

Scientific Integrity and the Consequences of Misconduct in Research

Policy document

1. Introduction

Tufts University's education, teaching and research missions rely upon the principles of honesty and openness in the pursuit of academic excellence and innovation within an environment of public trust. The commitment to a strong and principled work ethic within the institutional partnership is a requirement of all who join the programs of Tufts University. Individual integrity is critical to the success of the University, each of its constituent programs, and the global community of which Tufts is an active participant.

Within these institutional values, an understanding remains that dedicated individuals may not achieve desired results, may make mistakes in their various pursuits, and may create honest error while pushing intellectual limits in the pursuit of answers to important questions. While working within local or broader teams and partnerships, such individuals may have differences of opinion regarding teaching or research methodologies and/or approaches as well as interpretations of experimental results. As with successes, failures may also, ultimately, make significant contributions to the advancement of science. As academic freedom is the key to furthering the knowledge base and quality of life for humankind, there must be no intent to limit healthy debate.

As a recipient of federal research and development funds, Tufts University is mandated to implement institutional policies and procedures to address allegations of research misconduct. This document provides information on the roles and responsibilities of those involved in an inquiry/investigation that result from an allegation of research misconduct. These policies and procedures, in compliance with reporting requirements of all research sponsors, will help to guide the prompt and objective resolution of cases of alleged research misconduct.

2. Background

The basis for the Tufts University Policy on "Scientific Integrity and the Consequences of Misconduct in Research" is the Federal Government's "Public Health Service (PHS) Policies on Research Misconduct," 42 CFR (Code of Federal Regulations), Part 93, as described in its Final Rule publication in the Federal Register, May 17, 2005 (Volume 70, Number 94, Pages 28369-28400). The Final Rule became effective June 16, 2005. Although compliance with this ruling is required by the Federal Department of Health and Human Services (HHS) only for PHS-supported biomedical or behavioral research, biomedical or behavioral research training, and activities related to that research or research training, and even though other funding entities may have their own policies, Tufts University has determined that 42 CFR Part 93 is the comprehensive policy that will be applied as the standard to all allegations of misconduct in research, regardless of the funding source(s).

Institutional response to allegations in areas not PHS-supported will follow the same principles except for the direct involvement of PHS should an allegation reach the stage of investigation. Should any research sponsor have any requirements in addition to those covered by the Tufts policy, those will be reviewed by the Vice Provost for Research or his or her designate prior to acceptance of such funding and all research funded by that source will be subject to those additional requirements.

3. Applicability

The policies described here apply to all members of Tufts University's research community, including but not limited to faculty, staff, students and trainees. The policies described here apply to all research or related activities at Tufts University, regardless of funding source.

4. Definitions

Research misconduct: The fabrication, falsification or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Honest error and difference of opinion do not constitute research misconduct. Failure to comply with federal, state, and municipal statutes and regulations governing scientific research is unlawful and may also be pursued by the University as a violation of the scientific integrity process.

Fabrication: Making up data or results and recording or reporting them.

Falsification: 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.

Plagiarism: Appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Other Definitions:

Allegation: Any written or oral statement or other indication of possible research misconduct made to an institutional official (e.g., the Provost, the Vice Provost for Research, deans, and department chairs).

Complainant: The individual bringing forth to the Institutional Official an allegation of misconduct in research. It is assumed that the complainant reports a misconduct allegation in good faith, even if the allegation is proven to be a misunderstanding, misinterpretation or miscalculation of the facts, and that no misconduct was committed. If it is determined that a claim was made frivolously, vindictively, maliciously, or with knowledge that the claim was not true, serious consequences will occur for the complainant, including dismissal (if an employee or faculty member) and/or civil action.

Conflict of Interest and Commitment: The divergence between a researcher's obligation to Tufts University and his or her interest, if an objective observer would reasonably question the actions or decision as being in the best interest of Tufts University.

An Environment of Scientific Integrity: The requirement that institutions promote responsible conduct of research or foster a climate or environment of scientific integrity. This overall climate reflects the University's commitment to the highest standards of excellence and values as stated in the "Introduction" to this policy. Federal funding agencies have assigned institutions the primary responsibility for investigating allegations of misconduct, and require that those institutions have pertinent policies and procedures in place. These agencies see the preservation of the integrity of science as a shared responsibility for the integrity of the research process.

Evidence/Preponderance of Evidence: Any document, tangible item, or testimony offered or obtained during a misconduct proceeding that intends to prove or disprove the existence of an alleged fact. Preponderance of evidence means that, compared with information opposing it, the evidence leads to the conclusion that the fact at issue is more probably true than not. The burden of proof rests with the University or with HHS for making a finding of misconduct in research. The University has the burden of proving misconduct in research. Once the University has met that burden, the respondent has the burden of proving any mitigating facts/details which would constitute an affirmative defense.

Good Faith Allegation: An allegation made with the honest belief that research misconduct may have taken place and having the belief in the truth of one's allegation or testimony such that a reasonable person in a complainant's or witness' position could have arrived at a similar conclusion based on the information known to them at the time. An allegation is not in good

faith if it was made recklessly and with disregard for or ignorance of any and all facts that would disprove the allegation.

Inquiry: Preliminary information-gathering and fact finding after the Institutional Official receives a credible allegation of misconduct in research.

Institutional Officials: Individuals to which reports of misconduct in research may be made. These include the dean of the school where the misconduct occurred, the director of the Human Nutrition Research Center on Aging (HNRCA) where appropriate, relevant department chairs, Provost, and Vice Provost for Research. In addition, this includes the individual responsible for initiating inquiry and/or investigation of allegations of research misconduct and enforcement of research ethics policies, specifically the Vice Provost for Research.

Investigation: An exploration into the details of the allegation to examine the evidence in depth and to determine whether misconduct has been committed, by whom, and to what extent through the creation of a factual record. The investigation may broaden the scope of an allegation. It may lead to a decision not to make a finding of misconduct in research, or it may lead to a finding of misconduct, and this may then lead to a recommendation for further action, including administrative action and/or hearings by HHS.

The Office of Research Integrity (ORI): The administrative office of HHS to which the HHS Secretary has delegated responsibility for addressing research integrity and misconduct issues related to PHS supported activities. Its policies and procedures are described on the following website: <http://ori.hhs.gov>.

Ombudsperson: A former faculty member or alumnus/alumna of Tufts University who has received specialized training in scientific integrity and misconduct in research policies and procedures who is available to provide a potential complainant with confidential advice and counsel prior to the complainant's filing an official allegation.

Public Health Service (PHS): Within HHS, the Office of Public Health and Science, the Agency for Healthcare Research and Quality, Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention, Food and Drug Administration, Health Resources and Services Administration, Indian Health Service, National Institutes of Health, and the Substance Abuse and Mental Health Services Administration, and the offices of the Regional Health Administrators.

Research: A systematic investigation that can include (but may not be limited to) an experiment, study, evaluation, demonstration or survey designed to develop or contribute to general knowledge (basic research) or specific knowledge (applied research) by establishing, discovering, developing, elucidating or confirming information about, or the underlying mechanism relating to matters to be studied.

Research Integrity Officer (RIO): The institutional official appointed by the Provost to have primary responsibility for assuring adherence to these policies and overseeing any Tufts University procedures adopted to implement them. The Vice Provost for Research is the RIO for Tufts University (see Section 5 for more information).

Research Personnel:

Faculty Members: Including but not limited to professors, associate professors, assistant professors, research faculty, instructors, college lecturers, senior lecturers, lecturers, and those holding a rank designated as "clinical." The term faculty also includes individuals designated as visiting, adjunct or professor of practice.

Investigator: Any individual regardless of academic rank who is engaged in proposing, designing, performing or reviewing research or reporting research results.

Trainees: Including but not limited to pre-doctoral and post-doctoral trainees and fellows.

Research Staff: Including but not limited to administrators who support research activities, visiting scholars, research and laboratory technicians, and clinical research coordinators.

Students: Those individuals officially accepted and enrolled at Tufts University for the purpose of advancing their academic achievement. Student status at Tufts University is a privilege earned by meeting standards of academic performance and adherence to regulations governing conduct.

Research Record: Record of data or results that embody the facts resulting from scientific inquiry, including (but not limited to) research proposals; grant or contract applications whether funded or unfunded; laboratory notebooks; laboratory records, including both physical and electronic data; computers and scientific equipment used; grant or contract progress and other reports; abstracts; oral presentations; internal reports; manuscripts and publications; theses and dissertations; notes; correspondence; videos; photographs; X-ray film; slides; biological materials; computer files and printouts; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; clinical records directly related to research; research subject files; and any documents provided to any institutional official by a respondent in the course of the research misconduct proceeding. This also includes documents and materials of research fact provided by the respondent at any point during a misconduct proceeding. It does not include notations, interpretations or analyses performed by the complainant in support of his/her allegation of misconduct.

Respondent: The individual against whom a complainant has brought forth an allegation of misconduct in research, or who is the subject of a misconduct in research proceeding.

Retaliation: Adverse actions of any kind taken against complainants, respondents, witnesses, or inquiry/investigative committee members during or after the misconduct in research proceedings because of their status as complainant, respondent, witness or committee members. This definition does not include University human resources or personnel actions that may be taken against a respondent to protect the integrity of the research and safety of any research subjects.

Sequestration: The collection, segregation and retention of research records (paper and electronic), equipment, and all other information for the specific purpose of assessing allegations of research misconduct.

Spoilation: Destruction, mutilation or alteration of records or materials unfavorable to the respondent.

Sponsored Programs: Research, training, and instructional projects involving funds, materials, gifts, or any other form of compensation from external governmental or non-governmental organizations under agreements with Tufts University.

5. Roles and Responsibilities

Vice Provost for Research

The Vice Provost for Research ensures the implementation of this policy and oversees the procedures associated with this policy. As appropriate, the Vice Provost for Research consults with the Provost, the Director of ORI, and the relevant dean(s) when receiving and assessing allegations of research misconduct. The Vice Provost for Research ensures that appropriate review procedures are promptly implemented when allegations of research misconduct are reported. The Vice Provost for Research receives the final reports of the inquiry and investigation committees and any written comments provided by the respondent. As the RIO (described below), the Vice Provost for Research makes final determinations relative to the results of research misconduct investigations.

Provost

As appropriate, the Provost may be involved in consultation with the Vice Provost for Research and the relevant dean(s) in receiving and assessing allegations of research misconduct and receiving the results of research misconduct investigations. In accordance with established Tufts University procedures, the Provost may contribute to determining and invoking sanctions or disciplinary actions imposed as a result of the investigation committee's findings.

Deans

The deans ensure implementation of this policy in their respective schools. The deans report knowledge of all allegations of research misconduct directly to the Vice Provost for Research. The deans ensure cooperation of respondents and other individuals in their respective schools in instances of allegations of research misconduct, including (but not limited to) the sequestration of research records and/or other relevant information and documentation relevant to the allegations of research misconduct.

Research Integrity Officer (RIO)

The Vice Provost for Research serves as the Research Integrity Officer (RIO) at Tufts University and has primary responsibility for overseeing this policy and the implementing procedures associated with this policy. The RIO is appointed by and reports directly to the Provost. In consultation with the Provost and relevant dean(s), the RIO assesses allegations of research misconduct, determining when such allegations warrant inquiries, and oversees the inquiry and investigation processes. The RIO may, at the RIO's discretion, consult with Tufts University's Research Misconduct Committee to inform the RIO's decisions in research misconduct matters. The RIO, or the RIO's designee, appoints the inquiry fact finder and investigation committee. The RIO oversees the activities of the inquiry and investigation committees and institutional personnel involved in proceedings governed by this policy, ensuring compliance with this policy and its implementing procedures and with applicable standards imposed by government or external funding sources. If, during the course of research misconduct proceedings, a respondent admits guilt or a complainant retracts allegations, the RIO ensures the matter is handled and closed with appropriate due diligence and, as required, notifies federal oversight agencies in advance of its decision. The RIO ensures, when required, that proper and timely reporting to relevant external agencies is made for any investigation of substantial research misconduct. The RIO appropriately maintains files of all relevant documents and ensures the confidentiality and security of the files, including sequestered records and documentation of research misconduct proceedings. When it is determined that present or former Tufts University research personnel are the subject of (or are involved with) complaints or investigations at outside institutions, the RIO coordinates with outside institutional officials as necessary and appropriate.

Office of the Vice Provost for Research (OVPR)

The OVPR serves as Tufts University's independent and objective agent in research misconduct proceedings. The OVPR staff, under direction of the RIO (Vice Provost for Research), supports and facilitates the inquiry and investigation processes. The OVPR has an obligation to maintain strict confidentiality relative to any research misconduct allegations and proceedings. The OVPR has the authority to appropriately sequester research records and/or other relevant information and documentation relative to the allegations of research misconduct. The OVPR formalizes allegations of research misconduct with the complainant, obtains, disseminates, and summarizes information relative to the allegations of research misconduct and secures and stores relevant information for the inquiry and investigation committees. The OVPR engages committee members and facilitates committee meetings, as necessary, to appropriately address allegations of research misconduct. The OVPR serves as the liaison, as appropriate and necessary, among the investigation committee members, the complainant, and the respondent. The OVPR is responsible for educating complainants, respondents, and committee members about Tufts University's process for research misconduct proceedings. The OVPR is also responsible for providing ongoing support and guidance to the investigation committee members throughout the research misconduct proceedings.

Complainant

The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with an inquiry and investigation. The complainant may submit evidence to the inquiry and investigation committees. The complainant may be given the opportunity to be interviewed by and present evidence to the investigation committee, and may be requested to appear before the inquiry committee. If the RIO (Vice Provost for Research), inquiry fact finder or investigative committee determines that the complainant may be able to provide pertinent information or clarification to any portion of the investigation committee's draft reports, these portions may be given to the complainant for comment. The complainant may be informed of the results of the inquiry and investigation.

Respondent

The respondent is responsible for maintaining confidentiality and cooperating with an inquiry and investigation. The respondent is informed in writing of the allegations when an inquiry or investigation is to be initiated and notified in writing of the final determinations and resulting actions. The respondent is responsible for cooperating with all elements of an inquiry and investigation, including sequestration of research records relevant to the allegations. The respondent has the opportunity to submit evidence to the inquiry fact finder and investigation committee, and, if requested by an inquiry fact finder or investigation committee, to be interviewed. The respondent will be given the opportunity to be interviewed by and present evidence to the investigation committee as well as to review and comment upon the draft inquiry and investigation committee reports. If the respondent is not found to have committed research misconduct, s/he may request to receive reasonable and practical assistance from Tufts University in restoring her or his reputation.

Inquiry fact finder

The inquiry fact finder is responsible for conducting an initial review of the available evidence in order to determine whether an investigation is warranted. The RIO (Vice Provost for Research), or designee, appoints the inquiry fact finder, which may be a single person or a committee at the discretion of the RIO. An inquiry does not require a full review of all the evidence related to the allegations. The inquiry fact finder determines whether the allegations of research misconduct appear to be well founded, the potential seriousness of the alleged research misconduct, and the scope of the alleged incident. The inquiry fact finder may also identify, in the course these activities, issues that would justify broadening the scope beyond the initial allegations, and may recommend that Tufts University examine any such additional issues. If the inquiry fact finder expands the scope of the research misconduct process beyond the initial allegations, the OVPR will notify the respondent in writing, and the respondent will be given an opportunity to address the additional issues. It is not the responsibility of the inquiry fact finder to make a final determination based on the merits of the allegations. The inquiry fact finder prepares a final report that is submitted to the RIO (Vice Provost for Research) and that meets the requirements as outlined in the implementing procedures of the policy, including recommending whether each allegation warrants an investigation and the basis for each recommendation.

Investigation Committee

The investigation committee is selected by the RIO (Vice Provost for Research) in consultation with the Provost and/or the relevant dean(s) and is responsible for conducting a thorough examination of all facts and evidence relevant to the allegations. The examination will include interviewing the respondent, complainant, and others as necessary and appropriate. The investigation committee determines, based on a preponderance of evidence, whether research misconduct has occurred. If a finding of research misconduct is made, the investigation committee will determine the responsible person(s) and the nature and seriousness of the research misconduct. The investigation committee may also identify, in the course of its duties, if there are issues that would justify broadening the scope beyond the initial allegations, and may recommend that Tufts University examine these issues. If the investigation committee expands the scope of the research misconduct process beyond the initial allegations, the RIO (Vice Provost for Research) will notify the respondent in writing, and the respondent will be given an opportunity to address the additional issues. If an allegation moves from the inquiry into the investigative stage of a misconduct proceeding, ORI (or the equivalent office at

other relevant funding agency) will be notified prior to the initiation of the investigation, and given a copy of the inquiry report, the name of the respondent, and additional information as provide for under the relevant regulation. The investigation committee prepares a final report that is submitted to the RIO (Vice Provost for Research), which includes a finding for each allegation of whether research misconduct occurred, the nature and seriousness of the misconduct, and the responsible individual(s).

Investigation Committee Chair

The investigation committee chair is selected from among the investigation committee members, by the investigation committee, subject to the approval of the RIO (Vice Provost of Research) or designee. The chair takes the lead in drafting the investigation committee report based on the investigation committee's findings. Working with the OVPR, the investigation committee chair handles the compilation of comments from the other committee members into the final committee report and ensures the report is distributed to the investigation committee members for final signature. The elements of the investigation committee report must be in accordance with the required elements outlined in the implementing procedures of this policy. The investigation committee chair ensures that the respondent is afforded the opportunity to comment, that the respondent's comments are considered by the investigation committee, and that the respondent's comments are reflected in and/or attached to the final committee report.

6. General Principles

It is the responsibility of Tufts University faculty, staff and students to report any incident of potential research misconduct in good faith and in accordance with the definitions and terms of the Tufts University Policy on Scientific Integrity and the Consequences of Misconduct in Research. It is also incumbent upon each of these individuals to promote scientific integrity, to protect the health and safety of the public, and to conserve public funds that support research.

Responsibility to Report Research Misconduct

All employees or individuals associated with Tufts University should report observed, suspected, or apparent research misconduct first to his or her department chair or school's dean or director. Reports of suspected research misconduct can also be made directly to the Vice Provost for Research (and in instances where a faculty member has a dual appointment with another institution, the Chief Executive Officer of an affiliated institution). An allegation of misconduct to a department chair will be brought to the dean/director of that school or center, and the dean/director will communicate such reports to the Vice Provost for Research. The Vice Provost for Research, through consultation with the dean/director, will determine whether the matter should be pursued.

If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may contact the Vice Provost for Research (or the University ombudsman) to discuss the suspected research misconduct informally. If the circumstances described by the individual do not meet the definition of research misconduct, the Vice Provost for Research may refer the individual or allegation to other offices or officials with responsibility for resolving the problem as necessary and appropriate. Tufts University will protect against reprisals those individuals who provide information in good faith about questionable conduct.

Coordination with Other Institutions When Faculty Have a Dual Appointment

When the RIO (Vice Provost for Research) has received a credible allegation of misconduct with respect to a faculty member who has a dual appointment with another institution, the RIO will coordinate with the Chief Executive Officer of the other institution (or his/her designee) to determine, after such consultation as may seem appropriate, whether primary responsibility for resolving the allegation rests with Tufts University or with the other institution. For example, for Tufts University School of Medicine faculty with a dual appointment at a hospital, the primary responsibility for resolving an allegation of misconduct in connection with care of a patient would ordinarily reside in a hospital. In the case of an allegation pertaining to externally funded research, primary responsibility ordinarily rests with the institution that has administered the research grant or contract. An affiliated

institution that has received support for research by a Tufts University appointee may request, however, that allegations related to research by such appointees be dealt with by Tufts University. In any case, where the interests of two or more institutions are significantly implicated, it is expected that such inquiry and any investigation will proceed with the simultaneous participation of all concerned institutions, with agreement regarding which institution bears primary responsibility.

Responsibility of the Institution to Respond to Credible Reports of Allegations of Research Misconduct

Because Tufts University values, above all, the credibility of our research activities and the integrity of our community, allegations of research misconduct are evaluated to determine whether there is specific and credible information on which to act. Just as Tufts University protects complainants against retaliation, Tufts University is equally concerned about malicious or frivolous allegations made against individuals in our research community. Tufts University performs a careful assessment of all allegations brought to the attention of institutional officials.

The RIO (Vice Provost for Research) shall consider and act upon any specific and credible information that comes to his or her attention indicating that research misconduct may have occurred. For faculty members with a dual appointment with another institution, if the RIO (Vice Provost for Research) determines that the primary responsibility for the review and investigation rests with Tufts University, the RIO (Vice Provost for Research) shall determine whether, taking into account the nature of the allegation, it is appropriate to attempt to resolve the matter through informal processes and discussions. Final resolution through informal means shall require the approval of the Provost and the relevant Dean. When primary responsibility for the review and investigation rests with an affiliated institution, notice of resolution should be transmitted by the affiliated institution to the RIO (Vice Provost for Research).

However, if the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified, and PHS funding is involved, a formal inquiry is required and the case cannot be resolved informally.

If the matter is not resolved informally as described above, and if in the view of the RIO (Vice Provost for Research) further proceedings are required, the RIO (Vice Provost for Research) shall request that a factual inquiry or investigation be undertaken in accordance with Tufts University's Research Misconduct Procedures.

The RIO (Vice Provost for Research) and other institutional officials ensure that:

- The allegation assessment, inquiry, and investigation are completed in a timely, objective, thorough, and competent manner; and
- Reasonable precautions are taken to avoid bias and conflict of interest on the part of those involved in conducting the inquiry and investigation.

Responsibility of the Institution to Notify Funding and Oversight Agencies and Affiliated Institutions

At any time during the assessment period or research misconduct proceedings, Tufts University will notify the appropriate funding and oversight agency(ies) and affiliated institutions (if applicable) if:

- Public health or safety is at risk;
- Agency resources or interests are threatened;
- Research activities should be suspended;
- Possible violations of civil or criminal law are indicated;

- Federal action is required to protect the interests of those involved in the investigation; or
- The research community or public should be informed.

Cooperation with Inquiries and Investigations

Individuals covered under this policy and its implementing procedures must cooperate with the RIO (Vice Provost for Research) and other institutional officials in the review of allegations and the conduct of inquiries and investigations. Employees have an obligation to provide relevant information to the RIO (Vice Provost for Research) on research misconduct allegations. The RIO (Vice Provost for Research) may determine it necessary to sequester original research records and materials relevant to the allegation.

Sequestration of Research Records

The RIO (Vice Provost for Research) has the authority and responsibility for sequestration of research records related to research misconduct allegations at Tufts University. Research records are to be sequestered in a manner that minimizes disruption to the respondent's research. The OVPR will provide the respondent with an inventory of items sequestered and will generally provide copies of most sequestered items within two or three business days after sequestration, although specialty copies such as gels and films may require a longer period of time to duplicate.

Research Record Retention

The RIO (Vice Provost for Research) ensures that records and data, or copies thereof, essential to the inquiry, investigation and determination stages of an allegation of misconduct will be kept in a secure location under the control of the RIO (Vice Provost for Research) for seven (7) years. Specific security requirements, such as double-locking, vary by funding agency and will be observed as appropriate.

Legal Counsel

Neither Tufts University nor the respondent may have legal counsel present at the meetings of the inquiry and investigation committees, except at the express invitation of the investigation committees, although respondents are encouraged to seek outside counsel. Should legal counsel be invited, the invitation will be extended to both parties. When invited, legal counsel may observe but shall not participate in the proceedings. With the prior approval of the investigation committees, the respondent may be accompanied by a non-attorney colleague at meetings of the investigation committees. When invited, the non-attorney colleague may observe but shall not participate in the proceedings.

Requirements for Findings of Research Misconduct

A finding of research misconduct requires that:

- There was a significant departure from accepted practices of the relevant research community;
- The research misconduct was committed intentionally, knowingly, or recklessly; and
- The allegation is proven by a preponderance of evidence.

Protection of Complainant and Others: Zero Tolerance for Retaliation

The RIO (Vice Provost for Research) monitors the treatment of individuals who bring allegations of research misconduct and those who cooperate with inquiries or investigations. Tufts University has a zero tolerance policy against retaliation against such individuals in employment or other status at the institution, and the RIO (Vice Provost for Research) reviews instances of alleged retaliation for appropriate action. Individuals should immediately report any alleged or apparent retaliation to the RIO (Vice Provost for Research). Tufts University also, to the maximum extent possible, protects the

privacy of those who report research misconduct in good faith. If the complainant requests anonymity, Tufts University will make reasonable efforts to honor the request during the allegation assessment or inquiry, consistent with a thorough, competent, objective, and fair research misconduct proceeding and as allowed by law. It is important to recognize, however, that because of the standards of due process and Tufts University's own policies and procedures, there may be situations that cannot proceed under conditions of anonymity. Under federal regulations and its own good business practices, Tufts University undertakes diligent efforts to protect the positions and reputations of those individuals who make allegations in good faith.

The University encourages the reporting of any incident of detected or perceived retaliation in connection with a potential research misconduct matter.

Protection of Respondent

Inquiries and investigations are conducted in a manner that ensures fair treatment to the respondent and confidentiality to the extent possible without compromising public health and safety or thoroughly carrying out the needs of an inquiry and/or investigation. Inquiries and investigations are handled promptly and expeditiously with full attention given to the rights of all individuals involved.

Confidentiality

Institutional activities pursuant to this policy are conducted in such a way as to protect the privacy and confidentiality of complainants and respondents to the extent possible consistent with a thorough, competent, objective, and fair research misconduct proceeding, and as allowed by law. The applicable laws and regulations may require the institution to disclose the identity of respondents and complainants to federal oversight agencies pursuant to the agency's review of institutional research misconduct proceedings.

Restoration of Reputations

Tufts University makes diligent efforts, as appropriate, to restore the reputations of individuals alleged to have engaged in research misconduct when such allegations are not sustained.

Referrals

If Tufts University's review of the allegations identifies misconduct other than research misconduct, the RIO (Vice Provost for Research) refers these matters to the proper institutional or federal office for possible action.

Statute of Limitations

An allegation must be received within six (6) years of the alleged act of misconduct in research for it to be viable for institutional consideration. The exceptions to this limitation are that the claim would be viable if the data involved in the allegation were cited, republished or otherwise used or referenced by the individual against whom the allegation is made during the six (6) years prior to the allegation, or at any time the health or safety of the public is in jeopardy. In the case of the former, the six year limitation period would begin at the time of last citation, republication or reference. In the case of the latter, there is no time limit.

7. References

Tufts University acknowledges that this policy was modeled on and referenced content from the federal Office for Research Integrity's *Sample Policy and Procedures for Responding to Allegations of Research Misconduct*, and institutional policies and procedures at the University of Pennsylvania, Indiana University and Northwestern University.