

**American University of Beirut**  
**University Policy and Procedures Concerning**  
**Research Misconduct**

Approval by the Senate: April 27, 2012  
Approval by the Board of Trustees: June 22, 2012

**A. Research Integrity Policy Statement**

AUB, in fulfilling its mission as a research institution, expects and encourages its faculty to engage in research and the creation of knowledge, and to publish or otherwise disseminate the results of that research through presentations and other professional activities. This policy protects the integrity and the reputation of the research and scholarship produced by AUB's community. It also protects individuals and the University against false allegations of research misconduct. The policy is intended to underscore the importance of research integrity at the core of the University's mission. It assumes a shared responsibility among all members of the AUB community for promoting and maintaining high ethical standards when proposing, conducting, reporting, and reviewing research. All members of the AUB community should report misconduct in research to the Provost in accordance with this policy.

This policy does not cover disputes over authorship or other collaboration issues, which are arbitrated by the University Research Board. Concerns about possible violations of policies regarding the ethical conduct of research on human subjects/participants should be raised with the Institutional Research Board (see 'Noncompliance and Allegations of Noncompliance in the Conduct of Human Subjects Research'); concerns about the treatment of animals for research purposes should be brought to the attention of the Institutional Animal Care and Use Committee.

**B. Definitions**

For the purposes of this policy, Research Misconduct is defined as fabrication, falsification, or plagiarism in performing research activity or in reporting the results of research. Such acts include, but are not limited to:

- *Falsification*: Falsification of data is the manipulation of research findings, materials, and/or equipment in such a way that the research is not accurately represented in the research record.
- *Plagiarism*: Plagiarism is the use of the published or unpublished data or ideas of another person without acknowledging the author/originator and obtaining his/her permission as applicable. Plagiarism includes making use of preliminary data and/or ideas obtained through the review of manuscripts submitted to journals for publication or funding proposals presented to internal or external funding agencies or internal AUB committees (such as a faculty research committee; the Institutional Review Board; the Institutional Animal Care and Use Committee; or the University Research Board).
- *Fabrication*: Fabrication is the invention of data or results and recording or reporting them as fact.
- *Interference*: Interference is meddling in the experiments, research property, and/or research records of others with the intention of distorting data and conclusions.

A finding of Research Misconduct requires that:

- there be a significant departure from accepted practices of the relevant research or scholarly community
- the misconduct be committed intentionally, knowingly, or recklessly
- the allegations be proven by a preponderance of the evidence (meaning proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not).

Honest errors and differences of opinion or interpretation are not considered to be research misconduct.

For the purposes of this policy, the AUB community includes all those who may be involved in research activities, including students, faculty, staff, administrators, trainees, and medical center interns and residents located on campus and at AUBMC, AREC, or any other facility or program affiliated with the University. This policy also covers collaborative research done with other universities and research collaborators should be informed and made well aware of this policy.

This policy and associated procedures will normally be followed when an allegation of possible misconduct in research is received. Particular circumstances in an individual case may dictate variation from the normal procedure deemed in the best interests of AUB and any applicable outside agency. Any change from normal procedures will maintain fair treatment to the subject of the inquiry or investigation. Any significant variation from the normal procedure set forth in this policy requires the approval of the president.

### **C. Procedures**

The University's procedures for the resolution of allegations of research misconduct are intended to protect the privacy, rights, and reputation of both complainant and respondent, and to prevent retributive action.

All persons to whom the research misconduct policy applies, including those accused of research misconduct, are obligated to cooperate with all proceedings as described below. To the maximum extent possible, subject to applicable law and the need to conduct a thorough investigation, information regarding cases of research misconduct shall be kept **confidential while the case is under investigation.**

#### ***1. Formal Allegation of Research Misconduct***

A formal allegation of research misconduct is made in writing to the provost. Allegations must be specific, substantial, and corroborated by evidence that can form the basis of an inquiry. Appropriate disciplinary action will be taken against individuals who, at any step in the process, are found to have made false allegations or allegations in bad faith, as well those who retaliate against anyone participating in the investigation process described herein.

#### ***2. Assessment of the Allegation***

The provost assesses the allegation, together with the dean(s) of the relevant faculty(ies), and decides whether there are sufficiently credible and specific grounds for an investigation of research misconduct. If such grounds are established, a

Research Integrity Panel is formed to conduct the investigation. A panel is also formed in case of a disagreement between the provost and the dean(s).

### **3. *The Research Integrity Panel Is Convened***

The provost appoints the Research Integrity Panel consisting of three voting members (one of them designated as chair of the panel) drawn, as appropriate, from a standing pool of trained candidates (faculty of equal or higher professorial rank than the respondent/s named in the allegation and staff as appropriate), and who have no prior knowledge of the allegation or its circumstances. At least one member of the panel should have research experience relevant to the field in question. If the case involves a student, a PhD student is invited to serve as a fourth non-voting member of the Panel.

University counsel shall be consulted initially in all cases where a formal allegation of research misconduct is made and may be consulted at any point thereafter during the investigation process.

### **4. *The Panel Conducts a Preliminary Inquiry***

The first task of the Research Integrity Panel is to establish whether the stipulations of a governmental, professional, or other body are applicable,<sup>1</sup> and to designate a member to monitor the panel's compliance with such conditions as necessary.

The Panel then takes all reasonable steps to access and, if needed, sequester research records relevant to the allegation<sup>2</sup> and to inform the respondent/s of the allegation. The Panel chair provides the respondent/s with an inventory of all sequestered items. A logbook is maintained to monitor all access to the sequestered records, including access by panelists, and any copies that are made.

The Panel notifies the respondent/s and the principal investigator/s, if applicable, of the allegation and the identities of its members. The notification includes copies of AUB's policies on Research Integrity, Non-Retaliation, and Good Faith/Bad Faith Allegations, and these procedures. The complainant is also notified that an inquiry has commenced.

The Panel's inquiry is limited to preliminary fact-finding to determine whether the allegation has substance. The Panel examines all evidence and interviews witnesses, including the complainant and respondent. A summary of each interview is prepared by the Panel and reviewed by the interviewee, who may request corrections to the

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<sup>1</sup> Each US federal funding agency maintains scientific misconduct regulations and oversight offices. For example, the Office of Research Integrity of the US Department of Health and Human Services (DHHS) oversees the compliance of the researchers receiving DHHS funding through US 42 CFR Part 93.

<sup>2</sup> **Research records** refer to any data, documents, computer files, information on data storage devices, or any other written or non-written account or object that may reasonably be expected to provide evidence or information regarding the proposed, conducted, reviewed, or reported research. Such records may include, but are not limited to: grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; laboratory records, both hard and soft copies; theses and dissertations; abstracts; documentation of oral presentations; internal reports; manuscripts and publications; notes; correspondence; videos; photographs; X-ray film; slides; biological materials; prototypes; computer printouts; equipment use logs; laboratory procurement records; animal facility records; human participant and animal subject protocols; consent forms; clinical records directly related to research; and research subject/participant files.

text. The respondent/s and/or principal investigator/s may submit evidence in his/her/their defense. The Panel normally has 60 calendar days to complete the preliminary inquiry.

At any point during the inquiry or a subsequent investigation, the Panel may request an interim administrative action to:

- Protect the health and safety of research subjects/participants or patients
- Defend the interests of students, faculty, and staff
- Preserve evidence
- Safeguard AUB, governmental or third party resources
- Comply with applicable Lebanese or US federal laws and/or regulations
- Extend the time of the investigation.

The Panel drafts a brief, written report detailing its membership, activities, findings, and recommendations, with explanation, and makes the draft available to the respondent/s and/or principal investigator/s for review and comment within 30 calendar days of receipt. The Panel must consider and address any written responses in the report, and attach them to the report in full. The report is then submitted to the provost.

The final decision on whether or not to proceed with an investigation rests with the provost. If the inquiry found no evidence of misconduct, the provost will inform the complainant and the investigation is dropped.

#### **5. *The Panel Conducts a Full Investigation***

If the inquiry finds evidence of misconduct, the full investigation continues upon the request of the provost, and is conducted by the Panel that carried out the inquiry.

The Panel may request any information that it deems relevant to the case; to hold more meetings with the complainant, respondent/s, and principal investigator, separately or together; and to interview any members of the AUB community who may shed light on the matter.

In most cases, the Research Integrity Panel submits its final report, with full appendices, to the provost no more than 120 calendar days after it commences its investigation. If additional time is needed, the Panel will request such time from the provost, including an explanation for its request. The report is drafted by the Panel's chair and should include the following elements:

- The name/s and position/s of the respondent/s and/or principal investigator/s (as applicable);
- A description of the alleged research misconduct;
- Information on external support for the research involved in the allegation/s, including grant and contract numbers, and references to grant applications;
- A discussion of the investigative process, the evidence, and any explanations offered by the respondent/s and/or principal investigator/s during the investigation;

- An explanation for omitting to interview any witness suggested by the complainant, respondent/s, and/or principal investigator/s;
- A conclusion, based upon a preponderance of the evidence, as to whether academic misconduct occurred or not, or a reasonable justification if the Panel is unable to reach such a conclusion;
- Details of any publications involving the research in question that may require correction or retraction.

The respondent/s and/or principal investigator/s receive copies of the draft report and have 30 days for review and comment before the final version of the report is completed. Their written responses should be addressed in the final version and appended in full to the document to be submitted to the provost.

#### **6. *The Provost and President Take Action***

The provost reviews the report and makes a determination as to whether or not research misconduct has occurred. The report and the provost's recommendation are then forwarded to the president who makes the final determination and decides on the appropriate action to be taken, including but not limited to disciplinary action ranging from a reprimand to termination of contract.

The complainant, respondent, and dean are informed of the findings of the final report, and the president's action. The provost or the provost's designee will determine whether professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties or agencies should be notified of the outcome of the case. The provost is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies. The report and appendix are retained by the Provost's Office for at least seven years after the conclusion of the investigation (or longer if required by the rules and regulations of a research sponsor).

#### **7. *Appeal***

The respondent/s and/or principal investigator/s may file an appeal to the president within 30 days in case of doubts regarding adherence to these procedure or if new evidence related to the case has emerged.