



Research Misconduct: Policy on Allegations, Investigations, and Reporting

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University Provost, reflecting the requirements of research sponsors (federal and non-federal) endorsed by the Senate of the Academic Council

Contact Person:

Kathryn Ann Moler

1. Introduction

Each member of the University community has a responsibility to foster an environment which promotes intellectual honesty and integrity, and which does not tolerate misconduct in any aspect of research or scholarly endeavor.

Research misconduct is extremely troubling - in spite of its infrequency - because when it occurs, it is very destructive of the standards we attempt to instill in our students, of the esteem in which academic science in general is held by the public, and of the financial support of the government and other sponsors for academic research. The importance of integrity in research cannot be overemphasized.

2. Applicability

Stanford's definition of research misconduct and procedures for investigating and reporting allegations of misconduct, conform to the definitions and regulations of those federal and non-federal research sponsors which have policies on this subject. Stanford policy is applicable to:

1. research misconduct that occurred within six years of the date Stanford or a federal agency received an allegation (subject to subsequent use and health or safety exceptions), and does not apply to authorship or collaboration disputes;
2. research proposed, conducted or reported at Stanford by Stanford University-related individuals, i.e., those with an appointment or official affiliation with Stanford University, including faculty, academic staff, students, postdoctoral scholars, visiting scholars who make significant use of university research resources (including

- participation in any sponsored project awarded to Stanford University), and those with any other Stanford University teaching and/or research titles such as adjunct or clinical;
3. research proposed, conducted or reported elsewhere by such Stanford University-related individuals as part of their Stanford University-related duties or activities; and
 4. at the discretion of the University, to research proposed, conducted or reported where such research is claimed, cited or implied to have been done at Stanford, or where a Stanford appointment or official affiliation is claimed, cited or implied in connection with the research.

3. Definitions

A. Research Misconduct

"Research misconduct" is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

- Fabrication means making up data or results, and recording or reporting them.
- Falsification means manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
- Plagiarism means the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Research misconduct does not include honest error or honest differences in interpretations or judgments of data.

A finding of research misconduct requires that:

- there is a significant departure from accepted practices of the relevant research community
- the misconduct is committed intentionally, or knowingly, or recklessly
- the allegation is proven by a preponderance of the evidence. (Stanford University's disciplinary procedures may establish a different standard of proof for disciplinary actions.)

This policy addresses only research misconduct. Stanford's [statement on faculty discipline](#) has been interpreted to include such other misdeeds as reckless disregard for accuracy, failure to supervise adequately, and other lapses from professional conduct or neglect of academic duties. Findings (pursuant to this research misconduct procedure) of serious academic deficiencies in proposing, conducting or reporting research - but not constituting research misconduct as defined and/or covered by this policy - are to be addressed by the cognizant dean, or by initiating the relevant disciplinary process, as appropriate. Allegations or suspicions of misconduct outside the scope of the coverage of this policy should be referred for investigation to the cognizant dean, vice provost or vice president; the process of investigation and reporting obligations may differ from those required for research misconduct cases under this policy.

B. Inquiry

An inquiry consists of preliminary information-gathering and preliminary fact-finding to determine whether an allegation or an apparent instance of misconduct has substance. The outcome of an inquiry is a determination as to whether or not an investigation is to be conducted.

C. Investigation

An investigation is a formal examination and evaluation of relevant facts to determine whether or not misconduct has taken place.

4. Research Sponsors (Federal and Non-Federal) Requirements

Several research sponsors (federal and non-federal) have established policies and notification requirements regarding research misconduct. Where required, the Vice Provost and Dean of Research (herein referred to as the *Dean of Research*) will notify the sponsor in accordance with Section 8, *Notification to External Entities*. (See also Section 7, *Internal Coordination/Reports to the Dean of Research*.)

While research sponsors (federal and non-federal) recognize that the primary responsibility for the prevention and detection of misconduct, and for the conduct of inquiries and investigations, rests with the awarded institution, a number of research sponsors have retained the right to initiate their own investigations at any time.

Funding associated with a particular act or acts of alleged research misconduct will be identified at the inquiry stage in order to ascertain any sponsor-specific procedures or requirements and ensure compliance.

5. Individual Reporting Responsibility

Any individual who believes an act of research misconduct has occurred or is occurring should notify the dean of the appropriate school, who, after preliminary assessment indicating grounds to proceed, should immediately begin an inquiry and so inform the Dean of Research, who acts on behalf of the Provost. Reporting such concerns in good faith is a service to the University and to the larger academic community, and will not jeopardize anyone's employment. Stanford University prohibits retaliation of any kind against a person who, acting in good faith, reports or provides information about suspected or alleged misconduct.

6. Procedure for School Dean's Review

The dean's review of an allegation of research misconduct and, if called for, the inquiry and investigation may be carried out personally or through such standing or ad hoc arrangements as each dean deems best. (See Section 10, *Cautions and Assistance*.)

The processes described below should be carried out in a manner that is thorough, competent, objective, fair and appropriately protective of the confidentiality and reputations of all participants. Such assessments, inquiries and investigations should be coordinated with the office of the Dean of Research to assure that they are carried out in conformance with applicable regulations or agreement requirements (if any) in cases where the research is funded by a federal or non-federal research sponsor.

A. Preliminary Assessment

Upon receipt of an allegation, the school dean should assess the information presented to determine whether it constitutes alleged research misconduct as defined by this policy, and whether the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified. If both of these criteria are met, the school dean shall immediately begin an inquiry and shall so inform the Dean of Research, identifying any outside funding source(s) for the research that is the subject of the allegation.

B. Inquiry

An inquiry is to determine whether a formal investigation is warranted, and will be guided by the following:

1. As noted above, the school dean shall identify any outside funding source(s) for the research that is the subject of the inquiry.

2. Those conducting such inquiries or investigations are to promptly take all reasonable and practical steps to obtain custody of the research records and/or evidence needed to conduct the misconduct proceeding, inventory the records and evidence, and sequester them in an appropriate manner.
3. At the time of, or before the beginning of an inquiry, the accused individual (hereafter "the respondent") shall be informed of the allegations, and be invited to comment on them. The respondent shall also be provided with a copy of the draft report of the inquiry, and be given an opportunity to comment on the findings for the consideration of those conducting the inquiry. In so doing, best efforts shall be made (where feasible) to protect the confidence of the individual(s) who brought forward the complaint (hereafter "the complainant(s)").
4. Other relevant individuals, including the complainant(s), if known, should be interviewed.
5. The final report, including a recommendation as to whether or not a full investigation is warranted, is to be submitted by the school dean to the Dean of Research within 60 days of receipt of the allegation. (If this time frame is not possible in a particular case, the reasons are to be documented and the Dean of Research so informed.) The final report shall include any comments provided by the respondent in response to the draft report.
6. The documentation should include sufficient detail to permit a later assessment of the determination of whether or not a full investigation was warranted. It should describe the information reviewed, include a summary of the interviews conducted, state conclusions reached, and indicate whether or not the school dean believes an investigation is warranted.
7. The final report of the inquiry and a copy of the documentation are to be transmitted to the Dean of Research and maintained in the school for seven years.
8. Unless the Dean of Research has further concerns, a dean's recommendation that an investigation is not warranted will be final.

C. Investigation Procedures

If the inquiry leads to the conclusion that an investigation is warranted, it will be guided by the following considerations:

1. The formal investigation should begin within 30 days of the completion of the inquiry and after written notice to the respondent. The investigation is to be completed and the final report sent to the Dean of Research within 90 days (from the start of an investigation). If an investigation cannot be completed within this time frame, the Dean of Research should be notified as soon as possible. In such cases, it may be necessary for the Dean of Research to request an extension of time from funding agencies.
2. An investigation should normally include an examination of the relevant documentation, including but not limited to relevant research data and proposals, publications, correspondence, and memoranda of telephone calls.
3. Complainants, respondents, and witnesses who may have information related to the matter should be interviewed. Complete written summaries of each interview should be provided to the individual being questioned, and any comments should be appended to the summary, or reflected in a revised summary if the interviewer agrees. The summaries must be retained by the school dean.
4. All significant issues should be pursued until the investigator is reasonably certain that he or she has amassed all necessary and appropriate information.
5. A draft written report of findings shall be made available to the respondent with the opportunity to provide comments for the consideration of those conducting the investigation. Where identified and appropriate, complainants should also receive the portions of the draft report which concern the role or opinions they had in the investigation. Any comments on the draft from the respondent (and from the complainants, if applicable) shall be appended to the final report. NOTE: If there is more than one respondent, and their involvements are found not to be identical, separate draft reports should be prepared if practical, in order to preserve confidentiality.
6. In addition to the interview summaries and comments by the respondent and complainant(s) (if applicable) on the draft report, the final written report should include:

- a description of the policies and procedures followed
 - how and from whom relevant information was obtained
 - the findings and basis for them.
7. If either the school dean or the Dean of Research considers that sanctions may be warranted, the Dean of Research shall refer the final report to the University official who makes that determination (See Section 9) The report should be sufficient for the appropriate University officer to determine whether disciplinary action is called for. If any sanctions result, the Dean of Research shall be informed, and he or she should append that information to the final report.

7. Internal Coordination/Reports to the Dean of Research

In order to assure compliance with external notification requirements, school deans must report the following circumstances to the Dean of Research in a timely manner:

- commencement of an inquiry
- conclusion of an inquiry
- commencement of an investigation
- consultation if an investigation will take more than 90 days to complete
- conclusion of an investigation

If termination of an inquiry or investigation before its completion is contemplated for any reason, this should be reported and discussed with the Dean of Research.

In addition, the Dean of Research is to be advised at once if any of the following circumstances is discovered:

- an immediate health hazard, including to human or animal research subjects
- an immediate need to protect federal, non-federal, or University funds or equipment
- an immediate need to protect the integrity of the research and/or the research misconduct proceeding
- an immediate need to protect the interests of those involved in the research misconduct proceeding
- likelihood that an alleged incident will be reported publicly
- a reasonable indication of a possible criminal violation

In emergency situations, deans are authorized to take all appropriate actions, including notifying external agencies directly, if conference with the Dean of Research is not possible in a timely manner. (See Section 8 , Notification to External Agencies, below.) The Dean of Research is also authorized to take all appropriate actions.

The dean shall also take interim action as necessary to protect federal or non-federal research funds and the purposes of the federal or non-federal grant or contract that may be involved. Such action is administrative and not disciplinary. The school dean shall inform the Dean of Research of such actions.

If, during an investigation, facts come to light that could affect current or potential funding of the people under investigation, or that may, in the dean's judgment, need to be disclosed in order to ensure proper use of research funds or protection of the public interest, these facts should be reported to the Dean of Research as they are learned.

8. Notification to External Entities

Stanford University will comply with the applicable requirements and regulations of its funding agencies, and will cooperate with those agencies in the agencies' own procedures in regard to research misconduct. In any particular situation, school deans are advised to review current regulations and requirements, and to consult with the Dean of Research.

In the event that requests for information are received from external entities other than federal or non-federal research sponsors, the Provost will make the decision whether information about the charges and their disposition will be disclosed publicly or to specific parties. This decision will normally be made upon the conclusion of the final report. However, if required by urgent circumstances, such a disclosure may be made at any time. The Provost may consult with the Advisory Board to the extent feasible and appropriate in such cases. Absent such urgent need, Stanford will not make interim reports to outside entities unless required by external regulation or sponsor agreement.

In cases involving research funded by a non-federal sponsor who has requested notice regarding research misconduct, notification is limited to when an investigation has been initiated, when the final outcome has been issued and whether or not there were findings of research misconduct. Non-federal sponsors will not be provided a copy of the final report.

In accordance with the requirements of federal funding agencies, in cases involving research funded by those agencies, the agency will be informed in the following situations (1-7, below). Except as specifically described at the end of this section, the following notifications to federal funding agencies will be made only by the Dean of Research, acting on behalf of the Provost, and on the basis of the information provided by the school dean:

1. Outcome of an Inquiry

Federal funding agencies will be notified of the outcome of an inquiry involving funds from their agency only if that outcome includes the recommendation to conduct a full investigation. (Documentation from inquiries, even those that do not recommend further investigation, will be made available by the Dean of Research upon an agency's request.)

2. Commencement of an Investigation

Written notification will be provided to federal funding agencies upon determination that an investigation will be conducted. This notice is to be provided on or before the commencement of the investigation, and must include all information required by the agency. Generally, this notice must include at least the following: name(s) and position(s) of the respondent(s); general nature of the allegation(s); the agency support including any proposal or award numbers; the basis for the recommendation of an investigation; any comments by the respondent. This information will be held in confidence to the extent permitted by law.

3. Written Request for a Time Extension

Although regulations generally permit 120 days for completion of the investigation and submission of the final report, Stanford requires deans to consult with the Dean of Research if it appears that the final report will take more than 90 days to complete. This allows 30 days for the disciplinary process, if it is decided to pursue one. The final report to the federal funding agency must include a statement about the sanction (if any) imposed by the institution. If the investigation and determination of discipline are likely to take more time than specified by the relevant funding agency's regulations to complete, the Dean of Research will so notify the federal funding agency, including reasons for the delay, interim progress reports, the estimated date of completion of the report, and any other necessary information. If an extension is granted, the agency may (if so provided by its regulations) require the submission of periodic interim reports, or the agency may undertake its own investigation prior to the University's completion of its investigation.

4. Interim Reports

Federal funding agencies must be apprised during an investigation of facts that may affect current or potential funding of the individual(s) under investigation, or that may need to be disclosed in order to ensure proper use of federal funds or protection of the public interest.

5. Early Termination

Federal funding agencies must be notified of any decision to terminate an inquiry or investigation prior to the completion of all relevant requirements. This notice must include the reasons for such action. Some agencies have retained the right to investigate the matter further on their own.

6. Final Outcome

Federal funding agencies will be notified of the final outcome of an investigation involving their funded project(s), and provided with a complete copy of the final report.

7. Special Emergency Notifications

In addition, federal funding agencies will be informed at any stage of an inquiry or investigation if any of the following is discovered:

- an immediate health hazard, including an immediate need to protect human or animal subjects
- an immediate need to protect federal or University funds or equipment
- an immediate need to protect the integrity of the research and/or the research misconduct proceeding
- an immediate need to protect the interests of those involved in the research misconduct proceeding
- a likelihood that an alleged incident is going to be reported publicly
- a reasonable indication of possible criminal activity

In special emergency circumstances as defined above, the school dean should attempt to reach the Dean of Research (by phone if necessary; in writing, if possible). However, each dean is authorized to make such reports directly to the agency, and to so inform the Dean of Research afterwards, if, in the judgment of the dean, such action is necessary.

9. Determination of Discipline

The determination as to whether discipline is to be imposed is governed by existing University policies. In cases involving faculty, disciplinary sanctions may only be imposed through the faculty disciplinary process. The Dean of Research will refer cases of significant student misconduct to the Student Judicial Officer. Cases involving staff members will be referred to the appropriate administrator. As noted above, serious academic deficiencies not constituting research misconduct are to be addressed by the relevant school dean, or by initiating the relevant disciplinary process as appropriate.

Federal funding agencies have retained the right to impose additional sanctions, beyond those applied by the institution, upon investigators or institutions, if they deem such action appropriate in situations involving funding from their respective agencies; such agencies may also have standards of proof that differ from those used in Stanford's disciplinary proceedings.

In addition, in cases where research misconduct is found, the school dean and/or the Dean of Research may take all other appropriate actions (including the correction of the public record) as deemed necessary and advisable to address the consequences of the research misconduct.

10. Cautions and Assistance

The gathering and assessing of information in cases of alleged research misconduct can be extremely difficult. It is essential to protect the professional reputations of those involved, as well as the interests of the public and of any who might be harmed by the alleged misconduct. In the course of conducting inquiries or investigations, the following provisions are applicable:

- Expert assistance should be sought as necessary to conduct a thorough and authoritative evaluation of all evidence.
- Precautions should be taken to avoid unresolved personal, professional or financial conflicts of interest on the part of those involved in the inquiry or investigation.
- The anonymity of respondents and, if they wish it, the confidentiality of complainants shall be protected (where feasible), and care shall be taken to protect the positions and reputations of those involved in the research (including research subjects) and in the research misconduct proceeding from harm (including retaliation). Except as required in the reporting provisions above, only those directly involved in an inquiry or investigation or with a need to know should be aware that the process is being conducted or have any access to information obtained during its course. Where appropriate, efforts will be made to restore the reputations of the respondent(s) when allegations are not confirmed.

Because this policy is designed primarily to protect the integrity of the public research record, instances of alleged research misconduct by students in practicum-type courses, and in coursework and classroom activities, may in many cases be better addressed through student Honor Code or Fundamental Standard procedures, rather than through the procedures of this policy. Such determination of applicability or non-applicability should be made in light of the particular facts and circumstances of a student's case.