



**Title:** Principles for Investigation of Misconduct in Research Policy  
**Effective Date:** March 14, 2024  
**Issuing Authority:** Provost  
**Policy Contact:** Senior Vice Provost for Research  
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## Purpose

The validity of scientific research is based on the implicit assumption of honesty and objectivity by the scientist and on the premise that research data can be verified. An academic institution and its faculties must uphold this principle and maintain the public's trust in the research process. The institution's primary responsibility is to create and maintain an academic environment that fosters ethical behavior in research and serves to prevent misconduct in research.

## Scope

This policy applies to all Mercer University students and employees who conduct research.

## Exclusions

None

## Definitions

As used in this policy, the following term(s) have the meaning specified below:

**Misconduct in Research:** the following acts committed by faculty, staff, and students at Mercer University:

- The commitment of fraud in research. This includes: the intentional fabrication or falsification of research data, the theft of research methods or data from others, or the plagiarizing of research publications.
- The willful or intentional violation of Mercer University's research policy. This includes: the failure to obtain proper approval by the responsible University compliance review committee for research that involves recombinant DNA, biohazardous substances, human subjects, animal subjects, radioactive materials or other (extremely) hazardous chemicals; or the failure to follow rules and/or guidelines made by the responsible University compliance review committee concerning research subjects, materials, or procedures.

- The condoning of fraud in research or violations of University research policy. This includes failure on the part of a member of the university to notify the administration that misconduct in research has occurred and/or failure to cooperate in an investigation of alleged misconduct.

## **Policy Statement**

### **Principles**

- A. Evidence of misconduct in research should be reported immediately to the department chair. A careful review of all research conducted by the accused shall be implemented as described in the Guidelines (below).
- B. Care should be taken to protect the rights of the accused during the course of the investigation. The rights of the accused include:
  - Confidentiality
  - Right to confront the accuser
  - Right to be fully informed of the allegations
  - Right to present evidence
  - Right to appeal
- C. In cases where misconduct cannot be documented by investigation, all reasonable efforts should be undertaken to restore the reputation of the accused individual.
- D. Appropriate action should be taken against any individual who is determined to have acted in a malicious or intentionally dishonest manner in the course of leveling charges of misconduct that proves subsequently to be unfounded.
- E. In cases where misconduct is documented by investigation, is substantial in nature, and appears to threaten the institution's reputation, the administration should request an investigation by an external committee of scientists who hold no affiliation with the University.

### **Guidelines**

- A. Allegations of misconduct in research should be reported to the chair of the department in which the investigator is working. The allegation must include the name(s) of those suspected of involvement in research misconduct as well as the evidence that supports the allegation. If the accused is a department chair, the accusation shall be made to the Dean of the school or college, and all functions mentioned hereafter for the department chair shall be performed by the Dean or his/her designee.

- B. The department chair should immediately notify the Dean and then, in consultation with two colleagues, perform a preliminary examination of the allegation in an expeditious manner. The department chair should submit a written report to the Dean indicating whether a basis to support the allegation has been established.
- C. If the department chair's report cites no evidence to support the allegation, the Dean should terminate the case with no public disclosure and no entry into the personnel file.
- D. If the department chair's report establishes a basis for the allegation, the Dean should request the accuser put the charges in writing and the Dean should notify the accused. When the written allegation is submitted, the Dean should appoint an ad hoc Investigative Committee. The Provost and the President of the University should be notified. The accused and collaborators should be provided with a written description of the charges and should be required to provide the Investigative Committee with all pertinent research records and documents.
- E. The Dean, in consultation with the department chair, should act to withhold all pending abstracts and manuscripts that are related to the research under investigation.
- F. The Dean may suspend the accused at any time during the investigation, but only if the Dean determines that serious harm to the accused or others would be caused by his/her continuance. Suspension under these circumstances means to relieve the accused of all duties in the University without interruption of salary or benefits.
- G. The Investigative Committee should report in writing to the Dean. The report should include: the allegations of misconduct; the procedure followed by the investigation; a summary of all data, records, documents, and interviews that were evaluated or obtained by the Committee; conclusions as to whether misconduct in research has occurred; and a statement concerning any other matters deemed important by the Committee.
- H. If the Investigative Committee finds insufficient evidence of misconduct, the accused and collaborators should be notified, and the case closed with no record in the personnel file. The Provost and the President of the University should be promptly notified of the Investigative Committee's conclusions and the Dean's action.
- I. If the Investigative committee finds that the preponderance of evidence substantiates misconduct in research, the Dean should notify the Provost and the University President. The Dean should take appropriate actions regarding external agencies and institutions as follows:
  - 1. Any sponsoring agency(ies) should be notified of the findings of the investigation and arrangements for appropriate restitution should be established.
  - 2. All pending abstracts and papers emanating from the fraudulent research should be

- withdrawn, and editors of journals in which previous abstracts and papers appeared should be notified.
3. Institutions and sponsoring agencies with which the individual has been affiliated should be notified if there is reason to believe that the validity of previous research might be questionable.
  4. The President, the Provost, and the Dean should consider, in consultation with legal counsel, the release of information about the incident to the public press, particularly when public funds were used in supporting the fraudulent research.
- J. In cases where serious misconduct in research is demonstrated, and, in particular, where granting agencies, inter-institutional collaborative studies, and/or journal publications are involved to a significant degree, the Dean, in consultation with the Provost and the President, may request an investigation by a second committee comprised of scientists who have no affiliation with the University.
- K. The accused has the right to appeal the decision of the Investigative Committee to the President of the University. The grounds for appeal should be a) improper procedure; or b) evidence not considered by the Investigative Committee. The President, in consultation with the Dean, may appoint an ad hoc Appeals Committee which should not include members of the original Investigative Committee.
- L. The Appeals Committee should determine whether there were irregularities in the proceedings and whether there is substantive new evidence in favor of the accused.
- M. The Appeals Committee should report in writing to the President:
1. If the Appeals Committee determines that the original investigation was procedurally regular and/or that there is no substantive new evidence, the Committee can recommend that the appeal be denied.
  2. If the Appeals Committee ascertains evidence of procedural irregularities in the original investigation, or agrees that substantive new evidence exists, the Committee can recommend reinvestigation by the same Investigative Committee (in the case of substantive new evidence) or by a new Investigative Committee (in the case of procedural irregularities).
- N. At the conclusion of the proceedings provided hereunder, the Provost and the Dean, in consultation with the President, shall take appropriate action. If misconduct or unethical behavior is found, sanctions may be imposed up to and including dismissal.

## **History**

Revised July 2021

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