

# University of Illinois Policy and Procedures on Academic Integrity in Research and Publication

## I. INTRODUCTION

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University personnel assure quality and integrity in their research and publications primarily by self-regulation, by adherence to individual ethical codes and professional standards, and by reference to the traditions and collegiality that characterize research institutions. This document articulates University policy on academic integrity in research and publication, and prescribes procedures for impartial fact-finding and fair adjudication of allegations of academic misconduct. Although it focuses upon deterring and penalizing unacceptable conduct, its purpose is to promote compliance with the highest scholarly standards.

A variety of informal practices exists within the University for addressing questions and controversies that may arise concerning the conduct of scholarly activities. Most problems are and should be handled by reasoned discussion or informal mediation at the level of University organization closest to the persons involved. It is nevertheless incumbent upon a research university both to articulate its policies on academic integrity and to provide effective procedures for institutional treatment of incidents of academic misconduct that cannot be handled satisfactorily by informal or mediational procedures.

Many professional associations have ethical codes and guidelines for the conduct of research; University personnel are expected to comply with such standards. Violations of professional standards are a matter for peer review and censure; in some instances, they may become grounds for University disciplinary action as well.

University staff members in leadership or supervisory positions have a special obligation to foster academic integrity in their relationships and in their work. By virtue of their positions, they are mentors. Their examples of fastidious compliance with ethical standards, their exercise of supervisory responsibility for the work of senior and junior associates, and their good judgment in resisting assignments in which the number of reporting investigators or volume of work is more than can be supervised carefully, will be observed and followed.

## II. GENERAL PROVISIONS

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### A. Coverage

This policy and these procedures apply to all members of the academic and administrative staffs of the University. Codes of student conduct (UIC—Student Handbook; UIUC—Code on Campus Affairs and Handbook of Policies and Regulations Applying to All Students) govern matters of academic misconduct by students.

### B. Oversight Authority

The Vice-Chancellors for Research have primary responsibility for fostering academic integrity and for disseminating information about good research practices.

### C. Research Standards Officer

Each Vice-Chancellor for Research (VCR) will appoint a Research Standards Officer (RSO) who will be primarily responsible for the correct observance of the procedures set forth in this document. An RSO will be a tenured faculty member or an administrative officer who is well qualified to deal with procedural requirements and is sensitive to the varied demands to which those who conduct research must respond.

### D. Confidentiality

The Research Standards Officers, the Unit Executive Officers, the Deans, and all other persons involved in administering these procedures will make diligent efforts to protect the academic reputations and positions of persons who in good faith report suspected academic misconduct and persons against whom are made allegations that are determined to be unfounded. All of the procedures and the identity of those involved should be kept confidential to the extent permitted by law. However, confidentiality need not be maintained if the complaint is maliciously motivated and found to be false. Protection of confidentiality does not preclude disclosures that are necessary in the process of handling allegations of misconduct, are in the public interest, or are a component of sanctions and/or corrective action in the resolution of allegations of academic misconduct.

### E. Academic Freedom

It shall be a prime concern of all persons who implement this policy and these procedures to protect the policies of academic freedom and tenure that are fundamental to the academic enterprise. Academic freedom affords no

license for the academic misconduct described in Part III.

### III. UNIVERSITY POLICY DEFINITION OF ACADEMIC MISCONDUCT

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All members of the University community are expected to observe high standards of academic integrity and ethical behavior in research and publication. Any practice or conduct by a member of the University community that seriously deviates from those ethical standards for proposing, conducting, and publishing research that are commonly accepted within the professional community constitutes academic misconduct in violation of University policy. Academic misconduct includes, but is not limited to

1. fabrication or falsification of data, including intentionally misleading, selective or deliberately false reporting of credentials or other academically related information;
2. unacknowledged appropriation of the work of others, including plagiarism, the abuse of confidentiality with respect to unpublished materials, or misappropriation of physical materials;
3. evasion of, or intentional failure after notice by the University or Federal, State or other appropriate agency to comply with research regulations or requirements, including but not limited to those applying to human subjects, laboratory animals, new drugs, radioactive materials, genetically altered organisms, and to safety; and
4. other conduct which seriously deviates from accepted ethical standards in scholarship.

Differences of interpretation or judgment, or honest error, do not constitute academic misconduct.

### IV. PROCEDURES

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#### A. GENERAL

The procedure for handling allegations of academic misconduct is separated into two stages: an Inquiry to determine whether there is sufficient credible evidence to justify an investigation; and, in those instances in which the Inquiry yields sufficient evidence, an Investigation to make definitive findings of fact and reach conclusions as to whether a Respondent has committed academic misconduct.

1. **Central Administration Persons.** Allegations concerning a member of the staff of a unit of the Central Administration should be transmitted to the Office of the Vice-President for Academic Affairs. The Vice-President will discharge the responsibilities assigned herein to a Unit Executive Officer (UEO), Dean, Vice-Chancellor, and Chancellor in cases involving campus persons, except that if the Respondent is a member of a unit that has a director, the director will discharge the duties assigned to the Unit Executive Officer.

The Vice-President may request that, on an *ad hoc* basis, one of the Research Standards Officers perform the functions assigned to that officer in cases involving campus persons. All other procedures shall be the same as those provided for campus persons.

2. **Procedural Responsibility of RSO.** The Research Standards Officer will have primary responsibility for compliance with procedures and notice requirements mandated by applicable laws and regulations or by external sponsors of research. The RSO also will assist Inquiry Teams, Investigating Panels and all University personnel to comply with these procedures and with applicable standards imposed by government or external funding sources. During the course of an Inquiry and an Investigation, the RSO will provide information about the status of the proceedings to, and respond to inquiries from, the Unit Executive Officer and the Respondent. The responsibilities assigned to the RSO shall not be deemed to constitute rights of the Respondent.

The Research Standards Officer will maintain a file of all documents and evidence, and is responsible for

the confidentiality and the security of the file. All information and items furnished will be made available to any Inquiry Team or Investigation Panel that may be appointed.

3. **Consultation.** The RSO may consult University Legal Counsel at any time. The Respondent may consult the Faculty Advisory Committee, the Professional Advisory Committee, the Senate Committee on Academic Freedom and/or private counsel, and may be accompanied by an advisor/counsel of choice at any interview or hearing for the purpose of providing advice to the Respondent.
4. **Conflict of Interest.** If any administrator has a conflict of interest in a case (*i.e.*, has significant involvement with the individuals or the facts that are the basis of the case), that administrator will be replaced for that case. A person who has such a conflict is responsible for informing the RSO; if the RSO has such a conflict, the RSO will inform the Vice-Chancellor for Research.
5. **Expedition; Procedural Changes.** All procedures prescribed in this document should be conducted expeditiously. After consultation with the Research Standards Officer and the Respondent (if feasible), the Chancellor for good cause may extend any of the time periods, and may make other reasonable alterations of the procedures set forth in this document, provided that the changes do not infringe upon a Respondent's rights or impair the ability to defend.

## B. INITIATION OF PROCEDURES

Any member of the University community who becomes aware of academic misconduct in research or publication (the Initiator) is obligated to report the incident or practice, and provide all relevant information or evidence, to the Executive Officer of the unit in which the person alleged to have committed the misconduct (the Respondent) holds principal appointment, or to the Research Standards Officer, each of whom will notify the other promptly.

If an allegation of academic misconduct by a University staff member originates outside the University, it shall be channeled to and through the Unit Executive Officer and the Research Standards Officer.

1. **Transmission to Dean.** Unless the report or allegation of academic misconduct is clearly frivolous or mistaken, the Unit Executive Officer, with the assistance of the RSO, will bring the matter to the attention of the Dean (or equivalent administrator hereafter included in the term "Dean") to whom the Unit Executive Officer reports.
2. **Decision by Dean.** Within 15 calendar days after the matter has been brought to the Dean's attention by the RSO, the Dean, after consultation with the RSO and the Unit Executive Officer, will determine whether there is sufficient evidence to warrant an Inquiry.

If the Dean decides that the matter is not to be pursued further, the RSO will make sure that all reference to the matter is expunged from the Respondent's personnel file. The Respondent, the Initiator and all persons who have been interviewed or otherwise informed of the charge shall be notified in writing of the nature and disposition of the allegation.

3. **Interim Administrative Action.** At any time after an allegation of academic misconduct has been made and before final disposition of the case, the Research Standards Officer or the Dean, with the approval of the Chancellor, may take interim administrative action required to protect the health and safety of research subjects or patients, to protect the interests of students and colleagues, to preserve evidence, or to protect resources. Any interim action should be devised and taken so as to create minimal interference with the regular activities of the Respondent and others, and in accord with the University Statutes.
4. **Criminal Activities.** If any criminal activities are discovered during an academic integrity Inquiry or Investigation, the Office of University Counsel shall be notified; however, the Inquiry or Investigation should not be suspended.

## C. INQUIRY

The purpose of an Inquiry is to determine whether there is sufficient credible evidence of academic misconduct to

warrant a full-scale Investigation.

1. **Appointment of Inquiry Team.** If the Dean decides that an Inquiry should be conducted, the Dean, in consultation with the RSO, will appoint an Inquiry Team consisting of individuals who have no conflicts of interest in the case, are unbiased, and have appropriate qualifications to judge the issues raised. Whenever feasible, the Inquiry Team shall consist of one faculty member or academic professional from the unit in which the Respondent holds a primary appointment, or in which the activity in question has been conducted; and one faculty member or academic professional from elsewhere within the University. The Dean may appoint a faculty member or an academic professional from elsewhere in the University as a third member of the Inquiry Team. Any exception to the designated composition of the Inquiry Team shall be made only for good cause and with the approval of the Chancellor.
2. **Notification of Respondent.** Upon initiation of the Inquiry, the RSO will notify the Respondent in writing of the allegations and the membership of the Inquiry Team; will transmit a copy of this document; and will notify the Respondent of the right to consult the Faculty Advisory Committee, the Professional Advisory Committee, or the Senate Committee on Academic Freedom and Tenure and private counsel. The RSO shall inform the Respondent of the Respondent's right to submit a written response to the allegation. The RSO shall explain to the Respondent the obligation and the advantages of full cooperation in providing information and materials relevant to the Inquiry/Investigation of the allegation. The RSO shall notify the Respondent of the obligation and the right to provide the Inquiry Team with pertinent evidence and of the ability to challenge a member of the Team for failure to meet the criteria set forth above. The RSO shall inform the Respondent that unreasonable refusal to supply relevant materials or other uncooperative behavior violates the policies underlying this document.
3. **Challenge.** If the Respondent makes a prompt, reasonable, written objection that any of the persons appointed fails to meet the criteria stated above, the Dean shall replace the challenged person with another person who meets the stated criteria. The decision of the Dean whether the challenge is prompt and reasonable shall be final.
4. **Agreed Statement of Facts.** If the Respondent in written response agrees with the facts alleged, that may be the basis for a decision whether there should be an Investigation in lieu of the continuation of the Inquiry. The Agreed Statement of Facts will serve as the Inquiry Report.
5. **RSO Assistance to Inquiry Team.** The RSO shall convene the first meeting of the Inquiry Team, review the allegations and describe appropriate procedures for conducting an Inquiry. The RSO should be present throughout the Inquiry to advise the Team.

#### D. THE INQUIRY REPORT

1. **Time Limit for Report.** The Inquiry Team shall complete the Inquiry and submit its Report in writing no more than 30 calendar days after the date the Team is appointed. If the Chancellor approves an extension of this time limit, the reason for the extension will be entered in the Report and the Respondent will be notified of the extension.
2. **Contents of Inquiry Report.** The Report of the Inquiry Team shall be drafted with the assistance of the RSO. It shall contain both findings of fact and descriptions of the evidence upon which the findings are based, and recommendations as to whether there is sufficient credible evidence of academic misconduct to warrant a full-scale Investigation. If the Report recommends that an Investigation be conducted, it may propose subject matter to be included in the Investigation.
3. **Distribution of Report.** The Report will be delivered to the Dean who will transmit it promptly to the RSO for inclusion in the file. The RSO will deliver a copy of the Report to the Vice-Chancellor for Research and to the Respondent.
4. **Comment by Respondent.** If the Inquiry Team recommends that an Investigation be conducted, the Respondent may, within 10 calendar days of receipt of a copy of the Report, file written comments on the Report with the Vice-Chancellor for Research.
5. **Decision by Vice-Chancellor for Research.** Within 10 calendar days after receiving both the Report and the written comments of the Respondent, if any are made, the Vice-Chancellor for Research, after consulting with the Dean, the UEO, the Inquiry Team and the RSO, shall determine whether to conduct an Investigation, to drop the matter, or to take some other appropriate action.

If the Vice-Chancellor for Research decides that the matter is not to be pursued further, the RSO will make sure that all reference to the matter is expunged from the Respondent's personnel file. The

Respondent, the UEO, the Initiator and all persons who have been interviewed or otherwise informed of the charge shall be notified in writing that the charges have been dropped.

If the Vice-Chancellor decides that an Investigation shall be conducted, the RSO will notify the Respondent and the Initiator in writing, and remind them of their obligation to cooperate in the conduct of the Investigation. Also, the RSO will notify appropriate campus administrators, including the Chancellor, the Vice-Chancellor for Academic Affairs, the Dean, and the Executive Officer of the unit in which the Respondent holds primary appointment; appropriate collaborators of the Respondent in the work; external funding agencies; and appropriate governmental offices.

## E. INVESTIGATION

The purpose of an Investigation is to make an official determination of whether the alleged academic misconduct did occur, and to consider appropriate sanctions when the finding is in the affirmative.

1. **Subject Matter of the Investigation.** The Vice-Chancellor for Research, after reviewing the Report of the Inquiry Team, shall define the subject matter of the Investigation in a written charge to the Investigation Panel. If during the Investigation, additional information that substantially changes the subject matter of the Investigation should come to the attention of the Panel, the Panel will notify the Vice-Chancellor for Research. The VCR will determine whether the Panel should continue its investigation with the original subject matter, or with altered subject matter; or whether to initiate a new Investigation based upon the altered subject matter indicated by the Panel.
2. **Appointment of Panel.** Within 15 calendar days after the Respondent has been notified that an Investigation will be conducted, the Vice-Chancellor, after consulting with the RSO, shall appoint an Investigation Panel consisting of persons who have no conflicts of interest with the Respondent or in the case in question, are unbiased persons of judicious temperament, and have academic backgrounds that qualify them to understand and judge the subject matter of the alleged academic misconduct. A Panel shall consist of three persons, each of whom shall be a faculty member or an academic professional; at least one shall be a faculty member. Whenever feasible, it will include one person from the unit in which the Respondent holds primary appointment, one faculty member from elsewhere in the University, and one peer professional from outside the University. No member of the Inquiry Team may serve on the Investigation Panel. The University faculty member who is not from the unit in which the Respondent holds primary appointment will chair the Panel.
3. **Challenge.** The Respondent may challenge any member of the Panel on the ground that the person does not meet the criteria stated above by delivering a prompt, reasonable, written objection to the RSO for transmission to the VCR. If the objection is prompt and reasonable, the Vice-Chancellor shall replace the person with one who meets the stated criteria. The decision of the VCR whether the challenge is prompt and reasonable shall be final.
4. **RSO Assistance to Panel.** The RSO shall convene the first meeting of the Panel to review the allegations, the report of the Inquiry Team, and the prescribed procedures. The RSO should be present at all meetings throughout the Investigation to advise the Panel as to available and appropriate investigatory methods, assure procedural compliance, and provide staff support to the Panel.
5. **Rights of the Respondent During the Investigation.** The rights of the Respondent shall be listed in the form of a written notice or letter from the RSO to the Respondent. The Respondent has a right to:
  - a. Notice of the identity of the persons appointed to the Panel.
  - b. A written statement of the Investigation Panel's charge (the subject matter of the Investigation). If additional information emerges during the Investigation that substantially changes the subject matter of the Investigation, the Respondent shall be informed promptly in writing.
  - c. An opportunity to submit statements in writing and to meet with the Panel to present information and respond to the subject matter of the Investigation.
  - d. The presence of private legal counsel or another advisor of choice at the meeting with the Panel, for the purpose of providing advice to the Respondent.
  - e. An opportunity to review and respond to the Panel's final Report.

## F. REPORT OF THE INVESTIGATION PANEL

1. **Contents of the Investigation Panel Report.** Within 120 calendar days of notice to the Respondent of its appointment, the Panel shall present its Report in writing to the Vice-Chancellor for Research. The Report shall generally describe the investigative process. The Report shall make an explicit finding of fact with respect to each allegation included in the Investigation Panel's charge, and list the evidence relevant to that finding. The Report shall then state the Panel's conclusions as to whether any of the proven allegations constitutes a violation of academic integrity.

If the Panel's Report concludes that one or more violations have been substantiated, the Report may recommend what sanctions, if any, should be imposed upon the Respondent and what corrective action, if any, should be taken.

2. **Comments by the Respondent.** The Report shall be transmitted by the RSO to the Respondent. The Respondent may submit written comments within 10 calendar days of receipt of the Report. Any such comments shall be transmitted by the RSO to the VCR.
3. **Transmission of Report to Chancellor.** The VCR shall promptly transmit the Report, together with the comments of the Respondent, if any, to the Chancellor, with the VCR's recommendations.
4. **Action by the Chancellor.** The Chancellor, after consultation with the Dean, the Vice-Chancellor for Research, and the Vice-Chancellor for Academic Affairs, shall determine what disposition to make of the case. The determination shall be communicated to the Respondent promptly.

If the Chancellor determines that the allegations have not been proved, the case will be disposed of as provided for in Section IV D 5 above, and the RSO will notify the Respondent, the Initiator, the Unit Executive Officer and all persons who have been interviewed or otherwise informed of the charges that the charges have been dropped.

If the Chancellor concurs with the Panel's conclusion that misconduct has been proven and determines that a sanction should be imposed, the Chancellor will proceed in accordance with the University Statutes and relevant University rules and regulations. Whether or not sanctions are imposed, the Chancellor may prescribe corrective action responsive to the alleged misconduct and take other appropriate action. The Research Standards Officer shall notify the Dean and the Unit Executive Officer of sanctions imposed and/or other actions taken.

## G. APPEAL

The Chancellor is the final adjudicator of all allegations of academic misconduct that arise at the campus level, subject only to an appeal to the President of the University on procedural grounds.

Within 14 calendar days of receipt of written notification of the Chancellor's determination, the Respondent may appeal to the President of the University on the sole question of whether the procedures prescribed in this document have been followed correctly. The appeal must be filed in writing and must specify the nature of the procedural error. The President shall issue a decision within 30 calendar days, either affirming or vacating the Chancellor's determination in whole or in part based on whether fundamental fairness was denied to the Respondent.

## H. NOTIFICATIONS.

The Chancellor will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which deceptive reports may have been published, collaborators of the Respondent in the work, or other concerned parties, including the Initiator, should be notified of the outcome of a case. The Research Standards Officer will be responsible for compliance with all requirements for notification of funding or sponsoring agencies.

## **I. TERMINATION OF UNIVERSITY EMPLOYMENT**

The termination of University employment of the Respondent, by resignation or otherwise, after initiation of procedures under this policy, will not terminate academic misconduct procedures. Inquiries and Investigations may be conducted, and appropriate internal and external notifications of the proceedings and of their outcome will be made.

## **J. MALICIOUS CHARGES**

Bringing unfounded charges motivated by malice constitutes a violation of the purposes and standards for ethical conduct that underlie this document. Where relevant, the Inquiry Team's Report and the Investigation Panel's Report each will state explicitly whether there was a reasonable basis in fact and honest belief for making charges. If either Report should determine that the making of the original charges or the testimony of any person was maliciously motivated, that finding shall be communicated to the Chancellor. The Chancellor may enter a finding of malicious conduct in the person's personnel file and communicate the finding to the person's Unit Executive Officer. Such a finding may be the basis for disciplinary action or other personnel decisions in accordance with University rules and regulations.

## **K. DISPOSITION OF FILE**

After termination of a case and all ensuing related actions, the Research Standards Officer shall prepare a complete file, including the original records of all proceedings conducted by the Inquiry Team and the Investigation Panel, and copies of all documents and other materials furnished to the RSO or to those bodies. The RSO shall seal the file and retain it for three years. Access to the materials in the file shall be available only upon authorization of the Chancellor for good cause, such as court process, legally binding demand by external agency, or the involvement of the same subject matter in subsequent Academic Integrity procedures initiated by or against the Respondent.

The Research Standards Officer shall return all original documents and materials to the persons who furnished them.

After three years, the RSO will destroy the file unless the RSO makes a written finding that there is good reason to retain the file. The writing will state explicitly the reasons why and the period during which the file is to be maintained, and will be entered in the file. The Respondent shall receive either a notice that the file has been destroyed, or a copy of the written finding that the file will be retained.