



Ohio Administrative Code Rule 3344-28-02 Definitions.

Effective: September 13, 1997

(A) "Academic research misconduct," herein, sometimes referred to as "misconduct," means fabrication, falsification, plagiarism, undisclosed conflicts of interest as defined in the policy for managing conflict of interest, or other practices that seriously deviate from those that are commonly accepted within the academic community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.

(B) "Allegation" means any written or oral statement or other indication of possible academic research misconduct made to an institutional officer.

(C) "Complainant" means a person who makes an allegation of academic research misconduct or inadequate institutional response thereto or who cooperates with an investigation of such allegation. There can be more than one complainant in any inquiry or investigation.

(D) "Conflict of interest" means the real or apparent interference of one person's interest with another, where potential bias may occur due to prior or existing personal or professional relationships.

(E) "Deciding official" means the institutional official who makes final determinations on allegations of academic research misconduct and on any responsive institutional actions. At Cleveland state university the deciding official is the provost and senior vice president.

(F) "Good faith allegation" means an allegation of academic research misconduct made by a complainant who honestly believes that academic research misconduct may have occurred. A good faith allegation need not be objectively made or be subsequently verified to be made in good faith. However, a complainant who recklessly disregards available evidence available that disproves an allegation has not made the allegation in good faith.

(G) Inquiry means information gathering and initial fact-finding to determine whether an allegation



or apparent instance of academic research misconduct warrants an investigation.

(H) "ORI" means the office of research integrity, which is an independent entity within the U. S. department of health and human services reporting to the secretary of health and human services. The "ORI" is responsible for protecting the integrity of extramural and intramural research programs, "EIIS."

(I) "PHS" means the public health service, which is part of the department of health and human services, "DHHS" of the federal government.

(J) "PHS" regulation means the public health service regulation codified at 42 C.F.R. 50(a), entitled "responsibility of PHS awardee and applicant institutions for dealing with and reporting possible misconduct in science."

(K) PHS support" means "PHS" grants, contracts, or cooperative agreements, or applications, therefore.

(L) "Research integrity officer" means the institutional official responsible for assessing allegations of academic research misconduct and determining when such allegations warrant inquiries and for overseeing inquiries and investigations. At Cleveland state university the research integrity officer is the vice president for research.

(M) "Research record" means any data, document, computer file, computer disk, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an allegation of scientific misconduct. A research record includes, but is not limited to: grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; x-ray film; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; .medical charts; and patient research files.

(N) Respondent means the person against whom an allegation of academic research misconduct is



directed, or the person who is the subject of the inquiry or investigation. There can be more than one respondent in any inquiry or investigation.

(O) "Retaliation" means any deliberate response by Cleveland state university, or an employee of Cleveland state university, that adversely affects the employment or other institutional status of a respondent to whom an allegation of misconduct has been directed by not proven or of a complainant who, in good faith, has made an allegation of academic research misconduct or inadequate institutional response, thereto, or who has cooperated in good faith with an investigation of such allegation.