Memorandum

To: Faculty Senate

From: Michael Perone, Chair, WVU Research Integrity Policy Committee

Date: March 20, 2000

Re: Proposed Revisions to WVU’s Research Integrity Policy

Encl: Policy Draft 86b

The Research Integrity Policy Committee is charged with monitoring the status of research integrity on all of WVU’s campuses and proposing any needed changes to the University’s policy and procedures. The University’s first policy and procedures document (hereafter, “Policy”) went into effect in June 1990. The second and current version went into effect in October 1997. Although the 1997 Policy is an improvement over its predecessor, particularly in its strong protection of those accused of misconduct, the institution’s experience with it leads the Committee to propose some revisions.

WVU’s Policy is designed to meet federal regulations implemented by the Office of Research Integrity (ORI). The ORI expects universities to monitor their policies and procedures on a continuous basis and to make revisions based on their ongoing experience. The importance of meeting these expectations is underscored by the increasing activity of ORI and the federal Office of Protection from Research Risks. These agencies are scrutinizing institutional activity, and in several high-profile cases they have suspended entire research programs pending improvements in the institution’s policies and procedures.

The document submitted for the Senate’s approval is designated as Version 86b and dated March 6, 2000. To facilitate comparison with the current Policy, deletions are shown in strikeout text and insertions are underlined. To permit easy reference, each line of text is numbered.

The core changes are of three types. First, the scope of the policy is clarified in Lines 43-95. The goal is to indicate that the University’s high standards of integrity extend to all forms of scholarship. Although we had tried to say so in the 1997 Policy, some readings of that document have led to a narrower interpretation of the term “research” than we had intended. The 1990 Policy addressed this matter by using the term “misconduct in research and/or scholarship,” whereas the 1997 version refers simply to “research misconduct.” The proposed version defines a new term, “academic misconduct,” and renames the Policy’s officers and committees to be consistent with this term (e.g., the “Research Integrity Officer”...
becomes the “Academic Integrity Officer”). Because of the new names, there are minor changes throughout the document, but the substantive changes are confined to Lines 43-95.

The changes in the second set address practical matters that have been encountered in administering cases of misconduct. We have observed that the larger the committee structure with which we must deal, the more extended the time for administering a case. As matters stand, the University has not had much success in meeting federal timelines; indeed, some cases have taken a year to resolve. Therefore, we are recommending changes to reduce the size of the one of the committees and to clarify the time frame for responding to courses of action prescribed in the Policy:

- The minimum membership of the Discovery Subcommittee – the group that investigates alleged misconduct – is reduced from five to three (Line 687). Note that this change affects only the minimum membership; the Subcommittee can be enlarged when the needs of a case make that desirable.

- In various places in the Policy, individuals or committees are given time to respond to the recommended membership of the Discovery Committee or the Hearing Panel and to respond to draft reports. The 1997 Policy refers to “an opportunity” or “a reasonable amount of time.” The proposed revision is clearer, sometimes specifying “one week” and sometimes adding flexibility by specifying “typically one week.” These changes affect the respondent (the person accused of misconduct) on Lines 395-396, 578, 698, 737, 797, 908, 916, 923, and 939; the Chair of the Academic Integrity Committee on Lines 617-618; the Committee’s legal advisor on Lines 664 and 752; the Discovery Subcommittee on Lines 764 and 797; and the complainant (the person who alleges misconduct) on Line 955.

The last change involves the Chair of the Policy Committee: A person may serve as Chair for no more than two consecutive two-year terms (Line 977).

The Policy Committee sought input from the University community as it prepared these revisions. A previous draft was discussed by the Morgantown Research Integrity Committee (which I also chair) in December. The Policy Committee felt that the Morgantown Committee should consider the proposed changes because every misconduct case to date has occurred on the Morgantown campus and it seems likely that the Morgantown Committee will be the most active in implementing the revised Policy. I am pleased to report that the Morgantown Committee supports the proposed changes. An electronic request for comments on a previous draft (Version 86a) was sent to all faculty, staff, and administrators via the Mountaineer E-News on January 25, 2000, and to all students via Sheila Powell on January 27. The deadline for comments was February 15. Seven commentators raised six issues. In light of this feedback, the Policy Committee clarified the application of the policy to students in courses, maintained the minimum size of the Hearing Panel (the only group that can decide that misconduct has occurred) at five persons, and limited the Chair of the Policy Committee to no more than two consecutive terms of service.

If the Senate approves the revised Policy, we would seek approval from President Hardesty and the ORI before putting the Policy into effect.

Thank you for considering this.