

**SCIENTIFIC MISCONDUCT POLICY –
General Standards of Professional Ethics as
Related to Research at McNeese State University**
(adopted 12.4.89; revised 8.6.01)

An underlying principle of all research is the quest for truth. The credibility of such research must be above reproach if the public trust is to be maintained. Any compromise of the ethical standards required for conducting academic research cannot be condoned. While breaches in such standards are rare, these must be dealt with promptly and fairly by all parties in order to preserve the integrity of the research community.

"Misconduct", as used herein, is defined as: (1) fraudulent or improper practice in conducting research or reporting the results of research, including intentional falsification or fabrication of data, plagiarism, or intentional misrepresentation of data collection and analysis; (2) material failure to comply with federal or University requirements affecting specific aspects of the conduct of research, e.g., the protection of human subjects and the welfare of laboratory animals; or (3) serious misappropriation of research funds, including but not limited to diversion of such funds to personal or non-University use. The term "serious misappropriation" as used herein is not contemplated to include minor deviations within budget categories.

- A. Allegations of misconduct should be reported immediately in writing to the Dean of the College in which the incident occurred and in which the accused is employed. All such allegations shall be signed. The confidentiality of those who in good faith report apparent misconduct will be protected to the extent possible.
- B. After consultation with the Vice President for Academic Affairs, the Dean shall conduct a preliminary inquiry (which shall include informal consultation with the accused) into the circumstances of the allegations and determine whether there are sufficient grounds to indicate that these have validity. The Dean shall attempt to complete this initial inquiry within 30 days.
- C. If the Dean finds sufficient evidence to suggest that the allegations may be true, and after consultation with the Vice President for Academic Affairs and the Director of Research Services, the Dean shall appoint an appropriate investigative body to conduct a formal examination and evaluation of all relevant facts to determine whether misconduct has taken place. The appointment of this investigative body shall be left to the discretion of the Dean, subject to the approval of the Vice President for Academic Affairs.
- D. At the time the investigative body is appointed, the Dean shall inform in writing the individual(s) about whom allegations have been made and any involved collaborators that an investigation is to be conducted and shall present to them a statement of the allegations. This statement shall include information on the nature of the allegations and the focus of the investigation and shall inform those being investigated of the opportunity to defend their conduct and provide comments and other relevant information to the investigative body. The same individuals shall be informed of their right to be represented by an attorney in preparing and/or giving their response in this and all subsequent phases of the investigation.
- E. The Dean shall inform the University's Legal Counsel and the chairman of the department of each individual under investigation and of any other department in which the event may have occurred that an investigation is under way. The Dean also shall work with the Director of Research Services to inform the agency sponsoring the research if such action is required by the agency.
- F. The investigative body shall conduct a formal examination and evaluation of all relevant facts to determine if the allegations of misconduct are valid. The investigative body shall use advice of the Legal Counsel on procedures and other matters pertaining to the investigation. The investigative body may call witnesses, examine research data (both published and unpublished), and seek expert counsel both inside and outside the University to aid in scientific audit.

The investigative body shall attempt to complete its investigation within 120 days. All parties involved in the investigation shall strive to maintain confidentiality of information.

Interim administrative actions, as appropriate to the allegations, may be taken prior to the completion of investigation if such actions are necessary to protect the welfare of human or animal subjects of research or to prevent the inappropriate use of funds.

- G. Having completed its investigation, the investigative body shall submit its findings and recommendations in writing to the Dean.
- H. If the investigative body's findings fail to confirm the instance of misconduct, all participants in the investigation, the Vice President for Academic Affairs and the Director of Research Services shall be so informed in writing by the Dean.

If the investigative body has reason to believe that unfounded charges may have been brought with malicious or dishonest intent, the investigative body should recommend consideration of appropriate administrative action.

- I. If the investigative body finds that the allegations are substantiated and the misconduct has occurred, the following actions shall be taken by the Dean after consultation, with the Vice President for Academic Affairs and the Director of Research Services:

1. The agency sponsoring the research shall be informed of the findings of the investigation;
2. Publishers and editors of journals shall be informed if manuscripts emanating from fraudulent research have been submitted or published; and
3. Appropriate administrative action consistent with McNeese State University Governing Regulations and Administrative Regulations should be taken against those faculty and postdoctoral scholars directly involved in the misconduct. If staff personnel are involved, sanctions shall be consistent with the policies set forth in the McNeese State University Governing Regulations and Administrative Regulations, and/or Code of Student Conduct, as determined applicable. If undergraduate students are involved, sanctions shall be consistent with the policies set forth in the Code of Student Conduct.