Motion to Adopt a New WPI Research Conduct Policy

Committee on Governance:
Len Albano
Bruce Bursten (Provost)
Glenn Gaudette (Chair)
Mark Richman (SOF)
Sue Roberts
David Spanagel
Bengisu Tulu
Suzy Weekes
Process Used to Develop Proposed Policy for WPI

• **Working Group Members:**
  – 3 Trustees
    • Jack Mollen (Board Chair), Joan Szkutak (APC Chair), Marni Hall (APC Vice Chair)
  – 3 Faculty members
    • Kris Boudreau (HU&A), Glenn Gaudette (BME), Mark Richman (ME)

• **Legal Counsel:**
  – University Counsel (David Bunis)

• **Working Documents:**
  – Faculty-approved Research Conduct Policy (January 2014)
  – Trustees-approved Research Conduct Policy (December 2013)
  – Office of Research Integrity (ORI) sample policy

• **Committee on Governance:**
  – Carefully reviewed drafts from the Working Group
  – Suggested modifications

• **WPI Faculty:**
  – Discussed at November Faculty meeting
  – Suggested modifications
Needs Addressed in/by the Proposed Policy

• The need for WPI to have a **single** clear Research Conduct Policy;
  – Faculty-approved policy (January 2014)
  – Board-approved policy (December 2014)

• The need for the Research Misconduct Policy to **apply to faculty, staff, and students**;

• The need to allow the Institution to take **all appropriate interim actions** to protect public health, federal funds and equipment, and the integrity of the research process;

• The need to **conform to the accepted standard of proof** for a finding of research misconduct;

• The need to allow allegations of research misconduct to be raised by **any means of communication**;

• The need to assure that investigators have no conflicts of interest **with the Respondent, the Complainant, or the witnesses**;

• The need to be more explicit about the content, timing, and circumstances of required reporting.
Procedures: Overview

• **Initial Assessment**
  – by VPR (or VPR-appointed fact-finder)
  – to determine if allegations fall within the policy
    • If not, dismissed
  – concludes within 5 days of receiving allegation

• **Inquiry** (must begin within 30 days after Initial Assessment)
  – Inquiry Committee formed (three fact-finders appointed by VPR)
  – Notice given to Respondent
  – Inquiry Committee reports to VPR
    • whether to proceed
    • if so, based on a reasonable belief that Research Misconduct may have occurred
  – VPR recommends to Provost whether to proceed
  – Provost decides whether to proceed
    • if not, dismissed
    • if so, Provost must document decision to proceed if Inquiry Committee voted otherwise
    • If so, Provost must send notice to proceed and Inquiry Committee report to funding agency
  – Inquiry concludes within 60 days of its initiation
• **Investigation** (must begin within 21 days after Inquiry)
  
  – Investigation Committee formed:
    • five faculty members appointed by SOF and Chair of FRC
  – Notice given to Respondent
  – Investigation Committee reports to VPR:
    • whether Research Misconduct has occurred;
    • severity and suggested disciplinary action (if any);
    • based on definition of Research Misconduct and Standard of Proof
  – VPR recommends to Provost:
    • whether Research Misconduct has occurred;
    • disciplinary action (if any)
  – Provost decides:
    • whether Research Misconduct has occurred;
    • disciplinary action (if any)
    • Provost must document finding of research misconduct and/or disciplinary action if either differs from Investigation Committee conclusions
    • VPR must send final Investigation Committee report to funding agency
  – Investigation concludes within 120 days of its initiation
Appeals

• **Sanctions may be appealed:**
  – for **all** sanctions other than revocation of tenure:
    ▪ to the President
    ▪ final decision by President (in consultation with the Provost and SOF) within 30 days
  – for revocation of tenure
    ▪ to the Board of Trustees
    ▪ Chair of Board and SOF appoint a Faculty committee of five members
    ▪ Faculty committee reports to Board Chair
    ▪ final decision by Board Chair within 30 days of receiving report

• **Findings of Research Misconduct may be appealed to the President:**
  – when procedural violations are alleged that could have affected the outcome
  – when the Investigation Committee finds no misconduct but the Provost finds that misconduct was committed
  – final decision by President (in consultation with the Provost and SOF) within 30 days

• Appeals must be filed within two weeks of Provost’s decision
Key Modifications Incorporated from Faculty-Input

• Reorganized and formatted for clarity
  – Including overview of process and timelines

• Clarified that Respondent can have legal counsel throughout the Inquiry and Investigation

• Defined “impartial” and “unbiased” and explicitly required that all participants at all stages of the process must be such

• Added the requirement that the Provost must document reasons for a finding of research misconduct and/or for any disciplinary action if either differs from Investigation Committee conclusions

• Added appeals of findings of research misconduct (to the President)
  – when there is an alleged violation of procedure (substantive)
  – when the Provost finds that the Respondent committed research misconduct but the Investigation Committee does not

• Many other detailed suggestions...
Discussion