

Policy for Research Integrity

1. Statement of Authority and Purpose

This policy is promulgated by the Board of Trustees pursuant to the authority conferred upon it by §23-41-104(1), C.R.S., to set forth a policy to assure integrity in research and the proper reporting and resolution of complaints alleging research misconduct at Mines. This policy reflects Mines' intent and commitment to foster a research environment that promotes the responsible conduct of research, and requires adherence to the highest standards of integrity in the proposing, conducting and reporting of research. As a recipient of federal research funds, Mines must have institutional policies and procedure in place to handle allegations of research misconduct. The following policy and associated procedure conform to pertinent federal regulations, including the Public Health Service (PHS) regulations at 42 Code of Federal Regulations, Part 93. While 42 CFR 93 applies to all individuals who may be involved with a project supported by or who have submitted a grant application to the PHS, this policy applies to all members of Mines' community engaged in research, regardless of the funding source.

2. Policy

A. General Policy Statement

Mines upholds research integrity through training and education, and by investigating and resolving allegations of research misconduct. Mines provides research integrity training to all researchers, regardless of the source of funding. Members of the Mines community may opt for research integrity education, in the form of substantive workshops or through credit-bearing research ethics courses that have been approved by the Ethics Across Campus Committee (EAC) and the Vice President for Research and Technology Transfer.

Misconduct in research represents a breach of the policies of Mines, the standards expected by our research sponsors and entrusted to us by the public, and the expectations of scholarly communities for accuracy, validity, and integrity in research. Such misconduct tarnishes the reputations of honest researchers and universities, as well as diminishes public confidence in research results. Any allegation of research misconduct is, therefore, a matter of serious concern to this institution. The highest standards of honesty, integrity, and ethical behavior are expected of all Mines personnel and students involved in research and scholarly activity. Further, maintenance of public trust in these standards is the responsibility of all members of the university community, including faculty, administrators, staff members, and students. Mines maintains an environment that fosters adherence to the ethical standards set forth in this policy, and provides effective means for addressing deviations from these standards.

All Mines personnel and students involved in research and scholarly activity are subject to this policy, and expected to be aware of and to comply with all of Mines' applicable

policies and procedures, as well as the requirements and regulations of outside funding agencies. This policy will specifically address research integrity and research misconduct. The latter is defined as fabrication, falsification, plagiarism, or other significant departures from commonly accepted practices within the relevant research community in proposing, performing or reviewing research, or in reporting research results. Mines will properly assess, inquire into and, if necessary, investigate and resolve promptly and fairly all allegations of research misconduct, and comply with research sponsor requirements for reporting allegations of possible research misconduct.

Any member of Mines' community has an ethical responsibility to act if he or she suspects research misconduct has occurred. Appropriate actions may include discussing concerns with or reporting allegations to one's Department Head or Dean, or Mines' Research Integrity Officer ("RIO"), Vice President for Research and Technology Transfer ("VPRTT") or Provost. Further, members of Mines' community are obligated to cooperate with and provide evidence relevant to an allegation of research misconduct to appropriate university officials and employees who are directed to conduct an inquiry or investigate such allegations.

Mines' inquiry and investigative process shall include expeditious fact-finding and objective peer review in a setting of appropriate due process that is characterized, at a minimum, by prompt notification to the individuals whose behavior is the subject of a complaint, protection of the rights of all participants, and the imposition of appropriate sanctions for policy violations. In the event it is determined that research misconduct has occurred, appropriate sanctions may include, but are not limited to one or more of the following: oral or written reprimand; removal from the subject project; monitoring of future work; probation; suspension; salary or rank reduction; termination of employment or appointment; or expulsion. Since a charge of misconduct, even if unsubstantiated, may damage an individual's career, any such charge must be resolved in a prudent and circumspect manner, consistent with the duty to thoroughly and fairly resolve each complaint. Retaliation in any form shall not be permitted against an individual who has filed a complaint in good faith or cooperated in the investigation of a complaint hereunder.

B. Scope

The policy and related procedure are intended to satisfy Mines' responsibilities under the Federal Research Misconduct Policy and related regulations, codified at 42 CFR Part 93. This policy applies to all individuals engaged in university research and scholarship at Mines, regardless of the funding source. Mines' policy and related procedure apply only to research misconduct that is alleged to have occurred within six years of the date Mines or the funding agency receives an allegation. This time limitation is subject to the exceptions in 42 CFR § 93.105(b).

3. Definitions

For the purpose of this policy, the following definitions apply, and terms used have the same

meaning as given them in the PHS Policies on Research Misconduct and pertinent federal regulations, codified at 42 CFR Part 93.

A. Research Personnel

Any persons who are employed by, are agents of, or are affiliated by contract, agreement or, in the case of students, enrollment status with Mines, and who are engaged in or have a role in conducting, executing or documenting research and research training activities, regardless of whether the source of support is provided through a grant, contract, cooperative agreement, or internally.

B. Research Misconduct

Research misconduct means fabrication, falsification, plagiarism or other serious deviation from commonly accepted practices within the relevant academic community for proposing, performing or reviewing research, or in reporting research results. To find research misconduct, a preponderance of the evidence must show that there was a significant departure from accepted practices of the relevant research community and that it was committed intentionally, knowingly or recklessly. Research misconduct does not include honest error or differences in opinion.

C. Fabrication

Fabrication means making up data or results and recording or reporting them.

D. Falsification

Falsification means manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

E. Plagiarism

The appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

F. Significant Departure from Accepted Practices

Significant departure from accepted practices of the relevant research community includes, but is not limited to:

1. Abusing confidentiality, including the use of ideas and preliminary data gained from access to privileged information through the opportunity for editorial review of manuscripts submitted to journals, and peer review of proposals being considered for funding by agency panels or internal committees;
2. Stealing, destroying or damaging the research property of others with the intent to alter the research record; and
3. Directing, encouraging or knowingly allowing others to engage in fabrication, falsification or plagiarism.

G. Complainant

Refers to an individual who submits a written or oral allegation of research misconduct.

H. Respondent

Refers to the individual against whom an allegation of research misconduct is directed or the individual whose actions are the subject of an inquiry or investigation.

i. Research Integrity Officer (RIO)

Refers to the institutional official appointed by the Vice President for Research and Technology Transfer who has primary responsibility for assuring adherence to this policy and any Mines procedure adopted to implement this policy.