



**Guidelines to ensure Good Scientific Practice
and for the Handling of Academic Misconduct at the University of Konstanz**

**Adopted by the Senate of the University of
Konstanz at its meeting on 15 July 1998**

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Introduction

The following guidelines are based on the recommendations of the German Rectors' Conference "On Dealing with Academic Misconduct in Institutions of Higher Education" of July 1998, which in turn are based on the decisions adopted by the Senate of the Max Planck Society entitled "Rules of Procedure in Cases of Suspected Scientific Misconduct" of November 1997. Our guidelines are complemented by recommendations from the "Proposals for Safeguarding Good Scientific Practice" of the German Research Foundation (DFG) of December 1997. Formulations from the named texts have been either directly or indirectly integrated into the following guidelines.

General

In order to fulfil its responsibilities to research, as well as the immediately related tasks of teaching and the promotion of junior researchers, the university has to take precautions within its legal framework to deal with academic misconduct. This is to ensure that the university meets the expectations invested in it, and that tax monies and private funds are not misused.

Scientific misconduct

Scientific misconduct exists in scientific works, whenever false statements are made deliberately or as a result of gross negligence, when the intellectual property of others is infringed or their research activities are sabotaged in any other way.

Misconduct particularly includes:

a) False statements

- the fabrication of data;
- the falsification of data, e.g.
 - by selecting or deliberately omitting unwelcome facts or data without disclosing this,
 - by manipulating a representation or illustration;
- incorrect statements in a letter of application or an application for funding (including false statements concerning a publication in which work is said to have appeared, and concerning work accepted for publication).

b) Violation of intellectual property

- in relation to a work that has been authored by another person protected by copyright, or the significant scientific findings, hypotheses, theories or research methods of others:
 - the unauthorized exploitation involving usurpation of authorship (plagiarism),
 - the misappropriation, particularly in an expert opinion, of research methods and ideas (theft of ideas),
 - the usurpation of scientific authorship or co-authorship, or the unjustified acceptance thereof,
 - the falsification of the contents,
 - the deliberate delay in publication of a scientific article, especially on the part of the publisher or an expert, or,
 - the unauthorized publishing and making accessible to third persons of work, findings, hypothesis, theory or research methods, so long as these are not yet published.

- c) Claiming the (co-) authorship of another person without their consent.
- d) The sabotage of research work (including damaging, destroying or manipulating experimental arrangements, equipment, documents, hardware, software, chemicals, cell or micro-organism cultures or other items required by another person for carrying out an experiment).
- e) The removal of original data, insofar as this violates the statutory provisions or the recognised principles of scientific work in the specific discipline.

Joint accountability for misconduct may, inter alia, be a result of

- active participation in the misconduct of others,
- co-authorship of falsified publications,
- gross dereliction of supervisory duties.

Individual regulations

1. Everyone involved in scientific activity is obliged to honour the rules of integrity for good scientific practice and scholarship. These rules should be an integral part of the training and education of young researchers. In research projects this responsibility lies with the person responsible for the project.

2. All of the responsible persons must organise their area of work in such a way as to ensure that the tasks of leadership, supervision, conflict management and quality assurance are clearly allocated, and that it is guaranteed that these tasks are actually carried out.

3. The education and promotion of junior researchers require special attention. Suitable supervision has to be assured. This also includes regular consultations and the supervision of work progress.

4. Performance and evaluation criteria for examinations, the award of academic degrees, promotions, recruitment and the award of funding should be specified in such a way that originality and quality always take precedence over quantity.

5. The person responsible for a research project has to ensure that original data used as a basis for publications are conserved for 10 years on durable and secure media. Additional storage and conservation obligations deriving from statutory provisions, as well as the protection of personal data and information, remain unaffected by this rule.

6. Authors of a scientific publication are jointly responsible for its content. Exceptions should be clearly stated. All scientists who have contributed significantly to the idea, planning, execution or analysis of the research work should have the opportunity of being named as co-authors. Persons who have made smaller contributions should be mentioned in the acknowledgements.

7. An ombudsperson and a deputy are appointed to advise and assist members of the university. The ombudsperson confidentially advises those who inform him or her about an incident of suspected scientific misconduct. The ombudsperson investigates the plausibility of the complaint. The ombudsperson holds office for a term of two years and presents an annual report to the Rector.

8. A Permanent Commission is appointed to investigate cases of suspected scientific misconduct. Its members are:

- three professors, one of whom is a fully qualified lawyer,
- a member of the research staff,
- the ombudsperson and his/her deputy as guests with advisory vote.

Each member's term of office is three years. Re-election is possible.

The Commission convenes at the request of the ombudsperson or one of its members.

Procedure for handling suspected scientific misconduct

When the ombudsperson is alerted to possible scientific misconduct, he or she checks the matter with due diligence. If there are sufficient grounds to suspect scientific misconduct, the ombudsperson informs the Commission.

The Commission also comes into action, when it is informed directly about a case of possible scientific misconduct.

The Commission investigates the matter with due diligence and reports to the Rector. It determines the procedure according to its best judgement. The affected person's right to be heard must be upheld. He or she may demand a personal hearing, and the informant also has the right to present counter opinions. The right of the participants to access files is governed by the general regulations.