

## **Implementing Procedures for Policy Regarding Allegations of Scholarly Misconduct by Faculty and Staff (TU 03-01.10)**

Towson University's *Policy Regarding Allegations of Scholarly Misconduct by Faculty and Staff* (TU 03-01.10) (the "Policy") is designed to instill and promote the principles of professional integrity, to prevent scholarly misconduct, and to discover and to censure instances of misconduct when they occur, in accordance with The University System of Maryland's *Policy Regarding Allegations of Scholarly Misconduct*. ~~Such instances of misconduct should be reported to the Dean of Graduate Studies. A report of Scholarly Misconduct must be in writing and signed. Prior to reporting Scholarly Misconduct, a person may informally discuss the matter with the appropriate department chair, director, dean, or supervisor. Such informal consultations or requests for information will not, in and of themselves, be considered a report of Scholarly Misconduct.~~

2. If the Dean of Graduate Studies has a possible Conflict of Interest or is unavailable to begin a review immediately, the report should be referred to the Provost who will designate a substitute administrator to oversee the process and carry out responsibilities assigned to the Dean of Graduate Studies under this policy.
3. The Dean of Graduate Studies shall preliminarily review any report of Scholarly Misconduct and confer with University Legal Counsel, as appropriate, to determine: (a) whether the report warrants initiation of the inquiry process according to the Policy and these procedures; (b) whether other policies and procedures should be invoked; or (c) whether the report is without any reasonable basis and should be dismissed. If the Dean of Graduate Studies determines that an inquiry is not warranted, the Dean shall consider whether the report of Scholarly Misconduct was made in Good Faith. If the Dean of Graduate Studies determines that the report was not made in Good Faith, then the Dean will recommend that the Provost or vice president of the unit in which the Complainant serves take appropriate disciplinary action(s).
4. Upon initiating the inquiry process, the Dean of Graduate Studies will notify the Complainant and the Respondent in writing of the allegations, the procedures that will be used to examine the allegations, and the membership of the committee of inquiry. Within five business days of the notification by the Dean of Graduate Studies, the Respondent or Complainant may submit a written request to the Dean of Graduate Studies of names to be excluded from appointment on the grounds of potential bias or Conflict of Interest. The Provost or a designee will determine whether to exclude these names from the list of committee appointments.
5. Upon initiating the inquiry process, the Dean of Graduate Studies will take all reasonable and practical steps to obtain custody of, inventory, and secure all research Records relevant to the allegation.
6. Upon initiating the in -42.53 -1.1 External Sponsor. In se 4.263 De of Graduate Studies EMC and Rite/MCID 4]-6.4 Tj E  
with the Assistant Vice President for Research will oversee compliance with any applicable External Sponsor reporting requirements throughout the process.



7. The Complainant and Respondent may present information, expert opinions, records, and other pertinent data; the committee of inquiry may request additional information and/or documents. The committee of inquiry may interview the Complainant, the Respondent, and key witnesses as well as examine relevant research Records and materials. Witnesses' testimony shall be summarized. The committee of inquiry will include the summaries in the Record of the investigation. All parties must receive timely copies of all documents submitted by any of the principals. The committee of inquiry will evaluate the evidence, including the testimony obtained during the inquiry. The committee of inquiry will review the relevant materials and documents that are available and determine whether additional materials, documents and/or interviews are needed. The committee of inquiry will decide whether an investigation is warranted based on the criteria in the Policy and these procedures, and as necessary, the criteria set forth by any relevant External Sponsor. If the committee of inquiry determines that an investigation is warranted, it will make a recommendation as to what further evidence to consider.
8. All materials reviewed by the committee of inquiry will be considered confidential and shared only with those with a need to know. The members of the committee are responsible for the security of relevant documents. Copies of all documents and related communications must be maintained in a secure space.
9. The committee of inquiry will prepare a report of its findings which should include: (a) the name and position of the respondent; (b) a description of the allegations of Scholarly Misconduct; (c) where applicable, a description of any external support as required by the External Sponsor; (d) a summary of the process; (e) a list of evidence and Records reviewed; (f) summaries of any interviews; (g) the basis for recommending or not recommending that the allegations warrant an investigation; (h) if applicable, the charges allegations for the investigation to consider; (i) names and titles of the committee members and experts involved in the inquiry; and (j) whether any other actions should be taken if an investigation is not recommended. The committee of inquiry will use its best efforts to send the report to the Respondent, the Respondent's immediate supervisor, the appropriate dean, and the Provost (or Unit VP) or a designee within ninety (90) calendar days of the initiation of the inquiry.
10. The Respondent will be given the opportunity to comment on the report. Any comments must be in writing, and must be submitted to the Dean of Graduate Studies within ten (10) business days after the report is sent to the Respondent. If the Respondent comments on the report, the comments must be included in the final inquiry report. The final inquiry report will be sent to the Respondent, the Respondent's immediate supervisor, the appropriate dean, the Provost (or Unit VP) or a designee, and if applicable and appropriate, any External Sponsors, at the same time as the decision respecting the disposition of the case. The Complainant will be informed that the University has investigated the allegations and has addressed the matter in accordance with University policy.
11. The Dean of Graduate Studies may ask the committee of inquiry to undertake such additional inquiry as needed to facilitate a decision respecting the disposition of the case.
12. If during the inquiry, the Respondent acknowledges and corrects the Scholarly Misconduct, the committee of inquiry may recommend to the Provost that further investigation of the allegations is not needed. The Graduate Dean shall ensure completed restitution to all harmed parties.
13. If the final report of the committee of inquiry does not recommend a formal investigation, but does find a need for further alternative action, such action may be taken by the Provost.
14. If the committee of inquiry finds the allegations of Scholarly Misconduct were not made in Good Faith, it shall refer the matter to the Dean of Graduate Studies.

17. If the Dean of Graduate Studies, with the approval of the Provost or a designee, decides that an investigation is not warranted, the Dean of Graduate Studies shall secure and maintain for seven (7) years after the termination of the inquiry a sufficiently detailed documentation of the inquiry to permit a later assessment by External Sponsors of the reasons why an investigation was not conducted. These documents shall be provided to relevant External Sponsors upon request.
18. Within 10 business days of the approval of the Provost or a designee, the Dean of Graduate Studies shall provide the Respondent, the Respondent's immediate supervisor, the appropriate dean, and the Provost (or Unit VP) or a designee with a copy of the final report of the committee of inquiry and of the decision respecting the disposition of the case. If appropriate, the External Sponsor and the Complainant will receive a summary of the report and the decision re3 (na)-12.3 (l)340u (i)>1 Tw 0.es Tw d12.3 (e dec)-20p4 (os)-8 (e d

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