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Chapter: Compliance & Ethics

Modification No. 002

Subject: **Research Misconduct**

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- I. Montgomery College is dedicated to the development and advancement of new knowledge and practices designed to meet the diverse and changing educational, social, economic, and cultural needs of the community. It seeks to achieve this goal through a sound and responsible program of research and grants.
- II. The Board of Trustees is committed to the prevention of misconduct in the exercise of all research and grant activities within the College. For the purposes of this policy, research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research and grants, or in reporting research and grant results.
- III. It is the policy of the Board of Trustees to require all employees, students, volunteers, or contractors to abide by the research misconduct policy and to promptly report all allegations and incidents of research misconduct.
- IV. Education is a key element of this policy. The College will provide education and information, as appropriate, for students and employees engaged in research to enhance understanding and increase awareness of the College's Research Misconduct Policy.
- V. The President is authorized and directed to establish procedures and/or to implement this policy.

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Board Approval: December 16, 2013; September 22, 2014

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I. Research Misconduct Definitions

In accordance with the Office of Research Integrity of the US Department of Health and Human Services, research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research or grants, or in reporting research or grant results.

- A. Fabrication is making up data or results and recording or reporting them.
- B. Falsification is 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.
- C. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.
- D. Research misconduct does not include honest error or differences of opinion.

II. Scope and Applicability

- A. These procedures are intended to implement the Board Policy on Research Misconduct and carry out the College's responsibilities under appropriate federal and other granting institution regulations. These procedures apply to allegations of research misconduct involving:
  - 1. A person who, at the time of the alleged research misconduct, was employed by, was an agent of, or was affiliated by contract or agreement with the College; and
  - 2. Grant supported research, research training or activities related to that research or research training, such as the collection and dissemination of research information;
  - 3. Applications or proposals for grant funded research, research training or activities related to that research or training or
  - 4. Plagiarism of research records produced in the course of grant funded research, research training or activities related to that research or research training. This includes any research proposed, performed, reviewed, or reported, or any research record generated from that research, regardless of whether an application or proposal for funds resulted in a grant, contract, cooperative agreement, or other form of support.
- B. Intellectual property permission related to ownership of ideas, concepts, and protocols are covered by 26801 Intellectual Property.

- C. Instances of financial misconduct related to research or grant-funded activities are covered by 10108 Reporting Suspected Fiscal Irregularities or Fraud with Whistleblower Protection.

III. College Responsibilities

It is the responsibility of the College to prevent research misconduct. All College employees, students, volunteers, or contractors will report observed, suspected, or apparent research misconduct to the Director of Grants and Sponsored Programs or the General Counsel for resolution according to procedures identified in the Code of Federal Regulations [45 CFR 689](#) (for NSF) or [42 CFR Parts 50 and 93](#) (for the Department of Health and Human Services).

IV. Education and Reporting Requirements

- A. In order to implement federal research misconduct regulations, the Office of Grants and Sponsored Programs will implement the following procedures:
  - 1. Post federal research misconduct regulations and information on the websites of the Office of Grants and Sponsored Programs and the Office of Institutional Research.
  - 2. Communicate with and provide training to grant-funded Principal Investigators, Co-Principal Investigators, and Senior Personnel appropriate federal policies and Montgomery College procedures relating to research misconduct.
  - 3. Require grant-funded Principal Investigators and Co-Principal Investigators to certify during the proposal transmittal process that they:
    - a. Have read and understand federal research misconduct regulations.
    - b. Will not engage in fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.
    - c. Will report any suspected incidents of research misconduct to the Director of Grants and Sponsored Programs or the General Counsel.
- B. The Office of Grants and Sponsored Programs will report incidents of research misconduct annually to the appropriate research or granting agency in accordance with their reporting requirements.

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Administrative approval: January 17, 2014; August 11, 2014