



Academic Misconduct

POLICY STATEMENT

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

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

- All units of the university, excluding the Weill Cornell Medical College. 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 and staff members, and students involved in scholarly or academic research

WEB SITE ADDRESS FOR THIS POLICY*

www.dfa.cornell.edu/treasurer/policyoffice/policies/volumes/academic/misconduct.cfm

*The University Policy Office Website houses the most current versions of all standardized university policies at www.policy.cornell.edu.

Policy 1.2 Academic Misconduct

CONTENTS

Policy Statement	1
Reason for Policy	1
Entities Affected by This Policy	1
Who Should Read This Policy	1
Web Site Address for This Policy	1
Related Documents	3
Contacts	3
Definitions	3
Procedures	4
What is Academic Misconduct?	4
Disclosure of Academic Misconduct	4
Inquiry	4
Investigation	6
Disciplinary Action	8
Confidentiality	9
Reporting	9
Government Procedures	10
Responsibilities	11
Appendix A	12
Flow Chart: Complaint Investigation Process	12
Index	13

Policy 1.2 Academic Misconduct

RELATED DOCUMENTS

University Policies	Other Documents
University Policy 3.6, Financial Irregularities	Appropriate Sponsor Regulations
University Policy 4.6, Standards of Ethical Conduct	Campus Code of Conduct
University Policy 6.2.10, Establishment of College-Level Academic Employee Grievance Procedures	Code of Academic Integrity
	Cornell University Academic Integrity Handbook
	Faculty Dismissal Procedure
	Faculty Handbook

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
Campus Code of Conduct	Judicial Administrator	(607) 255-4680
Complaints Concerning Suspected Academic Misconduct	Dean of the Faculty	(607) 255-4843
Policy Clarification	Dean of the Faculty	(607) 255-4843

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, determines if an Investigation is necessary, 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 examination into allegations of academic misconduct through the process described in these procedures.

Policy 1.2 Academic Misconduct

PROCEDURES

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 other people's words or ideas as one's own; deliberately falsifying or fabricating data, citations, or information; forging 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 unintentional error or honest differences in interpretations or judgments of data.

Disclosure of Academic Misconduct

All 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 (including those with university appointments), 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.

Policy 1.2 Academic Misconduct

PROCEDURES, CONTINUED

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 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 of the Inquiry, 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 discreetly notify the Vice Provost for Research at the start of the Inquiry. At this time, the Vice Provost for Research will advise the Inquirer of applicable government regulations regarding the Inquiry of Academic Misconduct (see the "Government Procedures" segment of this document). The Vice Provost for Research will also take interim administrative actions he or she deems appropriate 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 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 shall notify the Vice Provost for Research who shall undertake the appropriate interim actions. Should reasonable indications of irregularities in university finances be found during the Inquiry, the Inquirer will notify University Audit. 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.

Policy 1.2 Academic Misconduct

PROCEDURES, CONTINUED

□**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.

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.

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 unit 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.

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 the "*Government Procedures*" segment of this document).

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

Policy 1.2 Academic Misconduct

PROCEDURES, CONTINUED

the Investigation, and that no person with a real or apparent conflict of interest is appointed to the Investigation.

The Investigation will include but need not be limited to:

- examining all pertinent documentation, including relevant research data and proposals, publications, correspondence, etc.;
- interviewing all principals and witnesses, whenever possible;
- preparing 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;
- maintaining documentation and summaries of interviews as part of the investigative file;
- consulting experts from within or without the University, as deemed appropriate;
- preparing 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 Investigation, s/he shall notify the Vice Provost for Research who shall undertake the appropriate interim actions. Should reasonable indications of irregularities in university or sponsor finances be found during the Investigation, the Investigator will notify University Audit. Should reasonable indications of possible criminal violations be found during the Investigation, the Investigator will notify the Vice Provost for Research and University

Policy 1.2 Academic Misconduct

PROCEDURES, CONTINUED

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 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. This report will include an explanation for the delay, a 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, 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, at 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 assign such administrative action as may be appropriate to repair any damage the misconduct has caused (notice to

Policy 1.2 Academic Misconduct

PROCEDURES, CONTINUED

publishers, etc.) and assign such disciplinary penalty as deemed appropriate. Possible penalties range from reprimand to dismissal.

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 assignment 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.

Policy 1.2 Academic Misconduct

PROCEDURES, CONTINUED

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 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 government 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 government 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.

Policy 1.2 Academic Misconduct

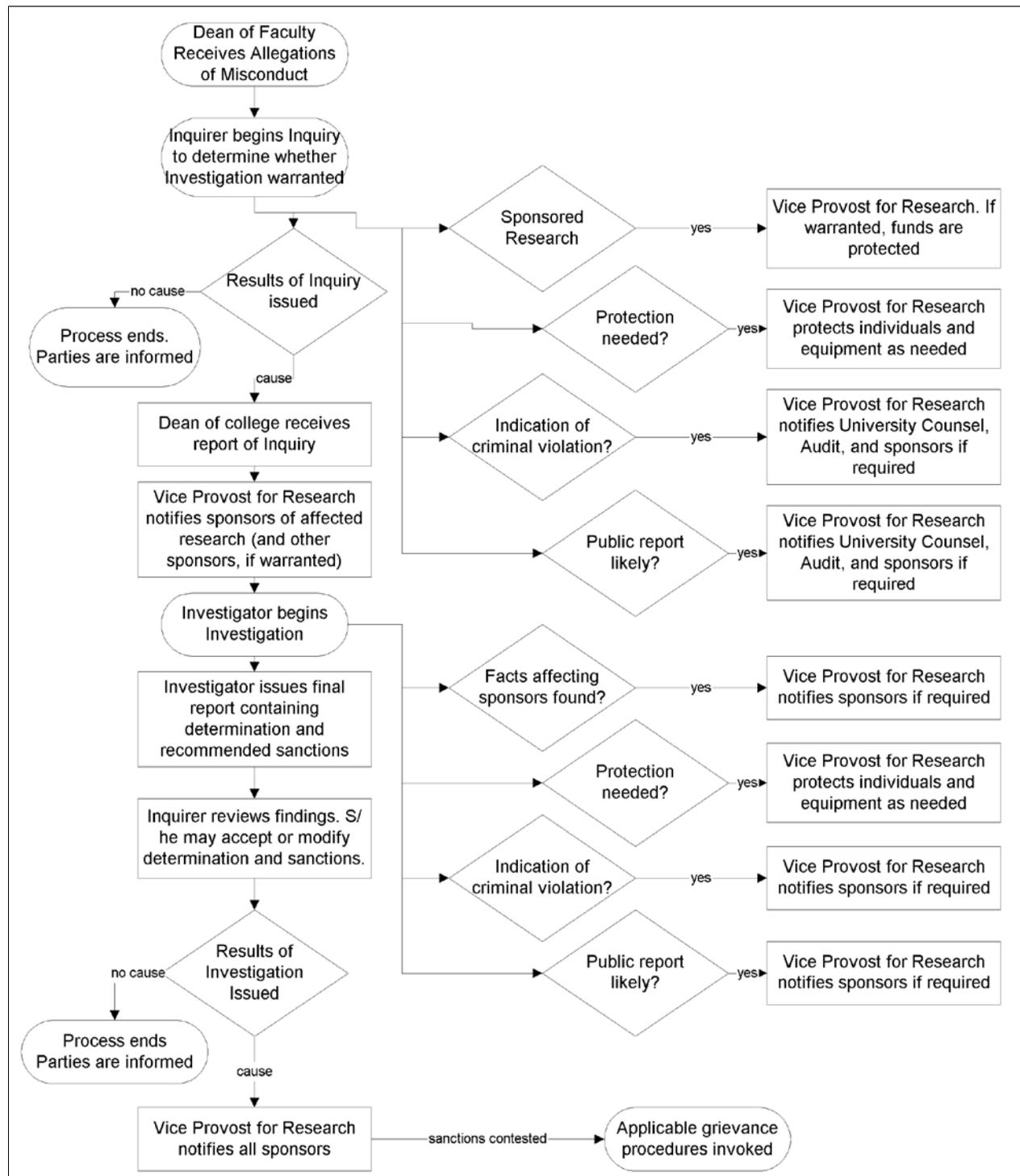
RESPONSIBILITIES

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

All Faculty and Staff Members 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 or unit head 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



Policy 1.2 Academic Misconduct

INDEX

Administrative action.....	8	Integrity.....	1, 3, 4
Associate Dean of the Faculty.....	4	Interview.....	5, 7
Audit, University.....	5, 7	Investigation.....	3, 4, 5, 6, 7, 8, 9, 11, 12
Citations.....	4	Investigative file.....	7
Complaint.....	11	Investigative report.....	7
Complaint reporting.....	9	Investigator.....	3, 6, 7, 8, 11
Confidentiality.....	4, 9	National Institutes for Health.....	10
Conflict of interest.....	4, 6, 11	National Science Foundation.....	10
Contacts.....	3	Plagiarism.....	4
Counsel, University.....	5, 6, 7, 11	Principal.....	7
Data.....	4, 7	Provost.....	4, 6, 7, 8, 11
Dean.....	3, 4, 6, 9, 11	Reporting.....	4, 5, 6, 7, 8, 9, 10
Dean of the Faculty.....	4, 6, 8, 11	Reprimand.....	7, 8
Definitions.....	3	Reputations.....	9
Department Head.....	11	Research.....	1, 3, 4, 5, 6, 7, 8, 10
Discipline.....	1, 3, 7, 8, 9, 11	Responsibilities.....	11
Dismissal.....	8	Retaliation.....	4
Documentation.....	7, 9	Secretary.....	4
Documents, related.....	3	Sponsor.....	5, 6, 7, 8, 9, 10, 11
Evidence.....	1, 4, 5, 7	Sponsor regulations.....	8
Faculty.....	1, 3, 4, 11	Sponsored funding.....	7, 8
Finances.....	5, 7	Student.....	11
Forgery.....	4	Supervisor.....	11
Government regulations.....	5, 6, 10	Termination.....	6, 7, 8
Grievance.....	9	Time limit.....	8
Inquirer.....	3, 4, 5, 6, 8, 9, 11	Vice Provost for Research.....	5, 6, 7, 8, 9, 11
Inquiry.....	3, 4, 5, 6, 9, 11	Witness.....	7