

Statement By Professor Joseph Rosse, Director, CU-Boulder Office of Research Integrity - March 24, 2005

NOTE: Professor Rosse will serve as spokesperson on issues related to the work of the Boulder campus Standing Committee on Research Misconduct. For answers to general questions about the processes involved in investigating alleged research misconduct, he may be reached at 303-735-5809.)

Research misconduct is one of the most serious allegations that can be brought against a faculty member, because it strikes at the very heart of integrity and public trust so crucial to the mission of a university.

At the University of Colorado, responsibility for investigating such allegations is properly assigned to the faculty. We take on this duty with full understanding of its critical role in preserving confidence in the university and its entire faculty. We are committed to conducting a thorough and fair investigation, with due process consistent with university policies.

Summary Of Research Misconduct Process

Systemwide Policy

- CU-Boulder's procedures for addressing research misconduct are in keeping with the systemwide Administrative Policy Statement on "Misconduct in Research and Authorship"(see <http://www.cusys.edu/policies/Academic/misconduct>).

- This policy applies to all faculty, students, administrators and staff on all of the University's campuses who are engaged in research, whether or not it is externally funded.

- In the policy statement noted above, research misconduct includes:

- Fabrication, falsification, plagiarism and other forms of misappropriation of ideas

- Failure to comply with federal requirements related to protecting researchers, human subjects, the public or laboratory animals

- Failure to meet other material legal requirements of research

- Failure to comply with established standards regarding author names on publications

- Retaliation against a person who provided information about alleged misconduct

Campus Implementation of System Policy

- Under the research misconduct policy, each campus is required to establish a Standing Committee on Research Misconduct to carry out the provisions of the policy (see campus procedures at <http://>

www.colorado.edu/Academics/research_misconduct_rules.html).

- The Boulder campus Standing Committee includes faculty from each of the colleges and schools at CU-Boulder, as well as representatives from the Boulder Faculty Assembly and Staff Council, and a student representative.
- The Boulder campus also has established an Office of Research Integrity, reporting to the Vice Chancellor for Research, that assists in the implementation of the systemwide policy.
- Procedures for pursuing research misconduct allegations may include four stages:
 - Receipt of allegations
 - An inquiry to determine if the allegations warrant further investigation
 - When warranted, an investigation to gather and examine evidence
 - A formal finding and appropriate disposition of the allegations
 - All information related to research misconduct proceedings is kept confidential, in accordance with statutory and University policy requirements.

Procedures for Preliminary Inquiry

- After receiving a written allegation of misconduct, the campus Standing Committee on Research Misconduct gathers information to determine whether a full investigation is warranted. The Standing Committee may choose to designate a sub-committee, called an Inquiry Committee, to conduct the preliminary inquiry.
- The Inquiry Committee may interview the complainant to determine whether further inquiry is warranted.
- The committee notifies the respondent in writing that an inquiry is to be conducted, outlines potential consequences of misconduct, and informs the respondent of his or her due process rights.
- The Inquiry Committee then conducts a preliminary fact-finding inquiry and determines within 60 calendar days whether or not a full investigation is warranted.
- During the preliminary inquiry, the Inquiry Committee may interview or obtain written statements from relevant parties and examine documents or other exhibits.
- The Inquiry Committee prepares a written report summarizing interviews conducted, evidence reviewed and the conclusions of the inquiry, which is submitted to the Standing Committee for action.
- The respondent receives a copy of the inquiry report and is allowed to make comments for the record.

Procedures for a Full Investigation

- If a full investigation is warranted, the Standing Committee names an Investigative Committee, charged with conducting a thorough review.

- The review is to be initiated within 30 days of completion of the preliminary inquiry.
- A time schedule is established that will permit an adequate investigation to be completed within 120 calendar days of its initiation.
- The Investigative Committee conducts the investigation as expeditiously and thoroughly as possible, consulting with individuals both inside and outside the University.
- At the conclusion of the investigation, the Investigative Committee may reach one of the following decisions:
 - A finding of misconduct
 - A finding of no culpable conduct, but serious research error
 - A finding of no misconduct and no serious research error
- After completion of the investigation, the Investigative Committee reports its findings to the Standing Committee.
- The respondent may make comments on the report, which are included in the final report.

Actions Following the Standing Committee's Final Report

- The Standing Committee reviews the report of the Investigative Committee and notifies the respondent, the complainant, and the appropriate dean and vice chancellor of the outcome.
- If research misconduct is found, the Standing Committee may recommend to the appropriate dean and vice chancellor possible disciplinary action, policy change or other action designed to prevent similar misconduct in the future.
- The committee also may determine whether the respondent's reputation has been unjustly damaged by the investigation and, if so, suggest efforts to repair that damage.
- The relevant dean or vice chancellor is responsible for ensuring that any disciplinary action is consistent with University policies and due process.
- The dean or vice chancellor responds to all recommendations for changes in policy and procedures made by the committee.

Possible Consequences of Misconduct

- Disciplinary action may be taken only in accordance with University rules and procedures for faculty, staff, students or administrators.
- Potential sanctions range from warning to dismissal. Examples of disciplinary action include reprimand, reduction in pay, suspension and dismissal.
- Misconduct involving faculty may require involvement of the University's Committee on Privilege and Tenure, following completion of the research misconduct process.
- If any form of discipline is imposed, the respondent may choose to pursue a hearing before the Committee on Privilege and Tenure.

Standing Committee on Research Misconduct
Membership
Arts & Sciences
Russell Moore, Professor
Kinesiology and Applied Physiology
Cortlandt Pierpont, Professor
Chemistry & Biochemistry
Business
Sanjai Bhagat, Professor
Leeds School of Business
Education
Steven R. Guberman, Associate Professor
School of Education
Engineering
Ron Pak, Professor
Civil Engineering
Journalism/Mass Communication
Bella Mody, Professor
School of Journalism and Mass Communication
Law
Richard Collins, Professor
School of Law
Music
Judith Glyde, Professor
College of Music
Boulder Faculty Assembly (BFA) Representative
Uriel Nauenberg, Professor
Department of Physics
Staff Council
Linda Morris, Assistant
Office of Associate Vice Chancellor for Graduate Education/
Research
Graduate Student
Tind Shepper Ryen ("Shep")
United Government of Graduate Students Representative
Associate Vice Chancellor Designate
Joseph Rosse, Director (SCRM Chair)
Office of Research Integrity