



Ohio Administrative Code Rule 3335-13-08 Research misconduct.

Effective: [October 16, 2023](#)

The university shall have a policy on research misconduct ("the policy") issued and maintained by the university research committee. "research misconduct" means fabrication, falsification or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

(A) Objectives.

(1) The policy shall aim to protect both the integrity and the reputation of research and scholarship produced by members of the university community.

(2) The policy shall aim to protect the integrity and reputation of the university and its scholars from false or unproven allegations of research misconduct. For this reason, the university assumes that a person accused of research misconduct is innocent of any allegations until the contrary has been established by a final decision reached under the policy and the applicable disciplinary rules or procedures. The procedures undertaken pursuant to the policy are intended to be investigatory, not adversarial.

(B) Jurisdiction.

(1) The policy shall apply to all university personnel who may be involved with research activities, including faculty members, staff, students, research associates and fellows, post-doctoral fellows, and other research trainees.

(2) The policy shall therefore apply to all research and scholarship conducted within the university community, irrespective of the funding source, if any, which supports the research or scholarship.

(3) The terms "research" and "scholarship" shall be broadly construed, including activities ranging from scientific experimentation to artistic expression to research and scholarship in the humanities.



(4) All persons to whom the policy applies, including those accused of research misconduct, have a duty to cooperate with all proceedings under the policy as well as any subsequent investigations. Such cooperation shall include providing research records and other relevant information to the vice president for research and/or their designee.

(C) Confidentiality.

To the extent possible within the law and in accordance with the need to conduct a thorough inquiry, all participants in the actions initiated pursuant to the policy shall keep confidential all information regarding allegations and proceedings until the university process, including any disciplinary action, has concluded and all avenues of appeal under the university rules (if pursued) have been exhausted. The vice president for research shall be the university official responsible for determining when a release of information is necessary or appropriate.

(D) Administration of the policy.

(1) The vice president for research shall be responsible for disseminating the policy to the research community and handling all allegations of research misconduct. In order to foster broad familiarity with the policy, as well as its flexibility regarding changing standards external to the university, the full policy document shall be publicized by the office of academic affairs, the graduate school, the office of human resources, the office of research, the university research committee, the office of undergraduate research, and the university senate.

(2) The vice president for research shall designate a coordinator to assist in administering the policy. The person appointed as coordinator shall not be university counsel acting in that capacity, but shall consult with university counsel to ensure that the requirements of the law and university policy are being satisfied.

(E) Administrative actions.

The vice president for research may, during proceedings under the policy or any subsequent investigation, take whatever administrative actions that are in their judgment needed to ensure the



integrity of the investigation and to protect research funds or equipment or the legitimate interest of patients or clients.

(F) Definitions.

The key terms for the policy shall be defined in the policy document.

(G) Procedures.

(1) The policy shall describe procedures pertaining, but not limited to: assessing whether an allegation has been made in good faith and has merits; investigating pursuant to such findings; the role of administrators and other individuals in the process; the time line for such investigations; protecting data; reporting to sponsors and clients; and sanctions.

(2) A finding of research misconduct requires that:

(a) There be a significant departure from accepted practices of the relevant research community;

(b) The misconduct be committed intentionally, knowingly, or recklessly; and

(c) The allegation be proved by a preponderance of the evidence.