

Academic Misconduct

POLICY STATEMENT

Members of the Cornell University community, whether faculty, graduate or undergraduate students, or staff, are expected to perform their scholarly and scientific activities with scrupulous honesty and to meet the highest ethical standards. In all academic work they are expected to respect the facts, the appropriate standards of evidence, and the contributions and scholarship of others. While taking all reasonable steps to protect the rights and interests of individuals whose work or performance is questioned, the university will vigorously investigate allegations of academic misconduct.

REASON FOR POLICY

The search for truth underlies our academic values as an educational institution. Academic misconduct on the part of any members of the Cornell University community threatens and subverts the fundamental values of the institution as a whole. Each member is expected to promote such standards of integrity in interactions with other scholars, and to participate in review procedures and disciplinary actions as may be appropriate in the case of reported violations of these standards.

ENTITIES AFFECTED BY THIS POLICY

Faculty, Staff, and Students of the Endowed and Statutory Divisions of the University. This Policy covers undergraduate, graduate or extramural students only insofar as their actions are not already covered by the *Code of Academic Integrity*.

WHO SHOULD READ THIS POLICY

- Faculty, staff and students involved in scholarly or academic research

WEBSITE ADDRESS FOR THIS POLICY*

<<http://WWW.UNIVCO.CORNELL.EDU/policy/AM.for.html>>

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*The Policy Department web pages house the most current versions of all standardized university policies.

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RELATED DOCUMENTS

University Policies	Other Documents
Campus Code of Conduct	
Faculty Dismissal Procedure	
Faculty Handbook	
University Policy 4.6, Standards of Ethical Conduct	
University Policy 6.2.10, Establishment of College-Level Academic Grievance Procedures	

CONTACTS

Direct any general questions about University Policy 1.2, Academic Misconduct, to your department's administrative office. If you have questions about specific issues, contact the following offices:

Subject	Contact	Telephone	E-mail
Campus Code of Conduct	Judicial Administrator	(607) 255-6492	
Complaints Concerning Suspected Academic Misconduct	Dean of Faculty	(607) 255-4843	
Policy Clarification			

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DEFINITIONS

These definitions apply to these terms as they are used in this policy.

Academic Misconduct	Any act that violates the standards of integrity in the conduct of scholarly and scientific research and communication.
Inquirer	The person who conducts the Inquiry and, if necessary, assigns the appropriate disciplinary action after the Investigation is complete.
Inquiry	A preliminary review of allegations of academic misconduct following the process described in these procedures. The Inquiry is designed to gather sufficient information and facts to enable the Inquirer to determine whether or not a full Investigation is warranted
Investigator	The person who conducts the Investigation.
Investigation	A systematic inquiry into allegations of academic misconduct through the process described in these procedures.

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What Is Academic Misconduct

Academic misconduct includes any act that violates the standards of integrity in the conduct of scholarly and scientific research and communication. This includes, but is not limited to, plagiarizing the work of others, i.e., intentionally or knowingly representing their words or ideas as one's own; deliberately falsifying or fabricating data, citations, or information; forging of academic documents; abusing the confidentiality of information obtained from colleagues or other persons; intentionally or knowingly helping another to commit an act of academic misconduct, or otherwise facilitating such acts; or other practices that seriously deviate from ethical standards that are commonly accepted within the scientific and scholarly communities for proposing, conducting, or reporting research. Academic misconduct also includes any form of retaliation against a person who, while acting in good faith, provides information about suspected or alleged misconduct.

◆ **Note:** Academic misconduct does not include honest error or honest differences in interpretations or judgments of data.

Disclosure of Academic Misconduct

Members of the Cornell University community are obligated to report suspected acts of academic misconduct. The initial report of such an allegation, whether on the part of a faculty member, a member of the staff, a student with a university appointment, or any other person with a university appointment, should be made to the Dean of the Faculty.

Inquiry

Upon receiving such a report, the Dean of the Faculty will conduct a preliminary Inquiry into the allegation or other evidence of possible academic misconduct. Should the Dean of the Faculty have a real or apparent conflict of interest with the case, the Secretary/Associate Dean of the Faculty will serve as the Inquirer. Should the Secretary/Associate Dean of the Faculty have a real or apparent conflict of interest with the case, the Provost will appoint a member of the professorial faculty to serve as the Inquirer. The purpose of the Inquiry is to gather sufficient information and facts to enable the Inquirer to determine whether an Investigation is warranted. If the Inquirer does not have the necessary and appropriate expertise for this task, s/he will appoint other personnel to assist in the conduct of the Inquiry.

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Such an Inquiry should normally be concluded within 60 days of receipt of the initial report of alleged academic misconduct. In the course of the preliminary Inquiry, the Inquirer:

- will take all reasonable precautions to protect the interests and the reputation of the individual against whom the allegation was made and the person who made the disclosure;
- will conduct interviews with complainant, subject or subjects, and others as necessary or appropriate for purposes of the Inquiry;
- will prepare a written report that summarizes the evidence reviewed and interviews conducted; documents the reasons for exceeding the 60 day inquiry period (if applicable); and includes the conclusion of the Inquirer as to whether an Investigation is warranted;
- will provide a copy of the report to the subjects of the Inquiry and the complainant for written comment; which comments, if any, together with the report, will become a part of the record of the Inquiry.

If the allegations involve sponsored research, the Inquirer will discretely notify the Vice Provost for Research at the start of the Inquiry. At this time, the Vice Provost for will advise the Investigator of applicable government regulations regarding the investigation of Academic Misconduct (see Government Procedures.) The Vice Provost for Research will also take appropriate interim administrative actions to protect funds and ensure that the purposes of the financial assistance are being carried out. Should the Inquirer be informed that the alleged incident will probably will be publicly reported, s/he will notify the Vice Provost for Research. During the course of the Inquiry, the Vice Provost for Research will notify and submit reports to sponsors as required by sponsor regulations.

Whether or not the allegations involve sponsored research, should the Inquirer become aware of immediate health hazards or the need to protect any individuals, funds, or equipment affected by the Inquiry, s/he will notify the Vice Provost for Research, who will undertake the appropriate interim actions. Should reasonable indications of possible criminal violations be found during the Inquiry, the Inquirer will notify the Vice Provost for Research and University Counsel within 24 hours. The Vice Provost for Research will **notify sponsors** of these actions or violations as required by sponsor regulations.

In the event the Inquirer concludes that further investigation is not warranted, s/he will terminate the Inquiry. In such case, the report of the Inquiry will be maintained in the confidential file of the Dean of the Faculty for a period of three years, after which the file will be destroyed.

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Should the Inquirer decide to terminate an Inquiry involving sponsored research for any reason before its completion, a report of the planned termination, including a description of the reasons for the termination, will be submitted to the Vice Provost for Research. The Vice Provost for Research will notify sponsors of this decision as required by sponsor regulations.

Investigation

Should the allegations, in the judgment of the Inquirer, warrant further investigation, s/he will refer the matter to the Dean of the college or the head of the appropriate administrative unit in which the subject is appointed, within thirty days of the completion of the Inquiry. Upon receiving such a report, the Dean or unit head will conduct an Investigation into the allegation. If the Dean or college head has a real or apparent conflict of interest with the case, the Provost will appoint a member of the professorial faculty to serve as the Investigator. An Investigation must be undertaken if the Inquiry finds that the allegation has substance.

◆ **Note:** A conclusion that an investigation is not warranted requires a determination either that 1) the facts alleged, if true, do not constitute an act of academic misconduct, or 2) the Inquiry established that there is no reasonable cause to believe that academic misconduct has occurred.

The Inquirer will also notify the Vice Provost for Research and University Counsel of the upcoming Investigation. Before the Investigation begins but after the Inquiry ends, the Vice Provost for Research will **notify sponsors of the affected research** as required by sponsor regulations. The Vice Provost for Research may choose, in his or her discretion, to notify all sponsors of the individual(s) under investigation. The Vice Provost for Research will seek assurances that information regarding the Investigation will be kept confidential by the sponsors. At this time, the Vice Provost for Research will also advise the Investigator of applicable government regulations regarding the investigation of Academic Misconduct (see Government Procedures.)

The Investigator will conduct a thorough examination and evaluation of all relevant information to determine if academic misconduct has occurred. The Investigator may designate an ad hoc committee, a standing committee, or other personnel to assist in the Investigation. The Investigator will ensure that personnel with the necessary and appropriate expertise are included in the Investigation, and that no person with a real or apparent conflict of interest is appointed to the Investigation.

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The Investigation will include but need not be limited to:

- examination of pertinent documentation, including relevant research data and proposals, publications, correspondence, etc.;
- interviews of all principals and witnesses, whenever possible;
- preparation of written summaries of interviews to be provided to the interviewed party for comment and/or revision and to be made available to sponsors as required by sponsor policy;
- maintenance of documentation and summaries of interviews as part of the investigative file;
- consultation with experts from within or without the University, as deemed appropriate;
- preparation of a written report that includes: (a) a description of the policies and procedures under which the investigation was conducted, (b) a summary of the evidence reviewed and interviews conducted, (c) the actual text or an accurate summary of the views of any individual(s) found to have engaged in academic misconduct, (d) the findings regarding academic misconduct and the basis for these findings, (e) recommended administrative actions to repair any damage the misconduct may have caused, and (f) recommended disciplinary actions ranging from reprimand to termination, and submission of the investigative report to the subject(s) and the complainant for written comments; which comments, if any, together with the report, will become part of the record of the Investigation.

Should the Investigator be informed that the alleged incident will probably be publicly reported, s/he will notify the Vice Provost for Research if the allegations involve sponsored funds. During the course of the Investigation, the Vice Provost for Research will notify sponsors and submit reports as required by sponsor regulations.

Whether or not the allegations involve sponsored research, should the Investigator become aware of immediate health hazards or the need to protect any individuals, funds, or equipment affected by the Inquiry, s/he shall notify the Vice Provost for Research who shall undertake the appropriate interim actions. Should reasonable indications of possible criminal violations be found during the Investigation, the Investigator will notify the Vice Provost for Research and University Counsel within 24 hours. The Vice Provost for Research will **notify sponsors** of these actions or violations as required by sponsor regulations.

Should the Investigator uncover facts that 1) may affect current or potential sponsored funding for the individuals under investigation; or that 2) the research sponsors may need to know to ensure appropriate use of funds

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or to otherwise protect the public interest, the Investigator will promptly notify the Vice Provost for Research, who will notify sponsors of these facts as required by sponsor regulations.

A final written report, including the comments, if any, of the subject, will be submitted by the Investigator to the Inquirer. The final report will be made available to sponsors as required by sponsor regulations. The Investigation should normally be completed within 120 days after referral by the Inquirer. If, based upon the report, the Inquirer concludes that academic misconduct has not occurred, the Investigation is terminated. In such case, the report of the Investigation will be maintained in the confidential file of the Dean of the Faculty for a period of three years, after which, the report will be destroyed.

Should the nature of the Investigation make it impossible to meet the 120 day time limit, the Investigator will prepare an interim report or request for extension as required by the research sponsors. This report will include an explanation for the delay, an interim report on progress to date, an outline of what remains to be done, and an estimated date of completion. The Investigator will supply this report to the Vice Provost for Research, who will submit the report to the sponsors, as required by sponsor regulations.

If the Investigator decides to terminate an Investigation involving sponsored research for any reason before its completion, a report of the planned termination, including a description of the reasons for the termination, will be submitted to the Vice Provost for Research. The Vice Provost for Research will notify sponsors of this decision as required by sponsor regulations.

Disciplinary Action

The Inquirer may, in his or her discretion, either accept or modify the findings and recommendations and prepare findings or recommendations of his/her own. Before reaching a final decision concerning any modifications, however, s/he will explain the rationale for the decision in a written communication to the Investigator and will consider the Investigator's response to those modifications.

Should the Inquirer, based upon the report, conclude that academic misconduct has occurred, s/he will recommend such administrative action as may be appropriate to repair any damage the misconduct has caused (notice to publishers, etc.) and such disciplinary penalty as deemed appropriate. Possible penalties range from reprimand to dismissal, depending upon the seriousness of the offense.

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Should the Inquirer conclude that disciplinary action is appropriate, applicable university procedures appropriate to the class of researchers to which the accused belongs will be invoked. For this purpose, s/he will forward a copy of the report and his/her recommendation to the appropriate university administrator for imposition of discipline.

◆**Note:** The subject may appeal any disciplinary action using applicable grievance procedures.

Confidentiality

All individuals who are involved in the complaint reporting and/or investigation process are obliged to maintain confidentiality of the proceedings. Throughout the Inquiry and Investigation of alleged academic misconduct, those conducting the reviews shall take all reasonable precautions, consistent with the need for a complete and comprehensive review, to maintain confidentiality and to protect the rights and legitimate interests of both the person making the disclosure and the subject(s) of the review.

After the Investigation (or Inquiry, in the case where the Inquirer determines that no Investigation is warranted) has concluded, the Inquirer in concurrence with the Vice Provost for Research may publicly release information regarding the findings of the Investigation if warranted by the circumstances.

The Dean or unit head will undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations of scientific misconduct. When the allegations are not confirmed by the Investigation, or when the Inquirer determines that an Investigation is not warranted, the Dean or unit head will also undertake diligent efforts to restore the reputations of persons alleged to have engaged in misconduct.

Reporting

The Vice Provost for Research will notify and submit reports to sponsors upon completion of the Investigation when:

- it is concluded that academic misconduct has occurred, or
- the sponsor was previously informed of the Inquiry or Investigation and it is concluded that academic misconduct has not occurred, or
- it is required by sponsor regulations.

This report will describe the policies and procedures under which the Investigation was conducted, the findings of the Investigation, a description of the disciplinary actions, and any other information or

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documentation that may be required by the sponsor, including the full written report of the Investigation.

Government Procedures

In cases where academic misconduct is alleged to have occurred in the course of research subject to applicable governmental regulations (e.g., violations which may occur in the course of research sponsored by the National Science Foundation and/or the National Institutes for Health), the requirements of such governmental regulations will apply and supplement and/or, to the extent inconsistent herewith, supersede the provisions of this policy. In that event, applicable governmental time periods for conducting the review process, reporting procedures, and other substantive and procedural requirements will be followed.

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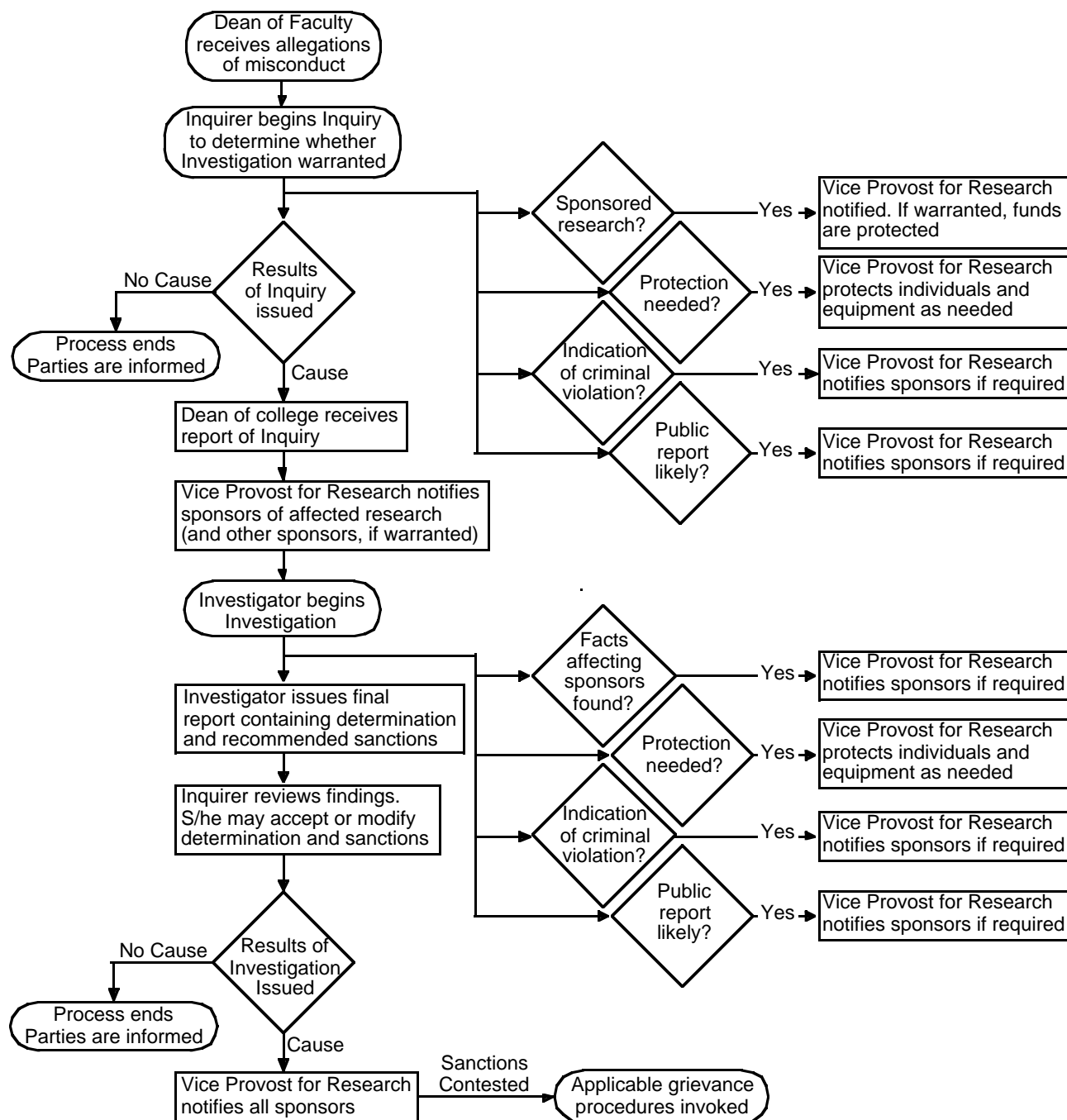
RESPONSIBILITIES

The major responsibilities each party has in connection with the University Policy 1.2, Academic Misconduct, are as follows:

All Faculty Members, Staff Employees and Students Involved in Academic Research	Read and understand these procedures.
Deans, Department Heads and Supervisors	Inform employees under their direction or supervision of these procedures. Notify Dean of the Faculty when they receive reports or complaints of academic misconduct.
Dean of the Faculty	Receive complaints of academic misconduct and initiate Inquiry process.
Inquirer	Gather sufficient information to determine whether or not an Investigation is warranted. Review and accept or modify the findings and sanctions recommended by the Investigator.
Investigator	Conduct a thorough investigation to determine whether or not academic misconduct has occurred. Recommend administrative and disciplinary actions in cases where academic misconduct has occurred.
Provost	Appoint alternate Inquirer or Investigator if the Dean of the Faculty or the Dean of the college has a real or apparent conflict of interest.
University Counsel	Provide counsel, as necessary, to the Inquirer and Investigator during the investigation process.
Vice Provost for Research	Protect individuals, funds and equipment during Inquiry and Investigation, if necessary. Submit reports to sponsors.

APPENDIX

Flow Chart
Complaint Investigation Process



Cornell Policy Library
Volume 1, Academic Research
Chapter 2, Academic
Misconduct
Responsible Office: Dean of the
Faculty
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