STEVENS
INSTITUTE OF TECHNOLOGY

Policy Name: Policy on Research Misconduct
Approval Authority: Cabinet
Responsible Officer(s): Provost and Senior Vice President for Academic Affairs and Provost
Responsible Office(s): Office of Research and Innovation
Effective Date: January 1, 2026

I. Purpose of this Policy

Stevens Institute of Technology ("Stevens" or the "university") is committed to upholding the highest standards of scientific rigor in research. The university fosters an environment that promotes research integrity and the responsible conduct of research and deals promptly with allegations or evidence of possible research misconduct.

This Policy applies to the Stevens community including, without limitation, all faculty, staff, postdoctoral students, students, and any individual paid by, under the control of, or affiliated with Stevens, including, but not limited to trainees, fellows, contractors, visiting scholars and guest researchers engaged in the conduct of research or other scholarly work at Stevens.

Defined terms used in this Policy are defined herein and in Appendix A.

II. Policy Statement

Aligned with its research and academic mission, the university seeks to foster and adhere to the highest ethical standards in research and scholarly work. This includes establishing and implementing policies and procedures that ensure the handling of allegations of research misconduct, whether in research or other forms of scholarship, are conducted in a fair and objective manner. Each community member is responsible for contributing to an organizational culture that establishes, maintains and promotes research integrity and the responsible conduct of research.

This Policy establishes the university's commitment to addressing allegations of research misconduct in a manner that is prompt, thorough and consistent with applicable federal regulations, sponsor requirements and institutional values.

The university supports all good-faith efforts to report suspected misconduct and ensures that allegations are promptly and thoroughly addressed. When appropriate, Stevens takes steps to correct the scientific record and/or restore researchers' reputations.

See Section IV.A.1 for the definition of research misconduct and evidentiary standards. This Policy and Appendix A provide further definitions and should be consulted for all matters arising under this Policy.

Stevens is also committed to ensuring that allegations of research misconduct are administered in compliance with applicable federal regulations and sponsor requirements. Regulations related to this Policy include but are not limited to the following: 42 CFR Part 93 – Public Health Service ("PHS") Policies on Research Misconduct; 45 CFR Part 689—National Science Foundation ("NSF") Research Misconduct Policy; and other local, state and federal regulations that may apply in the context of research and scholarly work.

III. Scope and Applicability; Relevant Time Periods

This Policy applies to allegations of research misconduct involving members of the Stevens community engaged in the conduct of research or scholarly work, regardless of the source of funding.

Stevens applies a six-year limitations period to allegations involving PHS-supported research, as required by applicable regulation (42 CFR § 93.104). This means that allegations involving PHS-supported research must pertain to misconduct that occurred within six years prior to the date Stevens or HHS received the allegation. However, this limitations period does not apply to (i) cases where the respondent continues or renews any incident of alleged research misconduct that occurred before the six-year period through the use of, republication of, or citation to the portion(s) of the research record alleged to have been fabricated, falsified, or plagiarized, for the potential benefit of the respondent (the "subsequent use" exception), and (ii) cases where the Office of Research Integrity of the Department of Health and Human Services ("ORI")[1] or Stevens, following consultation with ORI, determines that the alleged research misconduct, if it occurred, would possibly have a substantial adverse effect on the health or safety of the public.

For non-PHS cases, Stevens may review older allegations in its discretion, particularly when research integrity or safety concerns warrant further examination. Further, for NSF-funded research, the university will comply with any requests from the NSF Office of Inspector General ("OIG") to review allegations, regardless of when the alleged misconduct occurred.

This Policy does not supersede, replace or alter any applicable federal regulations or sponsor requirements governing research misconduct in sponsored or supported research. In the event of

[1] In each case, if a sponsor's requirements require interaction with a governmental agency or body other than (or in addition to) ORI, such agency or body shall be the relevant contact for purposes of this Policy, whether in lieu of or in addition to ORI.

any conflict between this Policy and applicable federal or sponsor regulations, the applicable federal or sponsor regulations shall take precedence.

IV. Procedures for Addressing Allegations of Research Misconduct

A. General Principles Governing Proceedings

Stevens, through the Office of the Vice Provost for Research and Innovation ("OVPRI"), will respond to allegations of research misconduct in a thorough, competent, objective and fair manner. Stevens will take all reasonable and practical steps to ensure respondents and other institutional members cooperate with research misconduct proceedings, including, but not limited to, providing information, research records and other evidence.

Stevens will inform the university community about this Policy and ensure that it is accessible by posting it in the Stevens' Policy Library and communicating it through appropriate institutional channels.

1. Definition of Research Misconduct; Evidentiary Standards.

For purposes of this Policy, research misconduct is defined as: fabrication, falsification, or plagiarism in proposing, performing or reviewing research, or in reporting research results.[2] Research misconduct does not include honest error or differences of opinion. A finding of research misconduct requires that there be a significant departure from accepted practices of the relevant research or scholarly community; that the research misconduct be committed intentionally, knowingly or recklessly; and that the allegation be proven by a preponderance of the evidence. The university carries this burden of proof. However, the respondent has the burden of going forward with and proving, by a preponderance of the evidence, (i) all affirmative defenses raised (provided that the university shall give due consideration to admissible, credible evidence of honest error or difference of opinion presented by the respondent); and (ii) any mitigating factors relevant to a decision to impose administrative actions after a research misconduct proceeding. Further, a respondent's destruction of research records documenting the questioned research is evidence of research misconduct where Stevens establishes by a preponderance of the evidence that the respondent intentionally or knowingly destroyed records after being informed of the research misconduct allegations. A respondent's failure to provide research records documenting the questioned research is evidence of research misconduct where the respondent claims to possess the records but refuses to provide them upon request.

2. Confidentiality

[2] Under this Policy, "reporting research results' includes research reflected in all scholarly works.

Federal regulations require institutions to provide confidentiality to persons involved in proceedings under this Policy to the extent possible. Stevens will take reasonable and practical steps to protect the confidentiality of respondents, complainants, witnesses and committee members throughout the research misconduct proceedings, consistent with applicable regulations. This means that during the proceedings, disclosure of the identity of respondents, complainants and witnesses will be limited, to the extent possible, to those who need to know, as determined by Stevens and consistent with a thorough, competent, objective and fair research misconduct proceeding. Those who need to know may include institutional review boards, journals, editors, publishers, co-authors and collaborating institutions. The university may use measures such as redacting transcripts and other documents or limiting access to sensitive materials to uphold these protections. The limitation on disclosure of the identity of respondents, complainants and witnesses no longer applies once an institution has made a final determination of research misconduct findings.

Notwithstanding the above confidentiality provisions, Stevens will disclose the identity of respondents, complainants and other relevant persons to federal agencies (including ORI and the NSF OIG) as required.

Except as may otherwise be prescribed by applicable law, Stevens will also maintain confidentiality for any records or evidence from which research subjects might be identified and will limit disclosure to those who need to know to carry out a research misconduct proceeding.

Nothing in these provisions prohibits Stevens from managing published data or acknowledging that data may be unreliable.

3. Conflict of Interest

Stevens will take precautions to ensure that individuals responsible for carrying out any part of a research misconduct proceeding are free from potential, perceived and actual unresolved personal, professional, and/or financial conflicts of interest with the respondent(s), complainant(s) and witness(es). For additional details, refer to the university's Conflict of Interest Policy and Financial Conflicts of Interest in Research.

4. Respondent Admissions

Stevens will notify ORI in advance if it plans to close a research misconduct proceeding at the assessment, inquiry, investigation or appeal stage on the basis that the respondent has admitted to committing research misconduct or a settlement with the respondent has been reached. A respondent's admission of research misconduct must be made in writing and signed by the respondent. An admission must specify the falsification, fabrication and/or plagiarism that occurred

and which research records were affected. The admission statement must meet all elements required for a research misconduct finding under 42 CFR § 93.103 and must be provided to ORI before Stevens closes its research misconduct proceeding. Stevens will also provide a statement to ORI describing how it determined that the scope of the misconduct was fully addressed by the admission and confirmed the respondent's culpability.

5. Use of Legal Counsel or Personal Advisor

Respondents may, at their own expense, consult legal counsel or a non-lawyer advisor, provided the advisor is not a witness or a university official involved in the proceedings. Any such counsel or advisor must be consulted independently of the proceedings and is not permitted to attend or participate in any aspect of the inquiry or investigation conducted by the university under this Policy.

6. Sequestration and Access to Research Records; Documentation

Before or at the time of notifying the respondent of the allegation(s) and whenever additional items become known or relevant, Stevens will promptly take all reasonable and practical steps to obtain and securely sequester pertinent research records and evidence (which may include copies of the data or other evidence so long as those copies are substantially equivalent in evidentiary value) needed to conduct the research misconduct proceeding. Stevens will inventory sequestered evidence and ensure it is stored in a secure manner. Where the research records or other evidence are located on or encompass scientific instruments shared by multiple users, Stevens may obtain copies of the data or other evidence from such instruments, so long as those copies are substantially equivalent in evidentiary value to the instruments.

Where appropriate, the Research Integrity Officer ("RIO") or designated institutional official may provide the respondent with copies of, or supervised access to, sequestered research or scholarly records.

7. Record Retention

Stevens will securely maintain the complete institutional record and all sequestered evidence, including physical objects (regardless of whether the evidence is part of the institutional record), for a minimum of seven (7) years following the conclusion of institutional and/or sponsor proceedings, whichever is later, unless (in the case of proceedings subject to 42 CFR Part 93), custody has been transferred to HHS pursuant to 42 CFR § 93.318(b) or ORI advises otherwise in writing. Further, in cases where the alleged research misconduct appears subject to the "subsequent use" exception, but Stevens determines it is not subject to the exception, Stevens will document its determination that the exception does not apply and will retain this documentation for the later of seven years after completion of Stevens' proceeding or the completion of any HHS proceeding.

8. Additional Allegations and Multiple Respondents

If additional allegations related to research misconduct arise after the initial inquiry notification or during the investigation, the RIO or designated official will provide written notice to the respondent within a reasonable amount of time of deciding to pursue such allegation(s). If additional allegations related to other university policies arise, such allegations will be referred to the appropriate office as described in the relevant policy.

If any additional respondent(s) are identified during the inquiry or investigation, the RIO or designated official will notify them in writing of the allegation(s) and provide an opportunity to respond in accordance with this Policy and applicable regulations. Only allegations specific to a particular respondent will be included in the notification to that respondent. The university may either initiate a separate inquiry or include additional respondent(s) in the ongoing investigation. However, while an investigation into multiple respondents can convene with the same investigation committee members, separate investigation reports and research misconduct determinations must be prepared for each respondent.

9. Coordination with Other Institutions

If alleged research misconduct involves multiple institutions, Stevens may collaborate with the affected institutions to determine whether a joint proceeding is appropriate and the terms on which such proceedings will be conducted in order to comply with applicable law and the policies of both parties to the extent possible. If a joint proceeding is conducted, the institutions will designate one to serve as the lead institution.

The lead institution will collect relevant research records, evidence and witness testimony from the cooperating institutions. By mutual agreement, any committee members may be drawn from one or more of the participating institutions. Decisions regarding further inquiry or investigation, findings of misconduct and institutional actions may be made jointly or delegated to the lead institution.

10. Protection from Retaliation

Stevens strictly prohibits retaliation against any individual who, in good faith, raises an allegation of research misconduct or participates in a research misconduct proceeding under this Policy. This protection includes complainants, witnesses, committee members, and respondents. Retaliation is a violation of university policy and will not be tolerated.

The university recognizes that retaliation can take many forms and may occur during or after the misconduct proceedings. Any concerns about retaliation should be reported promptly and will be investigated in accordance with university policy and applicable law. Individuals found to have

engaged in retaliation are subject to disciplinary action, up to and including dismissal from university employment or expulsion.

Further guidance on protections against retaliation is provided in Stevens' Conscientious Employee or "Whistle-blower" Protection Policy.

11. Protection and Restoration of Reputation

In accordance with 42 C.F.R. §§ 93.300(d) and 93.304, Stevens will take all reasonable and practical steps to protect the positions and reputations of good-faith complainants, witnesses and committee members. Stevens will take reasonable and practical steps, if requested and as appropriate, to protect or restore the reputation and professional standing of individuals against whom no finding of research misconduct is made. These protections will be coordinated by the Vice Provost for Research and Innovation ("VPRI") in collaboration with the RIO and in consultation with relevant institutional offices.

12. Sponsor Notification

Stevens will provide prompt notice to, and cooperate fully with, sponsoring agencies during research misconduct proceedings, as required by federal regulations and sponsor policies. This includes transferring custody or providing copies of institutional records and sequestered evidence, as required.

For allegations subject to 42 CFR Part 93, Stevens will cooperate with ORI during any research misconduct proceeding or compliance review, including addressing deficiencies or additional allegations in the institutional record if directed by ORI and assisting in administering and enforcing any HHS administrative actions imposed on institutional members. Similarly, for allegations subject to 45 CFR Part 689, Stevens will cooperate with the NSF OIG throughout the proceedings and during any oversight review and/or investigation.

13. Special Circumstances

Stevens shall promptly notify relevant sponsors of any special circumstances that may arise during an inquiry or investigation. A list of such circumstances is provided in Appendix D to this Policy.

14. Use of Technology in Research Misconduct Proceedings

To support research misconduct proceedings, Stevens may use virtual platforms for conducting interviews and meetings. The use of such tools must be consistent with any applicable institutional guidelines.

B. Assessment

The purpose of an assessment is for the RIO or other designated institutional official to review readily accessible information relevant to the allegation and determine whether an allegation warrants an inquiry. Upon receiving an allegation of research misconduct, the IDO, in consultation with the RIO and/or designated institutional official, will promptly assess the allegation(s) to determine whether an inquiry is warranted.

This includes a determination of whether the allegation (1) falls within the definition of research misconduct under this Policy, (2) is within the criteria outlined by federal regulations and sponsor requirements, if any (e.g., 42 CFR § 93.102 with respect to PHS), and (3) is sufficiently credible and specific such that potential evidence of research misconduct may be identified and sequestered.

If the IDO determines that the allegation meets the applicable criteria, the RIO or designated institutional official will promptly: (a) document the assessment, (b) initiate an inquiry, and (c) sequester research records, scholarly work records, and other evidence.

If the IDO determines that the alleged misconduct does not meet the criteria to proceed to an inquiry, the RIO or designated or institutional official will prepare an assessment report describing the justification for not proceeding with an inquiry and will notify relevant parties.

Stevens will maintain assessment-related documentation pursuant to the "Record Retention" section of this Policy.

C. Inquiry

1. Purpose and Scope; Time for Completion

An inquiry is an initial review of available evidence to determine if the allegation meets the definition and criteria for research misconduct outlined in this Policy and is sufficiently credible and specific to allow identification of potential evidence. An inquiry does not require a full review of all related evidence.

The VPRI shall ensure that the inquiry is completed within ninety (90) days of initiation unless circumstances require more time, in which case the delay will be documented in the inquiry report and relevant parties will be notified.

2. Initiation and Oversight of the Inquiry

Before the start of the inquiry, the VPRI will determine whether the inquiry will be conducted by the RIO or another designated institutional official, or by a committee consisting of subject matter experts from within or outside the university. The same individual may not serve as both the IDO and the RIO.

The RIO or designated official will oversee, manage and document the inquiry, working with the committee if one is involved. Responsibilities include adhering to applicable timelines, fulfilling reporting obligations, obtaining all research records and other evidence needed to conduct the research misconduct proceeding, coordinating interviews with witnesses or respondents if doing so would provide additional information for the institution's review and responding to sponsor or agency requests. At the conclusion of the inquiry, the RIO or designated official, together with the committee, if any, will prepare and deliver a written report of the inquiry findings to the IDO.

3. Respondent Notification

At or before the start of the inquiry, the RIO or designated official will make a good-faith effort to notify the respondent(s) in writing that an allegation of research misconduct has been raised and that an inquiry will be conducted to determine whether an investigation is warranted. The notification will include a description of the allegations but will not include the original complaint.

4. Evaluating The Evidence and Determining Whether An Investigation is Warranted

At the conclusion of the inquiry, the RIO or designated institutional official, or committee, will conduct a review of the evidence to recommend to the IDO whether an investigation is warranted.

An investigation is warranted if:

(a) there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct under this Policy or applicable law (and, in the case of proceedings subject to 42 CFR Part 93, that the allegation involves PHS-supported biomedical or behavioral research, biomedical or behavioral research training, or activities related to that research or research training), and

(b) information gathered during the inquiry indicates that the allegation may have substance.

This standard applies to both sponsored and non-sponsored research activities, including scholarly work conducted under university oversight or in fulfillment of academic responsibilities.

The individual or committee responsible for conducting the inquiry will not determine if research misconduct occurred, nor assess whether the alleged misconduct was intentional, knowing, or reckless; such determinations are not made until the case proceeds to an investigation.

5. Inquiry Report

At the conclusion of the inquiry, the RIO or designated institutional official, and committee, if any, will prepare a written report documenting the process and outcome. The report must include specific information, which is described in Appendix B to this Policy. The report must also capture any comments from involved parties, institutional actions taken, and documentation of potential honest error or differences of opinion.

6. Notification Of Inquiry Outcomes

Prior to conclusion of the inquiry phase, the RIO or designated institutional official will provide the respondent(s) a copy of the draft inquiry report for review and comment and may provide relevant portions of the draft report to a complainant for comment.
The Institutional Deciding Official ("IDO") will notify the respondent of the outcome of the inquiry and provide a copy of the final inquiry report, any relevant PHS or other sponsor regulations, and a copy of this Policy. In proceedings subject to 45 CFR Part 689, Stevens will notify the NSF OIG immediately if an inquiry supports an investigation. In proceedings subject to 42 CFR Part 93, Stevens will notify ORI of the decision to begin an investigation on or before the date the investigation begins and will provide ORI with a copy of the inquiry report within thirty (30) days of determining that an investigation is warranted. Further, in cases where the university does not proceed to an investigation, Stevens will keep detailed documentation of inquiries to permit a later assessment by a federal agency of the reasons why the university decided not to investigate (see the "Record Retention" section of this Policy).

The IDO may, but is not required to, notify a complainant whether the inquiry found that an investigation is warranted. If the IDO provides notice to one complainant in a case, it must provide notice, to the extent possible, to all complainants in the case.

There is no process to appeal the results of the inquiry. Refer to Section E for details on the appeal process following an investigation.

D. Investigation

1. Purpose, Scope, Timing and Notice to Respondent

The purpose of the investigation is to formally establish a factual record, pursue leads, examine the record and recommend findings to the IDO, who will determine outcomes based on a preponderance of the evidence and ensure all relevant issues, including any new allegations, are fully addressed. As part of its investigation, the university will pursue diligently all significant issues and relevant leads, including any evidence of additional instances of possible research misconduct, and continue the investigation to completion.

The VPRI will initiate the investigation within thirty (30) days after deciding an investigation is warranted. Within a reasonable amount of time after determining an investigation is warranted, and before the investigation begins, Stevens will notify the respondent in writing of the allegation(s). Stevens will give the respondent written notice of any allegation(s) of research misconduct not addressed during the inquiry or in the initial notice of investigation within a reasonable amount of time of deciding to pursue such allegation(s).

Stevens will complete all aspects of the investigation within one hundred eighty (180) days of initiation. This includes conducting the investigation, preparing the draft investigation report for each respondent, providing the draft report to each respondent for comment and transmitting the institutional record (including the final investigation report and decision by the IDO) to the sponsor. If the investigation cannot be completed within the specified time, the VPRI will submit a written request for an extension to the sponsor, NSF or ORI, as applicable. If an extension is granted, Stevens will submit any required periodic progress reports and will document the reason(s) for exceeding the one hundred eighty (180)-day period in the investigation report.
In cases in which no external sponsor is involved, the VPRI will document the reasons for the delay internally and ensure that the rationale for exceeding the timeline is clearly explained in the final investigation report and relevant parties are notified.

2. Investigation Oversight

The RIO or designated institutional official is responsible for ensuring compliance with this Policy and overseeing the investigation phase including, without limitation, ensuring that the investigation is conducted thoroughly, impartially and in compliance with applicable federal regulations.

The IDO is the Stevens institutional official who makes the final determinations on allegations of research misconduct and any institutional actions related to allegations of research misconduct. The Provost or designee shall serve as the IDO.

3. Convening an Investigation Committee

In the event that the VPRI determines to convene a committee of subject matter experts at the investigation stage, the VPRI in consultation with the IDO, RIO, and designated official will select qualified committee members. Committee members shall be subject matter experts selected from within or outside the university. The Committee will be convened and supported by the RIO or designated official and will advise the investigation and the VPRI.

After vetting investigation committee members for conflicts of interest and appropriate scientific and scholarly expertise, the VPRI, in consultation with the RIO or designated institutional official, will convene the committee and ensure that the members understand their responsibility to conduct the research misconduct proceedings in compliance with the applicable regulations.

The RIO or designated institutional official will use diligent efforts to ensure that the investigation is thorough, impartial, sufficiently documented, and unbiased to the maximum extent practicable. This includes overseeing the investigation committee's fulfillment of its responsibilities including conducting interviews, pursuing leads, and examining research and scholarly records and other evidence to make a recommendation on the merits of the allegation(s).

Investigation committee members may also have served on the inquiry committee (if any), and they may serve on more than one investigation committee when there are multiple respondents involved in the same investigation.

4. Information Gathering and Evidence Management; Interviews and Transcripts

The RIO or designated institutional official will obtain original or substantially equivalent copies of relevant research or scholarly records and other evidence and will inventory these materials.

During the investigation, the RIO or designated official, or the investigation committee will interview each respondent, complainant(s) and any other individual reasonably identified as having information related to the allegations, including witnesses named by the respondent. These interviews must be recorded and transcribed, and any exhibits shown to the interviewee during the interview will be numbered and referenced by their assigned number during the interview. The transcript of the interview must be made available to the interviewee for correction, and the transcript(s) with any corrections and numbered exhibits will be included in the institutional record. Respondents will not be present during witness interviews but will receive a transcript of each interview.

5. Respondent Rights and Institutional Burden of Proof

Respondents will be notified in writing of the allegations, provided access to sequestered research records, and given the opportunity to review and comment on the inquiry and investigation reports, including any new allegations or evidence. Stevens will consider credible evidence of honest error or differences of opinion. Stevens bears the burden of proof, by a preponderance of the evidence, for making a finding of research misconduct.

6. Investigation Report; Respondent Review

At the conclusion of the investigation, the RIO or designated institutional official and the committee, if any, will prepare a written report documenting the nature of the allegations, the evidence reviewed, and the findings of the investigation committee. The report must include the specific information described in Appendix C to this Policy.

The RIO or designated official will provide each respondent with a copy of the draft investigation report and, concurrently, a copy of, or supervised access to, the research records and other evidence the committee considered or relied on. Respondents must submit any written comments within thirty (30) days of receiving the draft report.

At the discretion of the RIO or designated official, the draft report (or relevant portions) may also be

shared with the complainant. Any comments from the complainant must be submitted within thirty (30) days of receiving the draft report (or portions thereof).

7. Final Determination of Research Misconduct; Sanctions and Corrective Actions

The IDO will review the investigation report and make a final written determination for each allegation of research misconduct. This determination must be supported by a preponderance of the evidence and will include whether research misconduct occurred, the type of misconduct, the individual(s) responsible and the scope and impact of the misconduct. The written decision will also outline any disciplinary or other actions Stevens has taken or plans to take in response. The final determination will be included in the institutional record.

A finding of research misconduct may result in disciplinary action under Stevens policies and procedures, including Section 3 of the Faculty Handbook. For tenure stream faculty, substantiated findings may be considered evidence of demonstrated dishonesty in research and may lead to dismissal or suspension without pay in accordance with Section 3.9.1 of the Faculty Handbook. For other employees, disciplinary action will be determined by the IDO in consultation with the Division of Human Resources.

In addition to disciplinary measures, the IDO may take other appropriate actions to address the consequences of research misconduct, including correction of the public record. Responsibility for managing and monitoring corrective actions rests with the IDO, in coordination with relevant administrative offices, to ensure timely implementation and compliance with institutional and sponsor requirements.

Federal funding agencies retain the right to impose additional sanctions beyond those applied by the university.

8. Notification of Investigation Outcomes

In accordance with sponsor requirements, the university will document the final decision of the IDO and transmit the complete institutional record (including the final investigation report and the IDO's decision) to the sponsoring agency, the NSF OIG, or ORI, as applicable.

If no finding of misconduct is made, the university will consult with the respondent to determine whether any steps are needed to communicate the outcome to relevant parties, correct public or internal records or take other appropriate actions.

Complainants will be notified of the outcome of the investigation when appropriate.

9. Institutional Record

Once a final determination has been made, the RIO or designated official will add the written decision to the investigation report and transmit the complete institutional record to any relevant regulatory agency, as required by law. For proceedings subject to 42 CFR Part 93, Stevens will submit the institutional record to ORI. For proceedings subject to 45 CFR Part 689, Stevens will submit the institutional record to the NSF OIG.

The institutional record shall include:

- The records that the institution compiled or generated during the research misconduct proceeding, except records the institution did not consider or rely on. These records include, but are not limited to:
    - Documentation of the assessment.
    - If an **inquiry is conducted**, the inquiry report and all records (other than drafts of the report) considered or relied on during the inquiry, including, but not limited to, research records and the transcripts of any transcribed interviews conducted during the inquiry, information the respondent provided to the institution, and the documentation of any decision not to investigate.
    - If an **investigation is conducted**, the investigation report and all records (other than drafts of the report) considered or relied on during the investigation, including, but not limited to, research records, the transcripts of each interview conducted and information the respondent provided to the institution.
    - Decision(s) by the IDO.
    - The complete record of any institutional appeal.
- A single index listing all the research records and evidence that the institution compiled during the research misconduct proceeding, except records the institution did not consider or rely on.
- A general description of the records that were sequestered but not considered or relied on.

Stevens will securely maintain the record as described in the “Record Retention” section of this Policy.

E. Institutional Appeal Process

Stevens provides a limited opportunity for institutional appeal of research misconduct findings.

1. Appeal by Respondents

If a respondent is dissatisfied with the final determination issued by the IDO, they may submit a

written appeal to the President. Appeals must be submitted within thirty (30) calendar days of receiving the final written decision and must clearly identify one or more of the following grounds:

- New evidence not reasonably available during the investigation that could materially affect the outcome;
- Procedural error(s) that had a material impact on the fairness of the investigation; or
- Sanctions that are grossly disproportionate to the violation committed.

Dissatisfaction with the outcome alone is not grounds for appeal.

The President may consult with relevant institutional officials and may elect to meet with the respondent. Every reasonable effort will be made to reach a decision within forty-five (45) calendar days of receiving the appeal. The decision of the President shall be final. No further institutional review or appeal shall be available.

If a respondent files an institutional appeal, Stevens will immediately notify ORI (where the allegations concern research subject to 42 CFR Part 93). If Stevens has not yet transmitted its institutional record to ORI or the sponsoring agency (as applicable) prior to the appeal, Stevens will delay transmission of the institutional record until the appeal is resolved. The complete record of the appeal will be included in the institutional record submitted to ORI or sponsor. If Stevens has transmitted its institutional record to ORI or the sponsoring agency (as applicable) prior to the appeal, Stevens will provide ORI or the sponsor with a complete record of the appeal once the appeal is concluded.

2. Appeal by Complainants or Other Parties

If a complainant or other party to the research misconduct proceeding (e.g., a research sponsor) is dissatisfied with the findings or institutional actions, they may submit a written appeal to the President within ten (10) business days of receiving notice of the final decision for review.

Appeals must be based on one or more of the following grounds:

- New evidence not available during the investigation;
- Procedural error that materially affected the fairness of the process; or
- Sanctions or institutional actions that are grossly disproportionate to the findings.

The decision of the President shall be final.

F. Training

The OVPRI will oversee training on this Policy for all faculty, students and relevant staff. Investigators engaged in sponsored research must complete training on the responsible conduct of research in accordance with sponsor-specific requirements before commencing work related to the funded award.

G. Support

For questions and support, please contact the OVPRI at research@stevens.edu.

Appendix A: Definitions

Definitions that are used in this Policy are set forth below. Administration of this Policy may require use of additional definitions related to a specific sponsor.

Accepted practices of the relevant research or scholarly community. Practices established by applicable regulations (e.g., 42 CFR Part 93), sponsored funding components, and/or commonly accepted professional codes, methods or norms within the overarching community of researchers and institutions that apply for and receive sponsored funds (e.g., PHS awards).

Allegation. A disclosure of possible research misconduct through any means of communication and brought directly to the attention of a Stevens institutional official, sponsor, or regulatory agency.

Assessment. A consideration of whether an allegation of research misconduct appears to fall within the definition of research misconduct under this Policy or any applicable federal requirement, appears to involve federally funded biomedical or behavioral research, biomedical or behavioral research training, or activities related to that research or research training, and is sufficiently credible and specific such that potential evidence of research misconduct may be identified. The assessment only involves the review of readily accessible information relevant to the allegation.

Committee members. Committee members, and consortium members where applicable, are subject matter experts (SMEs), either internal or external to Stevens, who act in good faith to support research misconduct proceedings. They are expected to perform their assigned duties impartially and responsibly, contributing to the university's fulfillment of its obligations under this Policy. All committee and consortium members must possess relevant scientific expertise and be free from conflicts of interest with any of the involved parties.

Complainant. A person who in good faith makes an allegation of research misconduct. The complainant brings research misconduct allegations directly to the attention of an institutional or sponsored agency official.

Day. A calendar day, unless otherwise specified. If a deadline falls on a Saturday, Sunday, or Federal holiday, the deadline will be extended to the next day that is not a Saturday, Sunday or Federal holiday.

Evidence. Any information or material offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact. Evidence includes

documents, whether in hard copy or electronic form, information, tangible items and testimony.

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

Falsification. Manipulating research materials, equipment or processes(including review processes), or changing or omitting data or results such that the research is not accurately represented in the research record.

Good faith. Good faith as applied to a complainant or witness means having a reasonable belief in the truth of one's allegation or testimony, based on information known to the complainant or witness at the time. An allegation or cooperation with a research misconduct proceeding is not in good faith if made with knowledge of or reckless disregard for information that would negate the allegation or testimony. Good faith as applied to an institutional or committee member means cooperating with the research misconduct proceeding by impartially carrying out the duties assigned for the purpose of helping the university meet its responsibilities. An institutional or committee member does not act in good faith if his or her acts or omissions during the research misconduct proceedings are dishonest or influenced by personal, professional or financial conflicts of interest with those involved in the research misconduct proceeding.

Inquiry. Preliminary information gathering and preliminary fact finding to determine whether an allegation or apparent instance of research misconduct has substance and warrants an investigation.

Institutional Deciding Official (IDO). The Stevens institutional official who makes final determinations on allegations of research misconduct and any institutional actions related to allegations of research misconduct. The Provost or designee shall serve as the IDO.

Institutional or community member. An individual (or individuals) who is employed by, is an agent of, or is affiliated by contract or agreement with Stevens. Institutional/community members may include, but are not limited to, officers, employees, tenured and untenured faculty, teaching and support staff, researchers, research coordinators, technicians, postdoctoral and other fellows, students, volunteers, subject matter experts, consultants, attorneys, and employees or agents of contractors, subcontractors and sub-awardees.

Institutional record. Comprises the records compiled or generated by the university during phases of the research misconduct proceeding in accordance with this Policy and applicable regulatory requirements, except records the university did not consider or rely on in conducting the proceeding. Where a research misconduct proceeding relates to PHS-supported work, the

institutional record comprises all the required elements identified in 42 CFR § 93.220 and described in the "Investigation: Institutional Record" section of this Policy.
Intentionally. To act intentionally means to act with the aim of carrying out the act.

Investigation. The formal development of a factual record and the examination of that record using the criteria of the PHS misconduct regulations (including, without limitation, for non-PHS supported research or scholarly work) and other applicable criteria, including making findings as to whether research misconduct has occurred and appropriate administrative actions in response.

Knowingly. To act knowingly means to act with awareness of the act.

Notice. A written or electronic communication served in person or sent by mail or its equivalent to the last known street address, facsimile number or email address of the addressee.

Plagiarism. The appropriation of another person's ideas, processes, results or words, without giving appropriate attribution. Plagiarism includes the unattributed verbatim or nearly verbatim copying of sentences and paragraphs from another's work that materially misleads the reader regarding the contributions of the author. It does not include the limited use of identical or nearly identical phrases that describe a commonly used methodology. Plagiarism does not include self-plagiarism or authorship or credit disputes, including disputes among former collaborators who participated jointly in the development or conduct of a research project. Self-plagiarism and authorship disputes do not meet the definition of research misconduct.

Preponderance of the evidence. Proof by evidence that, compared with evidence opposing it, leads to the conclusion that the fact at issue is more likely true than not.

Recklessly. To act recklessly means to propose, perform or review research, or report research results, with indifference to a known risk of fabrication, falsification or plagiarism.

Research. A systematic experiment, study, review, 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 or underlying mechanisms related to a scientific or academic area of study including without limitation biological causes, functions or effects; diseases; treatments; or related matters to be studied. Research includes research and research proposals (whether sponsored or not) in all fields of science, engineering, mathematics and education and results from such proposals.

Research Integrity Officer (RIO). The institutional official responsible for administering Stevens' written policies and procedures for addressing allegations of research misconduct in compliance with applicable federal regulations and sponsor requirements. The Provost or designee will designate a RIO.

Research misconduct proceeding. Any actions related to alleged research misconduct taken under applicable regulations (e.g., 42 CFR Part 93 for allegations involving PHS-supported research), including allegation assessments, inquiries, investigations, agency oversight reviews and appeals under applicable regulations (e.g., subpart E of 42 CFR Part 93).

Research record. The record of data or results that embody the facts resulting from scientific inquiry. Data or results may be in physical or electronic form. Examples of items, materials or information that may be considered part of the research record include, but are not limited to, research proposals, raw data, processed data, clinical research records, laboratory records, study records, laboratory notebooks, progress reports, manuscripts, abstracts, theses, records of oral presentations, online content, lab meeting reports and journal articles.

Respondent. The individual(s) against whom an allegation of research misconduct is directed or whose actions are the subject of the research misconduct proceeding.

Retaliation. Any adverse action taken against a complainant, witness, committee member or other university official by the university or one of its members in response to a good faith allegation of research misconduct or good faith cooperation with a research misconduct proceeding. The university's Conscientious Employee or "Whistle-blower" Protection Policy provides additional guidance with respect to retaliation.

Sponsor support. Sponsor support means sponsor funding, or applications or proposals for funding, for biomedical, behavioral or other research, biomedical, behavioral or other research training, or activities related to that research or training, that may be provided through funding for intramural research; grants, cooperative agreements or contracts; subawards, contracts or subcontracts under those funding instruments; or salary or other payments under grants, cooperative agreements, or contracts.

Witnesses. Individuals whom Stevens has reasonably identified as having relevant information regarding a research misconduct inquiry or investigation. They are expected to cooperate in good faith and provide truthful testimony based on their knowledge at the time.

Appendix B: Documentation of the Inquiry

At the conclusion of the inquiry, regardless of whether an investigation is warranted, the RIO or designated institutional official will prepare a written inquiry report including the following:

- The names, professional aliases, and positions of the respondent and complainant(s).
- A description of the allegation(s) of research misconduct.
- Details about any PHS or other sponsor funding, including any grant numbers, grant applications, contracts and publications listing such support.
- The composition of the inquiry committee, if used, including name(s), position(s), and description of subject matter expertise.
- An inventory of sequestered research records and other evidence and description of the sequestration process.
- Transcripts of interviews, if transcribed.
- Inquiry timeline and procedural history.
- Any scientific or forensic analyses conducted.
- The basis for recommending that the allegation(s) warrant an investigation.
- The basis on which any allegation(s) were determined not to merit an investigation.
- Any comments on the inquiry report by the respondent or the complainant(s).
- Any institutional actions implemented, including internal communications and external communications with journals or funding agencies.
- Documentation of potential evidence of honest error or difference of opinion.

Appendix C: Documentation of the Investigation

At the conclusion of the investigation, the ROI or designated institutional official will prepare a written investigation report for each respondent including the following:

- Description of the nature and specifics of the allegation(s) of research misconduct, including any additional allegation(s) addressed during the research misconduct proceeding.
- Description and documentation of any PHS or other sponsor support, including any grant numbers, grant applications, contracts, and publications listing such support. This documentation shall include known applications or proposals for support that the respondent has pending with a sponsor.
- Composition of investigation committee, including name(s), position(s), and description of subject matter expertise.
- Inventory of sequestered research records and other evidence, except records the university did not consider or rely on, and a description of how any sequestration was conducted during the investigation. This inventory will include manuscripts and funding proposals that were considered or relied on during the investigation.
- Transcripts of all interviews conducted.
- Identification of specific published papers, manuscripts submitted but not accepted for publication (including online publication), PHS or other sponsor funding applications (if applicable), progress reports, presentations, posters or other research records that allegedly contained the falsified, fabricated or plagiarized material.
- Any scientific or forensic analyses conducted.
- A copy of this Policy and any other institutional policies and procedures under which the investigation was conducted.
- Any comments made by the respondent and complainant(s) on the draft investigation report and the committee's consideration of those comments.
- A statement for each separate allegation of whether the committee recommends a finding of research misconduct.
    - If the investigation committee **recommends** a finding of research misconduct for an allegation, the investigation report must, for that allegation:
        - Identify the individual(s) who committed the research misconduct.
        - Indicate whether the research misconduct was falsification, fabrication and/or plagiarism.

- Indicate whether the research misconduct was committed intentionally, knowingly or recklessly.
- Identify any significant departure from the accepted practices of the relevant research community and that the allegation was proven by a preponderance of the evidence.
- Summarize the facts and the analysis which support the conclusion and consider the merits of any explanation by the respondent.
- Identify the specific PHS support, if any.
- Identify whether any publications need correction or retraction.

- If the investigation committee **does not** recommend a finding of research misconduct for an allegation, the investigation report must provide a detailed rationale.
- List of any current support or known applications or proposals for support that the respondent has pending with PHS and non-PHS Federal agencies.

Appendix D: Other Special Circumstances

At any time during the misconduct proceedings, Stevens will immediately notify the sponsor, the NSF OIG, or ORI, as applicable, if any of the following circumstances arise:

- Health or safety of the public is at risk, including an immediate need to protect human or animal subjects.
- Sponsor resources or interests are threatened.
- Research activities should be suspended.
- There is reasonable indication of possible violations of civil or criminal law.
- Federal action is required to protect the interests of those involved in the research misconduct proceeding.
- The sponsor may need to take appropriate steps to safeguard evidence and protect the rights of those involved.
- The scientific community or the public should be informed (NSF).