

Oklahoma State University Policy and Procedures

COMPLAINTS OF RESEARCH MISCONDUCT	4-0125 RESEARCH August 2025
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INTRODUCTION

1.01 As an institution dedicated to excellence in education, research, and outreach, Oklahoma State University (OSU) places a high value on research integrity. All institutional members will report observed, suspected, or apparent research misconduct to the Research Integrity Officer (RIO) appointed by the Provost and Senior Vice President of the university. Reports may be submitted to the RIO at RIO@okstate.edu or via the OSU/A&M EthicsPoint system. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may meet with or contact the RIO to discuss the suspected research misconduct informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO will refer the individual to other offices or officials with responsibility for addressing the alleged problem; please refer to §4.05.

1.02 This policy is adopted for Oklahoma State University (Institution), to include its main campus in Stillwater, and its branch campuses at Tulsa (OSU Tulsa), Oklahoma City (OSU-OKC), and Okmulgee (OSUIT). This policy applies to all graduate students, tenure-track faculty, and career/non-tenure track faculty as outlined in Section 1.5, Appointment for Non-Tenure-Track Faculty, in the *Policy to Govern Appointment, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University* in the OSU Faculty Handbook. This policy also applies to all administrative, professional, and classified staff at OSU. This policy may also apply to undergraduate students in the context of a sponsored program or published/disseminated research findings.

1.03 OSU policies may not conflict with state and federal laws. The procedures outlined in this policy may be adjusted to comply with current federal regulations, State of Oklahoma laws, and applicable sponsor requirements. If there is any conflict between this policy and the applicable law or regulation, the law or regulation shall prevail.

DEFINITIONS

2.01 "Complainant" means an individual or entity who in good faith makes an allegation of research misconduct.

2.02 "Day" means calendar day unless otherwise specified. If a policy deadline falls on a Saturday, Sunday, or OSU holiday or other closure (e.g., closure for inclement weather), the deadline will be extended to the next day which is not a Saturday, Sunday, or OSU closure unless the deadline is set by applicable law or regulation.

2.03 "Deciding Official" means the institutional official who makes final determinations on allegations of research misconduct and makes recommendations of appropriate institutional actions

to the Provost and Senior Vice President (Provost). This person will not be the same individual as the Research Integrity Officer. A Deciding Official's appointment of individuals to serve on an Initial Inquiry or Formal Investigation committee is not considered to be direct prior involvement. The Vice President for Research (VPR) or their designee will act as the Deciding Official.

2.04 "Evidence" means anything offered or obtained during a research misconduct proceeding which tends to prove or disprove the existence of an alleged fact. Evidence may include, without limitation, the research record, documents, whether in hard copy or electronic form, information, tangible items, and testimony.

2.05 "Fabrication" means making up data or results and recording or reporting them.

2.06 "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.

2.07 "Formal Investigation" or "Investigation" means the formal development of a factual record and the examination of the record which meets the criteria and follows the procedures of §6.01 through §7.08.

2.08 "Good Faith" as applied to a Complainant or witness means having a belief in the truth of one's allegation or testimony based on the information known to the Complainant or witness at the time. An allegation or cooperation with a research misconduct proceeding is not in good faith if made with knowledge of or reckless disregard for information which would negate the allegation or testimony. Good faith as applied to an institutional or committee member means cooperating with the research misconduct proceeding by impartially carrying out the duties assigned for the purpose of helping the institution meet its responsibilities under this policy and applicable law. An institutional or committee member does not act in good faith if their acts or omissions during the research misconduct proceedings are dishonest or influenced by personal, professional, or financial conflicts of interest with those involved in the research misconduct proceeding.

2.09 "Initial Inquiry" or "Inquiry" means preliminary information-gathering and preliminary fact-finding which meets the criteria and follows the procedures of §5.01 through §5.16.

2.10 "Institutional Member or Members" means an individual (or individuals) who is employed by, is an agent of, or is affiliated by contract or agreement with the OSU or its governing Board of Regents. Institutional members may include, but are not limited to, officials, tenured and untenured faculty, teaching and support staff, researchers, research coordinators, graduate research assistants, and employees or agents of contractors, subcontractors, or sub-awardees.

2.11 "Intentionally" means to act with the aim of carrying out the act. This definition will apply unless an applicable research sponsor, law, or regulation requires a different definition.

2.12 "Institutional Record" comprises the records the institution compiled or generated during the research misconduct proceeding, except records the institution did not consider or rely on. These records may include but are not limited to: (1) Documentation of the Preliminary Assessment as required by §4.03; (2) If an Initial Inquiry is conducted, the Initial Inquiry report and all records (other than drafts of the report) considered or relied on during the inquiry, including, but not limited

to, research records and the transcripts of any transcribed interviews conducted during the inquiry, information the Respondent provided to the institution, and the documentation of any decision not to investigate as required by §5.13; (3) If an Investigation is conducted, the Investigation report and all records (other than drafts of the report) considered or relied on during the investigation, including, but not limited to, research records, the transcripts of each interview conducted pursuant to §7.01, and information the respondent provided to the institution; (4) Decision(s) by the Institutional Deciding Official, such as the written decision from the Institutional Deciding Official under §7.06; and (5) The complete record of any institutional appeal.

2.13 “Knowingly” means to act with awareness of the act. This definition will apply unless an applicable research sponsor, law, or regulation requires a different definition.

2.14 “Plagiarism” means the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit. Plagiarism includes the unattributed verbatim or nearly verbatim copying of sentences and paragraphs from another’s work which materially misleads the reader regarding the contributions of the author. It does not include the limited use of identical or nearly identical phrases which describe a commonly used methodology. Plagiarism does not include self-plagiarism, authorship disputes, or credit disputes, including without limitation, disputes among collaborators who participated jointly in the development or conduct of a research project. Self-plagiarism and authorship disputes do not meet the definition of research misconduct, as such matters shall be referred to the Office of the Provost for review and action.

2.15 “Preliminary Assessment” means a consideration by the RIO of whether an allegation of research misconduct appears to fall within the definition of research misconduct and is sufficiently credible and specific so the potential evidence of research misconduct may be identified. The Preliminary Assessment only involves the review of readily accessible information relevant to the allegation.

2.16 “Preponderance of the Evidence” means proof by evidence, when compared with evidence opposing it, leads to the conclusion the fact at issue is more likely true than not. This definition will apply unless an applicable sponsor, law, or regulation requires a different definition.

2.17 “Recklessly” means to propose, perform, or review research, or report research results, with indifference to known risk of fabrication, falsification, or plagiarism. This definition will apply unless an applicable research sponsor, law, or regulation requires a different definition.

2.18 “Research” is defined as all basic, applied, and demonstration research in all fields of science, engineering, and mathematics. This includes, but is not limited to, research in economics, education, linguistics, medicine, psychology, social sciences, statistics, and research involving human subjects or animals. This definition will apply unless an applicable research sponsor, law, or regulation requires a different definition.

2.19 “Research Integrity Officer (RIO)” means the institutional official responsible for: (1) assessing allegations of research misconduct to determine if they fall within the definition of research misconduct and warrant an Initial Inquiry on the basis the allegation is sufficiently credible and specific so potential evidence of research misconduct may be identified; (2) overseeing Initial Inquiries and Formal Investigations; and (3) carrying out the other responsibilities described in this

policy.

2.20 "Research Misconduct" means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest errors or differences in opinion. It also does not include misconduct which would be deemed illegal outside of the research context (e.g., misappropriation of funds, discrimination based on a protected class, assault, etc.); allegations of those types of misconduct should be reported and addressed via the relevant authorities (e.g., law enforcement, Office of Equal Opportunity, etc.).

2.21 "Research Misconduct Proceeding" means any actions related to alleged research misconduct taken under this policy, including allegation Preliminary Assessments, Initial Inquiries, Formal Investigations, and appeals.

2.22 "Research Record" means the record of data or results which embody the facts resulting from scientific inquiry. Data or results may be in physical or electronic form. Examples of items, materials, or information which may be considered part of the research record include, but are not limited to, research proposals, raw data, processed data, clinical research records, laboratory records, study records, laboratory notebooks, progress reports, manuscripts, abstracts, theses, records of oral presentations, email and online content, written communication between scientists, lab meeting reports, and journal articles.

2.23 "Respondent" means the individual against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding.

GENERAL PRINCIPLES

3.01 Requirements for Findings of Research Misconduct: A finding of research misconduct made under this policy requires:

- A. There be a significant departure from accepted practices of the relevant research community which meets the definition of research misconduct under this policy; and
- B. The misconduct be committed intentionally, knowingly, or recklessly; and
- C. The allegation be proven by a preponderance of the evidence.

3.02 Time Limitations:

- A. Six-Year Limitation: This policy applies only to research misconduct occurring (and/or alleged to have occurred) within six years of the date the institution receives an allegation of research misconduct.
- B. Exceptions to the Six-Year Limitation: The six-year limit does not apply in the following instances: (1) Subsequent Use Exception. The Respondent continues or renews any incident of alleged research misconduct which occurred before the six-year limitation through the use of, republication of, or citation to the portion(s) of the research record (e.g., processed data, journal articles, funding proposal, data repositories) alleged to have been fabricated, falsified, or plagiarized for the potential benefit of the Respondent. When the Respondent uses, republishes, or cites to the portion(s) of the research record which is alleged to have been fabricated, falsified, or plagiarized, in submitted or published manuscripts, submitted grant applications, progress reports submitted to research sponsors, posters, presentations, or other research records within six years of when the

allegations were received by the institution, this exception applies. For research misconduct which *appears* subject to the subsequent use exception, the institution will document the determination the subsequent use exception does not apply. Such documentation will be retained in accordance with §11.01; (2) Exception for the Health or Safety of the Public: If the institution, following consultation with a research sponsor (if applicable), determines the alleged research misconduct, if it occurred, would possibly have a substantial adverse effect on the health or safety of the public, this exception applies; (3) if an applicable research sponsor, law, or regulation requires research misconduct proceedings be initiated for research misconduct occurring (and/or alleged to have occurred) longer than six years from the date the institution receives an allegation of research misconduct

3.03 Evidentiary Standards:

- A. Standard of Proof: A finding of research misconduct must be proved by a preponderance of the evidence. This standard of proof will apply unless an applicable sponsor, law, or regulation requires a different standard of proof.
- B. Burden of Proof: The institution has the burden of proof for making a finding of research misconduct. A Respondent's destruction of research records documenting the questioned research is evidence of research misconduct where the institution establishes by a preponderance of the evidence the Respondent intentionally or knowingly destroyed records after being informed of the research misconduct allegations. A Respondent's failure to provide research records documenting the questioned research is evidence of research misconduct where the Respondent claims to possess the records but refuses to provide them upon request.

3.04 Confidentiality:

- A. Disclosure of the identity of Respondents, Complainants, and witnesses while conducting the research misconduct proceedings is limited, to the extent possible, to those who need to know, as determined by the institution, consistent with a thorough, competent, objective, and fair research misconduct proceeding, and as allowed by law. Those who need to know may include institutional review boards, journal editors, publishers, co-authors, collaborating institutions, and research sponsors. This limitation on disclosure of the identity of Respondents, Complainants, and witnesses no longer applies once the institution has made a final determination of research misconduct findings. The institution, however, must disclose the identity of Respondents, Complainants, or other relevant persons to research sponsors if required by applicable law, regulation, or contract.
- B. Except as may otherwise be prescribed by applicable law, confidentiality must be maintained for any records or evidence from which human research subjects might be identified.
- C. This policy does not prohibit the institution from managing published data or acknowledging the data may be unreliable.

3.05 Cooperation with Research Misconduct Proceedings: All persons to whom this policy applies, including Respondent, are obligated to cooperate with all proceedings under this policy, as well as any subsequent investigations. Such cooperation includes providing Research Records, evidence, and other relevant information to the RIO. The institution will take all reasonable and practical steps to ensure such cooperation. While a Respondent shall have the duty to furnish Research Records and

other relevant information in his or her possession, the Respondent shall not be required to provide oral or written testimony (though Respondent's unwillingness to provide testimony may be noted).

3.06 Protecting Complainants, Witnesses, and Committee Members: Institutional members are responsible for compliance with *Policy 3.06: Non-Retaliation* of the Board of Regents for the Oklahoma Agricultural & Mechanical Colleges. Institutional members may not retaliate in any way against Complainants, witnesses, or committee members. Institutional members should immediately report any alleged or apparent retaliation against Complainants, witnesses, or committee members to the RIO, who shall review the matter with the Deciding Official. The Deciding Official will determine what steps, if any, are needed regarding restoring reputation and/or mitigating retaliation. The RIO or other designee of the Deciding Official will be responsible for implementing any steps the Deciding Official approves by making all reasonable and practical efforts to counter any potential or actual retaliation and protect and restore the position and reputation of the person against whom the retaliation is directed.

3.07 Protecting the Respondent: As requested and as appropriate, the RIO and other institutional officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct but against whom no finding of research misconduct is made. During the research misconduct proceedings, the RIO is responsible for ensuring Respondents receive all the notices and opportunities as may be required by the research sponsor and the policies and procedures of the institution.

3.08 Sequestration of Research Records: The RIO will promptly (i) take all reasonable and practicable steps to obtain all research records and other evidence; (ii) inventory the research records and other evidence obtained; and (iii) sequester them in a secure manner. The RIO may obtain copies of the research records and other evidence to satisfy the requirements of this paragraph so long as those copies are substantially equivalent in evidentiary value to the original research records or evidence needed to conduct the research misconduct proceeding. Whenever possible, the institution will obtain the research records or other evidence: (1) before or at the time the institution notifies the respondent of the allegation(s); and (2) whenever additional items become known or relevant to the Initial Inquiry or Formal Investigation.

3.09 Access to Research Records: Where appropriate, the RIO will give the Respondent copies of, or reasonable supervised access to, the research records and other evidence sequestered in accordance with §3.08.

3.10 Multiple Respondents: When allegations involve research conducted at multiple institutions, the institutions may work together to conduct a joint research misconduct proceeding. Details for such joint proceedings will be worked through on a case-by-case basis.

3.11 Multiple Institutions: When allegations involve research conducted at multiple institutions, the institutions may work together to conduct a joint research misconduct proceeding. The institutions shall ensure any such joint research misconduct proceeding is fair and complies with applicable institutional policies. OSU's obligations under this policy may be delegated to a lead institution in a joint research misconduct proceeding if appropriate under the circumstances.

3.12 Using a Committee or Other Person for Research Misconduct Proceedings; Conflicts: The

institution will address any potential, perceived, or actual personal, professional, or financial conflicts of interest between members of a committee and the Respondent, Complainant, or witnesses. The institution will ensure all committees and institutional members acting on behalf of the institution conduct research misconduct proceedings in compliance with the requirements of this policy.

3.13 Reasonable Notice Efforts. The RIO shall make reasonable efforts in good faith to provide the notices required by this policy. If the individual or entity required to be notified cannot be found or is not responsive following the RIO's reasonable efforts in good faith, the research misconduct proceeding may continue without such individual or entity's participation.

PRELIMINARY ASSESSMENT

4.01 Purpose of Preliminary Assessment: The purpose of a Preliminary Assessment is to determine whether an allegation warrants an Initial Inquiry.

4.02 Conducting the Preliminary Assessment: Upon receiving an allegation of research misconduct, the RIO will promptly assess the allegation to determine whether it meets the criteria for an Initial Inquiry. An Initial Inquiry must be conducted if RIO determines the allegation (1) falls within the definition of research misconduct; and (2) is sufficiently credible and specific so that potential evidence of research misconduct may be identified.

4.03 Preliminary Assessment Outcomes: If the RIO determines requirements for an Initial Inquiry are met in §4.02, the RIO must: (1) document the assessment; (2) promptly sequester all research records and other evidence as required by §3.08, and (3) promptly initiate the Initial Inquiry. If the RIO determines requirements for an Initial Inquiry in §4.02 are not met, the RIO will keep sufficiently detailed documentation of the assessment to permit a later review of the reasons why the institution did not conduct an inquiry.

4.04 Time for Completion: The Preliminary Assessment period should be brief, preferably concluded within a week. In conducting the assessment, the RIO is not required to interview the Respondent, Complainant, or other witnesses, or gather information beyond any submitted with the allegation. However, the RIO may conduct interviews and gather information if it would assist in evaluating whether the requirements for an Initial Inquiry are met.

4.05 Allegations Which Do Not Meet the Definition of Research Misconduct: During the Preliminary Assessment, if the RIO determines the allegation is sufficiently credible and specific but does not fall within the definition of research misconduct, the RIO will discuss the allegation with the Deciding Official. If the Deciding Official concurs, the Deciding Official will direct the RIO to refer the individual or allegation to other institutional offices or officials with responsibility for addressing the allegation. This may result in a separate institutional investigation.

INITIAL INQUIRY

5.01 Criteria Warranting an Initial Inquiry: An Initial Inquiry is warranted if the allegation meets the following two criteria: (1) falls within the definition of research misconduct; and (2) is sufficiently credible and specific so that potential evidence of research misconduct may be identified.

5.02 Purpose of the Initial Inquiry: The purpose of the Initial Inquiry is to conduct an initial review of the evidence to determine whether an allegation warrants a Formal Investigation. An Initial Inquiry does not require a full review of the evidence related to the allegation.

5.03 Notice to Respondent: At the time of or before beginning an Initial Inquiry, the RIO must notify the presumed Respondent in writing. If the Initial Inquiry subsequently identifies additional Respondents, the RIO must notify such additional Respondents in writing. Only allegations specific to a particular Respondent are to be included in the notification to the Respondent. If additional allegations are raised during the course of the research misconduct proceedings, the Respondent(s) must be notified in writing of the additional allegations raised against them.

5.04 Sequestration of Research Records: The RIO will obtain all research records and other evidence to conduct the research misconduct proceeding consistent with §3.08.

5.05 Notifying Research Sponsor, if Applicable: The RIO will notify the research sponsor of the decision to begin an Initial Inquiry if required by such sponsor.

5.06 Conducting the Initial Inquiry: An Initial Inquiry committee may be convened to conduct a review at the Initial Inquiry stage to determine whether a Formal Investigation is warranted. Alternatively, the Initial Inquiry review may be done by the RIO or another designated institutional official in lieu of a committee at the Deciding Official's discretion. The Initial Inquiry committee or the RIO, as applicable, may utilize one or more subject matter experts to assist them in the Initial Inquiry. Interviews with witnesses or Respondents which would provide additional information for the review may be conducted. An interview conducted during the Initial Inquiry may be used as evidence in the Formal Investigation if it was conducted according to the requirements for an investigatory interview in §6.13.

5.07 Initial Inquiry Outcomes: A Formal Investigation is warranted if (1) there is reasonable basis for concluding the allegation falls within the definition of research misconduct; and (2) preliminary information-gathering and fact-finding from the Initial Inquiry indicates the allegation may have substance. Findings of research misconduct, including the determination of whether the alleged misconduct is intentional, knowing, or reckless, cannot be made at the Initial Inquiry stage.

5.08 Elements of the Initial Inquiry Report: A written report will be prepared which meets the requirements of §5.13. If there is potential evidence of honest error or difference of opinion, this must be noted in the Initial Inquiry Report. The Respondent must be provided an opportunity to review and comment on the Initial Inquiry report; any comments received must be attached to the report.

5.09 Time for Completion: The Initial Inquiry must be completed within 90 days of its initiation unless circumstances warrant a longer period. If the Initial Inquiry takes longer than 90 days to complete, the Initial Inquiry report must document the reasons for exceeding the 90-day period.

5.10 Review by Institutional Counsel: University legal counsel may review the report for legal sufficiency. Modifications to the report may be made as appropriate in consultation with the RIO and Initial Inquiry Committee (if applicable).

5.11 Notification of the Results to Respondent: The RIO must notify the Respondent whether the Initial Inquiry found a Formal Investigation is warranted. The notice must include a copy of the Initial Inquiry report for comment and include a copy of or refer to this policy. Unless otherwise specified by the RIO, the Respondent will have ten days to provide any comments.

5.12 Notification to the Complainant: The RIO is not required to notify a Complainant whether the Initial Inquiry found a Formal Investigation is warranted. The RIO may, but is not required to, provide relevant portions of the report to a Complainant for comment. If the RIO provides notice to one Complainant in a case, it must provide notice, to the extent possible, to all Complainants in the case. A confidentiality agreement may be a condition for access to the report. Unless otherwise specified by the RIO, the Complainant will have ten days to provide any comments.

5.13 Written Initial Inquiry Report: The Initial Inquiry report will include the following information:

- A. The names, professional aliases, and positions of the Respondent; and Complainant;
- B. A description of the allegation(s) of research misconduct;
- C. The research sponsor support, including, for example, grant numbers, grant applications, contracts, and publications listing research sponsor support;
- D. The composition of the Initial Inquiry committee, if used, including name(s), position(s), and subject matter expertise;
- E. Inventory of sequestered research records and other evidence and description of how sequestration was conducted;
- F. Transcripts of any transcribed interviews;
- G. Timeline and procedural history;
- H. Any scientific or forensic analyses conducted;
- I. The basis for recommending the allegation(s) warrant an investigation;
- J. The basis on which any allegation(s) do not merit an investigation;
- K. Any comments on the Initial Inquiry report by the Respondent or the Complainant; and
- L. Any institutional actions implemented, including communications with journals or research sponsors.

5.14 Approval by the Deciding Official: The Initial Inquiry report must be provided to the Deciding Official for approval. If the Initial Inquiry report concludes a Formal Investigation is warranted, such determination shall be final upon approval of the report by the Deciding Official.

5.15 Written Report to Research Sponsor, if Applicable: If applicable, the RIO will provide the research sponsor with a copy of the final written Initial Inquiry report within 30 days of the final determination a Formal Investigation is warranted. The Initial Inquiry report may be provided to the research sponsor earlier if required by such sponsor. The RIO will also provide the following information to the research sponsor whenever requested: (1) institutional policies and procedures under which the Initial Inquiry was conducted; and (2) research records and other evidence reviewed, and copies of all relevant documents.

5.16 Retention of Initial Inquiry Documents: The institution will keep detailed documentation of Initial Inquiries to permit a later assessment by research sponsors of the reasons why the institution decided not to proceed to the Formal Investigation. Such documentation will be retained in accordance with §11.01.

FORMAL INVESTIGATION

6.01 Criteria Warranting Formal Investigation: A Formal Investigation is warranted if (1) there is reasonable basis for concluding the allegation falls within the definition of research misconduct; and (2) preliminary information-gathering and fact-finding from the Initial Inquiry indicated the allegation may have substance.

6.02 Purpose of the Formal Investigation: The purpose of the Formal Investigation is to conduct a formal review of the evidence to determine whether research misconduct occurred.

6.03 Timing: A Formal Investigation must begin within 30 days after the final determination a Formal Investigation is warranted.

6.04 Notifying the Respondent: The RIO must notify the Respondent in writing of the allegation(s) within a reasonable amount of time after determining a Formal Investigation is warranted, but before the Formal Investigation begins. The RIO must give the Respondent written notice of any allegation(s) of research misconduct not addressed during the Initial Inquiry or in the initial notice of the Formal Investigation within a reasonable amount of time of deciding to pursue such allegation(s). If additional Respondents are identified during the Formal Investigation, a separate Initial Inquiry may be conducted but is not required for each new Respondent. If any additional Respondents are identified during the Formal Investigation, they must be notified of the allegation(s) and given an opportunity to respond. While an investigation into multiple Respondents can convene with the same Formal Investigation committee members, separate Formal Investigation reports and research misconduct determinations are required for each Respondent.

6.05 Notifying Institutional Administrators: On or before the date on which the Formal Investigation begins, the RIO must notify the Provost, the VPR, and the appropriate Dean(s), department head(s), and/or unit administrator(s) of the final determination a Formal Investigation is warranted and provide a copy of the Initial Inquiry report. If the Respondent is a student, notice may also be provided to the student's program administrator, advisor, and/or college if applicable.

6.06 Notifying Research Sponsor, if Applicable: On or before the date on which the Formal Investigation begins, the RIO will notify the research sponsor of the decision to begin a Formal Investigation and provide the final Initial Inquiry report.

6.07 Sequestration of Research Records: The RIO will obtain all research records and other evidence needed to conduct the Formal Investigation, consistent with §3.08.

6.08 Appointment of the Formal Investigation Committee: The RIO, in consultation with other institutional officials as appropriate, will appoint a Formal Investigation committee and the committee chair as soon after the beginning of the Formal Investigation as is practical. The Formal Investigation committee must consist of at least three (3) faculty members of the university holding academic rank at least equal to the Respondent accused of research misconduct. The same committee members from the Initial Inquiry may be used for the Formal Investigation if they meet the requirements of this §6.08.

6.09 Ensuring a Fair Formal Investigation: The RIO and Formal Investigation committee will take reasonable steps to ensure an impartial and unbiased Formal Investigation to the maximum extent practicable, including participation of persons with appropriate scientific expertise who do not have unresolved personal, professional, or financial conflicts of interest relevant to the Formal Investigation.

6.10 Charge To the Formal Investigation Committee: The RIO will define the subject matter of the Formal Investigation in a written charge to the committee :

- A. Describes the allegations and related issues identified during the Initial Inquiry;
- B. Identifies the Respondent;
- C. Informs the committee it must conduct the Formal Investigation as prescribed in this section;
- D. Defines research misconduct according to this policy;
- E. Informs the committee it must evaluate the evidence and testimony to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, the type and extent of it, and who was responsible;
- F. Informs the committee in order to determine the Respondent committed research misconduct, it must find a preponderance of the evidence establishes:
 1. research misconduct, as defined in this policy, occurred; and
 2. the research misconduct is a significant departure from accepted practices of the relevant research community; and
 3. the Respondent committed the research misconduct intentionally, knowingly, or recklessly.
- G. Informs the committee it must prepare or direct the preparation of a written Formal Investigation report meeting the requirements of this policy.

6.11 First Meeting: The RIO will convene the first meeting of the Formal Investigation committee to review the charge, the Initial Inquiry report, and the prescribed procedures and standards for conducting the Formal Investigation, including the necessity for confidentiality and for developing a specific investigation plan. The Formal Investigation committee will be provided with a copy of this statement of policy and procedures. The RIO will be present or available throughout the Formal Investigation to advise the committee as needed.

6.12 Documentation: The RIO and Formal Investigation committee will use diligent efforts to ensure the Formal Investigation is thorough and sufficiently documented and includes examination of all research records and other evidence relevant to reaching a decision on the merits of the allegation(s).

6.13 Interviews: The Formal Investigation committee must interview each Respondent, Complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the Formal Investigation, including witnesses identified by the Respondent. Interviews during the investigation must be recorded and transcribed. Any exhibits shown to the interviewee during the interview must be numbered and referred to by number in the interview. The transcript of the interview must be made available to the relevant interviewee for correction. The transcript(s) with any corrections and numbered exhibits must be included in the institutional record of the Formal Investigation. The Respondent must not be present

during the witnesses' interviews but must be provided a transcript of the interview.

6.14 **Multiple Respondents, if Applicable:** The Formal Investigation Committee will consider the prospect of additional researchers being responsible for the alleged research misconduct.

6.15 **Multiple Institutions, if Applicable:** A Formal Investigation involving multiple institutions will be conducted consistent with §3.11.

6.16 **Pursue Leads:** The Formal Investigation Committee will pursue diligently all significant issues and leads discovered which are determined relevant to the Formal Investigation, including any evidence of additional instances of possible research misconduct, and continue the Formal Investigation to completion. If additional allegations are raised, the Respondent(s) must be notified in writing of the additional allegations raised against them as required by this policy.

6.17 **Investigation Time Limits:** All aspects of the Formal Investigation are to be completed within 180 days of beginning it or the timeframe required by an applicable research sponsor, including conducting the Formal Investigation, preparing the draft report for each Respondent, providing the draft report to each Respondent for comment, and transmitting the institutional record including the final investigation report and decision by the Deciding Official to the research sponsor, if applicable. However, if the RIO determines the Formal Investigation will not be completed in the 180-day period, they will submit to the Deciding Official and research sponsor, if applicable, a written request for an extension which includes the circumstances or issues warranting additional time. If the request for an extension is granted, the RIO will ensure periodic progress reports are filed with the Deciding Official and research sponsor, if applicable, and the RIO will direct the filing of such reports. If the Formal Investigation takes longer than 180 days to complete, the Formal Investigation report must include the reasons for exceeding the 180-day period.

Example Formal Investigation Timeline (Without Extensions)

Event	Day
Formal Investigation Begins	0
Formal Investigation conducted by committee	0-80
Initial draft report prepared by committee	80-110
Draft report provided to Office of Legal Counsel for review	110
Office of Legal provides comments for committee to consider	120
Committee updates draft report to address comments, if applicable	120-130
Draft Report provided to Respondent (and if applicable, Complainant)	130
Respondent's (and if applicable, Complainant's) deadline to provide comments	160
Committee updates Draft Report to address comments, if applicable	160-170
Final report provided to Deciding Official	170
Written decision of Deciding Official	180
Notice and institutional record provided to research sponsor, if applicable	180

THE FORMAL INVESTIGATION REPORT

7.01 **Elements of the Formal Investigation Report:** The Formal Investigation committee and the RIO are responsible for preparing a final written investigation report for each Respondent which includes the following:

- A. Description of the nature of the allegation(s) of research misconduct, including any additional allegation(s) addressed during the research misconduct proceeding;
- B. Description and documentation of any federal, state, private, and/or other sponsors of support, including, for example, any grant numbers, grant applications, contracts, and publications listing the sponsor of support;
- C. Description of the specific allegation(s) of research misconduct for consideration in the Formal Investigation of the Respondent;
- D. Composition of the Formal Investigation committee, including names, positions, and subject matter expertise;
- E. Inventory of sequestered research records and other evidence, except records the institution did not consider or rely on; and a description of how any sequestration was conducted during the investigation. This inventory must include manuscripts and funding proposals considered or relied on during the Formal Investigation;
- F. Transcripts of all interviews conducted, as described in §6.11;
- G. Identification of the specific published papers, manuscripts submitted but not accepted for publication (including online publication), external funding applications, progress reports, presentations, posters, or other research records which allegedly contained the falsified, fabricated, or plagiarized material;
- H. Any scientific or forensic analyses conducted;
- I. A copy of the university policies and procedures under which the Formal Investigation was conducted;
- J. Any comments made by the Respondent and Complainant on the draft investigation report and the Formal Investigation Committee's consideration of those comments;
- K. A statement for each separate allegation of whether the Formal Investigation Committee recommends a finding of research misconduct;
 - 1. If the Formal Investigation committee recommends a finding of research misconduct for an allegation, the Formal Investigation committee must, for the allegation:
 - a. Identify the individual(s) who committed the research misconduct;
 - b. Indicate whether the research misconduct was falsification, fabrication, and/or plagiarism;
 - c. Indicate whether the research misconduct was committed intentionally, knowingly, or recklessly;
 - d. State whether the other requirements for a finding of research misconduct, as described in §3.01, have been met;
 - e. Summarize the facts and the analysis which support the conclusion and consider the merits of any explanation by the Respondent;
 - f. Identify the specific sponsored support;
 - g. Identify whether any publications or other materials need correction or retraction;
 - 2. If the Formal Investigation committee does not recommend a finding of research misconduct for an allegation, the Final Investigation report must provide a detailed rationale.
 - 3. List of any current support or known applications or proposal for support the Respondent has pending with funding agencies.

7.02 Review by Institutional Counsel: University legal counsel may review the draft report for legal sufficiency. Modifications may be made as appropriate in consultation with the RIO and Formal

Investigation committee.

7.03 Respondent's Opportunity to Comment: The Respondent must receive a copy of the draft investigation report and, concurrently, a copy of, or supervised access to, the research records and other evidence the Formal Investigation Committee considered or relied on. The Respondent must submit any comments on the draft report to the RIO within 30 days of receiving the draft investigation report. The Formal Investigation committee must include and consider any comments made by the Respondent in the final report.

7.04 Complainant's Opportunity to Comment: The Complainant may receive a copy of the draft Formal Investigation report or relevant portions of the report. The comments of the Complainant, if any, must be submitted within 30 days of the date on which the Complainant received the draft report or relevant portions of it. The Formal Investigation committee must include and consider any comments made by the Complainant in the final report.

7.05 Transmission of the Final Formal Investigation Report to the Deciding Official: The RIO will assist the Formal Investigation committee in transmitting the final Formal Investigation report to the Deciding Official. The report must be provided to the Deciding Official with sufficient time for review and preparation of the written determination required by §7.06, normally 10 days prior to the completion deadline for the Formal Investigation.

7.06 Written Decision by the Deciding Official: The Deciding Official is responsible for making a final determination of research misconduct findings. This determination must be provided in a written decision which includes: (1) whether the institution found research misconduct and, if so, who committed the misconduct; and (2) a description of the relevant institutional actions taken or to be taken.

7.07 Notifying Relevant Parties: The RIO will notify the Respondent and will normally notify the Complainant in writing of the final determination by the Deciding Official. In addition, the RIO will notify the institutional administrators which received notice under §6.05 as appropriate. The Deciding Official will determine whether funding sources, law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the Respondent in the work, or other relevant parties should be notified of the outcome of the case.

7.08 Notifying the Research Sponsor and Transmitting the Institutional Record: The RIO is responsible for ensuring the institution's compliance with all notification requirements of the research sponsor and applicable law. If required by the research sponsor and/or applicable law, the RIO will transmit the institutional record to the research sponsor. The institutional record will be consistent with §2.12 and logically organized.

COMPLETION OF CASES; REPORTING PREMATURE CLOSURES

8.01 Generally, all Initial Inquiries and Formal Investigations will be carried through to completion, and all significant issues and credible allegations of research misconduct will be pursued diligently. The RIO will notify the Deciding Official and research sponsor (if applicable) in advance if there are plans to close a research misconduct proceeding at the Preliminary Review, Initial Inquiry,

Formal Investigation, or appeal stage on the basis the Respondent has admitted to committing research misconduct or a settlement with the Respondent has been reached.

8.02 Admissions. A Respondent's admission of research misconduct must be made in writing and signed by the Respondent. An admission must specify the falsification, fabrication, and/or plagiarism which occurred and the research records were affected. The admission statement must meet all elements required for a research misconduct finding under §3.01 and must be provided to the Deciding Official and research sponsor (if applicable) before the institution closes its research misconduct proceeding. If applicable, the RIO will also provide a statement to the research sponsor describing how it determined the scope of the misconduct was fully addressed by the admission and confirmed the Respondent's culpability.

8.03 Termination Prior to Completing Initial Inquiry or Formal Investigation: The termination of the Respondent's institutional employment or student capacity by resignation, probation, expulsion, or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the research misconduct proceeding or otherwise limit the institution's responsibilities under this policy.

8.04 Resignation Prior to Completing Initial Inquiry or Formal Investigation: If the Respondent, without admitting to the misconduct, elects to resign their position or withdraw as a student after the institution receives an allegation of research misconduct, the assessment of the allegation will proceed, as well as the Initial Inquiry and Formal Investigation, as appropriate based on the outcome of the preceding steps. If the Respondent refuses to participate in the process after resignation, the RIO and any Initial Inquiry or Formal Investigation Committee will use their best efforts to reach a conclusion concerning the allegations, noting in the report the Respondent's failure to cooperate and its effect on the evidence.

INSTITUTIONAL ACTIONS

9.01 Deciding Official Recommends Institutional Actions to Provost: If the Deciding Official determines research misconduct occurred in accordance with §7.06, he/she will recommend to the Provost appropriate institutional actions to address the findings. The recommended actions may include administrative actions to protect institutional research and other actions to discipline the responsible party including, but not limited to expulsion, degree revocation, corrective actions, dismissal, suspensions, admonitions, sanctions, and/or termination in compliance with applicable institutional policies.

9.02 Administrative Actions to Protect Institutional Research: The institution may take appropriate administrative action to protect research. Specific examples of administrative actions may be taken to protect the integrity of research at Oklahoma State University include, but are not limited to the following:

- a. Withdrawal or correction of pending or published abstracts, proposals, applications, papers, reports, theses, or other materials emanating from the research where research misconduct was found;
- b. Removal or suspension of the Respondent from participation in a research project, special monitoring of future research work, suspension or disbarment from research at the institution, advance institutional review of research proposals and publications, and termination or

transfer of all or part of a research project; and

c. Restitution of funds to the research sponsor as appropriate.

The Respondent will be notified in writing of any such administrative actions to protect institutional research by the Deciding Official.

9.03 Institutional Actions Recommended by Committees. The Initial Inquiry committee and the Formal Investigation committee may recommend administrative actions and disciplinary actions in their respective reports, but such recommendations are not binding on the institution. The committees do not have authority to take administrative or disciplinary action on behalf of the institution.

9.04 Disciplinary Action for Faculty. If a Respondent is a member of the faculty, disciplinary actions stemming from a finding of research misconduct under this policy must comply with the "Policy Statement to Govern Appointments, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University" and any other applicable institution policies. The faculty Respondent shall be notified in writing of the disciplinary actions from the Provost, Deciding Official, and/or Dean and of the right of the faculty Respondent to appeal.

9.05 Disciplinary Action for Staff. If the Respondent is a member of the administrative/professional or classified staff of the institution, disciplinary actions stemming from a finding of research misconduct under this policy must comply with Oklahoma State University Policy 3-0720 "Corrective Actions and Dismissals for Staff" and any other applicable institution policies. The staff Respondent shall be notified in writing of the disciplinary actions from the Provost, Deciding Official, and/or applicable Dean and of the right of the staff Respondent to appeal the imposition of disciplinary action (if applicable) as set forth in the University Policy 3-0746, "Grievances and Complaints for Staff."

9.06 Disciplinary Action for Students. If the Respondent is an undergraduate or graduate student, the student Respondent shall be subject to the Academic Integrity Policies and Procedures and the Student Code of Conduct. Both undergraduate and graduate students may have the right to appeal the imposition of sanctions through the process in the applicable policy.

9.07 Research Sponsor's Findings. A research sponsor's investigation of an allegation of research misconduct is independent from the institution's research misconduct proceedings. Accordingly, a research sponsor's findings do not overturn the institution's research misconduct findings. If the research sponsor identifies additional evidence of misconduct and/or reaches a different finding from the institution, the Deciding Official may direct the Formal Investigation committee to reopen the Formal Investigation to consider such additional evidence and/or review or revise his/her earlier written determination.

9.08 Application of the Formal Investigation Report. If the applicable institutional policies identified §§9.04 – 9.06 require an investigation or similar proceeding prior to implementation of a disciplinary action, the Provost may determine whether the Formal Investigation completed under this policy can substitute for all or part of such requirement.

APPEALS; NOTIFYING THE RESEARCH SPONSOR OF APPEALS

10.01 Respondent's Notice of Intent to Appeal: Unless otherwise indicated in the written notice to Respondent, a Respondent shall have seven calendar days to provide notice to the RIO they intend to file an appeal of a finding of research misconduct or resulting institutional action. The notice of intent to appeal must be in writing and identify the specific finding(s) and/or actions to be appealed and the grounds for the appeal. Following receipt of the notice of intent to appeal, an appropriate institutional official will identify the applicable appeals process under institutional policy and provide written notice to the Respondent.

10.02 Grounds for Appeal. Unless otherwise permitted by applicable law, regulation, research sponsor requirement, or institutional policy, the permitted grounds for appeal are limited to (i) a procedural irregularity which affected the outcome of the matter, (ii) new evidence not reasonably available during the Formal Investigation which could affect the outcome of the matter, (iii) a conflict of interest or bias which affected the outcome of the matter, or (iv) the institutional actions were not appropriate for the misconduct. The fact a research sponsor reached a different finding than the institution is not a permitted basis for appeal.

10.03 Notification to Research Sponsor. If a Respondent appeals the institution's finding(s) of research misconduct or resulting institutional actions, the RIO will promptly notify the research sponsor, if applicable.

10.04 If the RIO has not yet transmitted its institutional record to the research sponsor in accordance with §7.08 prior to the appeal, the RIO may ask for an extension from the research sponsor to permit the appeal to reach a conclusion and be incorporated into the institutional record prior to transmission. If the RIO has transmitted its institutional record to the research sponsor in accordance with §7.08 prior to the appeal or does not receive a requested extension, the RIO will provide the research sponsor a complete record of the appeal once the appeal is concluded.

10.05 Appeals Limited to Research Misconduct Finding. If a Respondent's appeal is limited in scope to the institution's finding of research misconduct and does not appeal any institutional actions so another policy would apply, the appeal may be handled according to the following procedure: Respondent shall submit a written appeal to the RIO within 10 days of submitting Respondent's notice of intent to appeal. The appeal should specifically identify which findings are being appealed and provide a detailed explanation for the grounds of appeal and any supporting evidence. Within 10 days of receipt of the appeal, the RIO will consult with the Formal Investigation committee to prepare the committee's response. The Provost or his/her designee will have 15 days to review the appeal and the committee's response and provide a final written determination. The appeal, response, and final determination will be added to the institutional record and shared with the Respondent and, if applicable, the research sponsor.

RETENTION AND CUSTODY OF THE INSTITUTIONAL RECORD AND ALL SEQUESTERED EVIDENCE

11.01 Maintenance of Institutional Record and all Sequestered Evidence: The institution will maintain the institutional record and all sequestered evidence including physical objects (regardless of whether the evidence is part of the institutional record) in a secure manner for at least seven years after completion of the proceeding or the completion of any proceeding conducted by a research sponsor involving the research misconduct allegation, whichever is later, unless custody has been

transferred to the research sponsor or the research sponsor advises otherwise in writing.

11.02 Provision for Research Sponsor Custody: On request, the institution will transfer custody or provide copies to the research sponsor of the institutional record or any component of the institutional record and any sequestered evidence (regardless of whether the evidence is included in the institutional record) for the research sponsor to conduct its oversight review, develop the administrative record, or present the administrative record in their proceeding.

11.03 Nothing herein shall prevent the institution from complying with its obligations under applicable record retention laws and regulations. Such laws include without limitation the Oklahoma Records Management Act.

OTHER CONSIDERATIONS

12.01 Restoration of the Respondent's Reputation: Following a final determination of no research misconduct, the RIO will, at the request of the Respondent, undertake all reasonable and practical efforts to restore the Respondent's reputation. Depending on the particular circumstances and the views of the Respondent, the RIO should consider notifying those individuals aware of or involved in the Formal Investigation of the final outcome, publicizing the final outcome in any forum in which the allegation of research misconduct was previously publicized, and expunging all reference to the research misconduct allegation from the Respondent's personnel file, student records, etc. Any institutional actions to restore the Respondent's reputation will first be approved by the Deciding Official.

12.02 Protection of the Complainant, Witnesses and Committee Members: During the research misconduct proceeding and upon its completion, regardless of whether the institution or the research sponsor, if applicable, determines research misconduct occurred, the RIO will undertake all reasonable and practical efforts to protect the position and reputation of, or to counter potential or actual retaliation against, any Complainant who made allegations of research misconduct in good faith and of any witnesses and committee members who cooperated in good faith with the research misconduct proceeding (see Board of Regents' Policy 3.06, Non-Retaliation). The Deciding Official will determine, after consulting with the RIO and with the Complainant, witnesses, or committee members, what steps, if any, are needed to restore their respective positions or reputations or to counter potential or actual retaliation against them. The RIO is responsible for implementing any steps the Deciding Official approves.

12.03 Allegations Not Made in Good Faith: If relevant, the Deciding Official will determine whether the Complainant's allegations of research misconduct were made in good faith or whether a witness or committee member acted in good faith. If the Deciding Official determines there was an absence of good faith, he/she will, in consultation with the Provost, determine whether institutional action should be taken against the person or persons who failed to act in good faith.

Revised:

Updated to Federal Policy, November 2002

Updated to Federal Policy, June 2007

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Updated to Federal Policy, November 2024

Approved:

Faculty Council, May 1992

President Campbell, May 1992

Board of Regents, May 1992

Board of Regents, April 1993 Valid: July 1, 1992 to June 30, 1993

Board of Regents, March 2015

Faculty Council, August 2019

Council of Deans, September 2019

Associate Deans for Research, January 2020

E-Team, February 2020

Board of Regents, March 2020

Faculty Council, May 2025

Associate Deans for Research, May 2025

Council of Deans, June 2025

Leadership Team, June 2025

Board of Regents, September 2025