

POLICY AND PROCEDURES ON ETHICS
IN RESEARCH AND CREATIVE ACTIVITIES

Policy

Faculty and staff members of East Carolina University have the responsibility to seek honestly and to promulgate ethically the truth in all phases of work. This responsibility governs not only the production and dissemination of research and creative activities, but also all applications for funding, reports to funding agencies, and teaching and publication of teaching materials.

East Carolina University subscribes to the following principles in its research and creative activities:

1. Honesty and truth must underlie all relationships of faculty and staff members with those in their profession, the academic community, and the public.
2. Fabrication and falsification of information that a researcher claims is based on experimentation or observation is reprehensible.
3. Selecting data or the treatment of data to present exaggerated or false views or claims is indefensible.
4. Plagiarism, defined here as dissemination under one's own name of the tangible products of another person's work without due credit to that person, is not acceptable.
5. Publication in more than one journal of a study without citing the duplication is unethical, as is any equivalent duplicity.
6. Faculty and staff members must be fully conversant with and able to defend their part in any work disseminated with their permission under their names and should be generally conversant with the said work as a whole.
7. Faculty and staff members may list coauthors of a work, disseminated in any form, only with those persons' expressed consent. The unwarranted inclusion of coauthors who have not been substantially involved in the work is unethical and may lead to violations of Item 6 above. Listing of authors and order of authorship should be thought of in terms of ownership of intellectual property.
8. The involvement of student assistance in research must be structured to enhance students' education and creative activities. Students completing theses or taking research courses for credit should not be relegated to purely routine work, without training or participating in the design of the project or the analysis of the data.

When it is appropriate for students to participate as subjects in research, faculty and staff must assure potential subjects that participation is absolutely voluntary and that course grades are in no way dependent upon participation.
9. In all cases of research involving human beings or animals, faculty and staff members must be familiar with and adhere to special regulations and issues of ethics and humane treatment associated with research on these subjects. (See Appendices R & S, East Carolina University Faculty Manual.)
10. Faculty and staff members must comply with all regulations and laws affecting research and publication (including fiscal management, the use of

hazardous materials, and patents, licensing, technology transfer), whether these be derived from the grantor, the local community, the University, or the state or federal government.

All members of the University community have a personal responsibility for implementing this policy in their research and creative activities.

Procedures for Reporting, Investigating, and Determining Penalties for Unethical Activities

The University shall investigate substantive allegations of fraudulent or unethical research and creative activities with all practical dispatch, with fairness, and with consideration for the rights and privacy of the accused and the accuser. The University is obligated to notify all parties affected by such acts, where proven, at appropriate times.

1. Anyone having reason to believe that a faculty or staff member has engaged in fraudulent or unethical research or creative activity should consult informally with his or her immediate supervisor (e.g., Research Supervisor, Principal Investigator, Department Chair, or if none of these is appropriate because of his or her potential involvement directly with the Dean, Vice Chancellor, or Chancellor). If the supervisor deems the allegations potentially substantive, non-frivolous, and subject to investigation and verification, the supervisor will request the accuser to submit a written report stating the allegation and including all possible, available documentary evidence.
2. The supervisor shall conduct an informal investigation to determine within his or her best judgment the accuracy and merit of the charge. If the supervisor deems the charges frivolous, unsupported, trivial, malicious, or otherwise without adequate foundation, the supervisor shall inform the accuser and take no additional action except to maintain a confidential file of the event. If the supervisor deems further review is necessary or is uncertain whether to proceed, the supervisor should consult with the next two levels of administration (e.g., the Dean and the Vice Chancellor, assuming the accused is a regular faculty member and the supervisor is a department Chair).
3. If further action is necessary the investigation will proceed. The Dean or other senior Unit Administrator (e.g., Director of Science and Math Education Center or Director of ICMR) shall notify the Chancellor, or designee, the University Attorney, and the accused employee (if not already notified) of the alleged violation. Also, the Dean, after conferring with the Vice Chancellor, shall notify others involved or affected (e.g., units, individuals, or agencies sponsoring the research in question) that an investigation has been initiated and its potential bearing on them.
4. Within two weeks, the Dean shall initiate direct review with the supervisor, the accused employee, and any others involved to assess the possibility of administrative action without further proceedings. If administrative action is not appropriate or if the proposed solution is not acceptable to the accused, the Dean shall appoint an ad hoc investigative committee of no fewer than three tenured faculty members from the School, College, or other unit, (e.g., institute or center) who do not have a conflict of interest. The chair will be elected from within the committee. Individuals from outside the University community may be asked to serve and provide expertise as deemed necessary by the Dean appointing the committee.
5. The Dean may suspend the individual accused from the project in question, but only if the Dean determines that serious harm to the individual or others would be threatened by the individual's continuance of his or her duties. Any such suspension shall not interrupt payment of salary.

6. The committee shall conduct fact finding hearings in order to determine whether the accused has violated the Policy on Ethics in Research and Creative Activities. The committee may take action to preserve and protect records deemed vital to valid review within the limits of the University Code and the laws of the State of North Carolina. Legal advice shall be provided by the University for the committee.

The hearings shall be closed to the public unless the accused faculty or staff member and the committee agree that they may be open. The accused shall have the right to be present during presentation of the evidence to the committee. The accused shall also have the right to counsel, to present the testimony of witnesses and other evidence, to confront and cross examine witnesses, and to examine all documents and other evidence. A written transcript shall be kept of all proceedings in which evidence is presented. Upon request, a copy thereof shall be furnished to the accused at the University's expense. Except as herein provided, the conduct of the hearings is under the charge of the Chair.

7. At the conclusion of the hearings, the committee shall meet to consider appropriate recommendations. Its deliberations shall be conducted in private. The committee shall issue its preliminary findings within twenty calendar days following the conclusion of hearings.
8. If the committee finds insufficient evidence of fraudulent or unethical behavior, the chair of the committee shall notify the Dean, who shall immediately notify all individuals and groups involved that the charges have been dismissed; and every attempt will be made to clear the public and private record of the individual accused.
9. If the committee finds substantial evidence of fraudulent or unethical behavior, the committee shall issue a preliminary report to the accused individual for comment and rebuttal, before final recommendations are made to the Dean. If the accused elects to respond, he or she must do so within ten days following receipt of the report. The accused will be given a chance to respond orally or in writing. Oral responses to the report shall be transcribed and written responses shall become part of the record.
10. If the accused responds, the committee will conduct further deliberations to consider the response. After deliberation, or if no timely response is received, the committee shall issue its written report to the Dean. In addition to the findings of the committee, this report should include recommendations with respect to notification of any journals or other publications with already published or pending publications which are deemed relevant, collaborating institutions or individuals, awarding agencies, and any other judged to "need to know" in order to avoid further ramifications of potentially misleading or fraudulent information. A transcript of the hearings and all other records will be forwarded to the Dean. After receiving these materials, the Dean will be responsible for assuring that those parties that "need to know," such as awarding agencies, are kept informed of important developments.
11. The Dean or Vice Chancellor shall consider the committee's recommendations and either request additional information or clarification or prepare for the Chancellor a written summary of the charges with recommendations for action. Any recommendation to the Chancellor for suspension from employment, diminishment in rank, or dismissal will proceed in accordance with established East Carolina University policies and procedures.