environment conducive to innovation and professional excellence of faculty and staff.

The custody of Executive Order shall be maintained in the Chancellor Office of the University. If you have questions regarding this Executive Order, please contact Anabella Briones.

Please take the necessary action to ensure that all parties involved are informed of this communication.



Dr. Waqar Ahmad  
Chancellor

## ALLEGATIONS OF RESEARCH MISCONDUCT POLICY

The purpose of this policy is to specify the means by which allegations of research misconduct and investigated and remediated. Issues related to research misconduct are covered in the Research Ethics Policy.

Executive Order	973
Supersedes	554
Version Number:	03
Date Approved:	15 April 2020
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Policy Owner:	Research Director
Viewing Access Level:	Public
Next Review Date:	Fall 2021

### Change History

Version Number	Change Description	Date	Changed By
02	<ul style="list-style-type: none"> <li>Formatting and Signature Line to be in compliance with the new approved ADU Bylaws</li> </ul>	05.01.2013	Vice Chancellor
03	<ul style="list-style-type: none"> <li>Formatting and Signature Line to be in compliance with the new approved Policy on Policy Management</li> </ul>	08.09.2014	Chancellor
04	<ul style="list-style-type: none"> <li>Renewal of "Review Date" only</li> </ul>	15 April 2020	Policy Officer

### Introduction

Allegations of research misconduct shall be investigated and remediated in four phases:

- Phase I Examination of the Allegation
- Phase II Assessment
- Phase III Formal Investigation
- Phase IV Appeal Process

### **Phase 1 - Examination of the Allegation**

A written statement shall be submitted to the Chair of the University Ethics Committee or an ad hoc committee appointed by the Dean of College of Research and Graduate Studies.

- a) The Chair of the relevant committee shall determine whether or not the alleged behavior constitutes research misconduct and whether an assessment is warranted.
- b) The Chair of the relevant committee shall inform the individual(s) against whom the allegation is made and give them an opportunity to respond within 28 days.
- c) If the response is deemed unsatisfactory and the alleged behavior is deemed to constitute research misconduct, the case shall be referred to the University Ethics Committee for assessment.
- d) The chair of the relevant committee shall arrange for all related research records and materials to be confiscated immediately and shall send copies of all materials to the respondent.

### **Phase II - Assessment**

- a) The purpose of the assessment is to establish whether it is possible that research misconduct has occurred.
- b) The Chair of the University Ethics Committee (or an ad hoc committee appointed by the Dean of Research and Graduate Studies) shall notify the respondent(s) and the complainant in writing advising them of their obligation to co-operate in the assessment and to observe the confidentiality conditions.
- c) The Assessment Committee shall consist of two individuals who do not have conflicts of interest in the case and have appropriate experience to evaluate the issues. These individuals may or may not be members of the University Ethics Committee. The third member of the Ethics Committee shall be a faculty member with a background in law and enforcement mechanisms. The role of the assessment committee shall be to examine the facts to determine whether there is sufficient evidence of research misconduct to warrant an investigation.
- d) The assessment committee shall interview the complainant, the respondent(s) and key witnesses, and review relevant research records and materials.
- e) The Assessment report shall consist of the evidence reviewed, summaries of the interviews and the conclusion of the assessment, i.e., a recommendation to proceed to a formal investigation or not. Copies of the report shall be submitted to the respondent(s) and the complainant.
- f) The Chair of the Assessment Committee shall inform relevant parties of the decision regardless of whether or not a formal investigation shall proceed.

### **Phase III - Formal Investigation**

- a.) The purpose of the formal investigation is to evaluate all relevant facts to determine whether research misconduct has occurred, in cases where research misconduct

- has been deemed to occur, determine the responsible person(s), and the seriousness of the misconduct.
- b.) The Chair of the Ethics Committee shall notify the complainant and the respondent(s) in writing of the formal investigation and of their obligation to fully co-operate.
  - c.) The investigation committee (four persons) shall be drawn from the Ethics Committee and from the Assessment Committee. The committee shall be appointed by the Dean of Research and Graduate Studies, who will ensure that no conflict of interest arises for any committee member.
  - d.) The formal investigation shall include examination of all documentation including, but not limited to, research data materials, proposals, publications, correspondence, memoranda, and notes of telephone calls.
  - e.) The Investigation Committee shall interview all individuals involved in making the allegations and others who may have key information.
  - f.) The Investigation Committee shall submit a report to the Chair of Ethics Committee. The report shall be made available for comments by the respondent.
  - g.) The respondent shall be granted a meeting upon his/her request to discuss issues relevant to the report. During that meeting the Chair of the Ethics Committee shall be present.
  - h.) If the research misconduct is found to have occurred, the Committee should recommend and what disciplinary actions to be taken to the Chancellor who shall decide on what sanctions are to be implemented.
  - i.) The Chair of the Ethics Committee shall inform the respondent of the final decision and the sanctions to be implemented.

#### **Phase IV - Appeal Process**

- a) Only the respondent can submit an appeal if the decision and/or sanctions resulting from the completion of the formal investigation resulted into an allegation of Research Misconduct. The complainant has no right of appeal.
- b) The person(s) against whom an allegation of misconduct has been substantiated may appeal against the decision and/or sanctions by writing to the Chancellor within 5 working days of receiving the outcome of the formal investigation.
- c) The Chancellor shall convene an Appeal Board consisting of three people and will inform the respondent(s) of the membership of the Board.
- d) The Appeal Board shall be appointed and commence its work within 20 days of the receipt of an appeal by the respondent(s). The Appeal shall normally include examination of all documentation called into question by the respondent. In addition, the respondent may be invited to attend a meeting of the Appeal Board to give oral evidence. Supplementary materials may also be submitted by the respondent(s) in support of the appeal.

- e) The adjudication of an Appeal shall normally be completed within 90 days of its initiation. Within this time, the appeal shall be heard, the investigation shall be concluded, and the report shall be written and shall be made available for comment by the respondent. The report shall then be submitted to the Chancellor.
- f) The Chancellor shall decide on the basis of the Appeal report, whether to endorse, and or overturn the conclusions of the Formal Investigation and/or resultant sanctions.
- g) The Chancellor shall notify the respondent in writing of the outcome of the Appeal Board.
- h) The decision of the Chancellor shall be final.

### **Restoration of Reputations**

In all cases where the respondent to a research misconduct allegation is found to be not guilty of the offense:

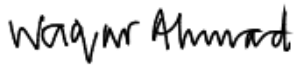
- a) The University shall take all reasonable actions to restore the reputation of the respondent(s).
- b) The University shall consult with the respondent(s) to ensure that appropriate publicity is given to the outcome.
- c) All reference to the matter shall be removed from the respondent's personal file.

### **Exceptions**

For any conditions/circumstances and/or exceptions outside the conditions stated in this policy, a request shall be presented to the Board of Directors for decision.

### **Authorization**

This policy was authorized by the **University Chancellor:**



15 April 2020  
**Date**