



Ohio Administrative Code Rule 3344-28-03 Rights and responsibilities.

Effective: September 13, 1997

(A) Research integrity officer.

All records related to a case shall be treated as confidential insofar as is permitted by the law of the state of Ohio and no materials growing out of a case shall be placed in the respondent's personnel file prior to the final disposition of the matter.

(B) The research integrity officer, "RIO" will have primary responsibility for adherence to the procedural requirements set forth in this document and, therefore, shall be sensitive to the varied demands made on those who conduct research, those who are accused of misconduct, and those who report apparent misconduct in good faith.

(C) The research integrity officer will attempt to resolve, on an informal and confidential basis, any reported misconduct. Should the "RIO" determine there is insufficient reason to pursue the matter, the "RIO" shall notify the respondent of the complaint and its disposition.

(D) Should such an informal review prove not to be successful in resolving the problem, the research integrity officer has two options: (1) the "RIO" together with the respondent may decide to proceed directly to the investigation phase, or, (2) if either the "BIQ" or the respondent so desires, the procedure will move to the inquiry phase. The "RIO" will appoint the inquiry and/or investigation committees and ensure that necessary and appropriate expertise is secured to carry out a thorough and authoritative evaluation of the relevant evidence in an inquiry of investigation. It is the responsibility of the research integrity officer to ensure that neither the inquiry nor the investigation committee exceeds the scope of its charge. Moreover, the research integrity officer will ensure that interim administrative actions are taken, as appropriate, to protect federal funds. The research integrity officer will attempt to ensure that confidentiality is maintained throughout all of these proceedings.

(E) The research integrity officer will assist inquiry and investigation committees and all



institutional personnel to comply with these procedures and with applicable standards imposed by governmental or external funding sources. The research integrity officer also is responsible for maintaining files of all documents and evidence as well as for the confidentiality, insofar as is permitted by the state of Ohio, and the security of the files.

(F) The research integrity officer will report to the "ORI" as required by regulation and keep the "ORI" apprised of any developments during the course of the investigation that may affect current or potential "DHHS" funding for the individual(s) under investigation or that the "PHS" needs to know to ensure appropriate use of federal funds and otherwise protect the public interest.

(G) Complainant

The complainant shall have an opportunity to testify before the inquiry and/or investigation reports pertinent to that testimony, to be informed of the results of the inquiry and/or investigation, and to be protected from retaliation.

(H) The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with an inquiry or investigation.

(I) Allegations of academic research misconduct made in bad faith, having no basis in fact or put forth merely to discredit the respondent, shall, themselves, constitute academic research misconduct, which shall be subject to formal review by the research integrity officer as well as the provost and academic dean of the college, wherein, the faculty or staff member holds an institutional appointment.

(J) Respondent

The respondent shall be informed in writing of the allegations if and when a formal inquiry and/or investigation is initiated; shall be provided with a copy of this policy and informed of the composition of the inquiry and/or investigative committee; and shall be notified in writing of the final determinations and resulting actions as soon as possible following the conclusion of all formal actions. The respondent shall also have the opportunity to be interviewed by and to present witnesses and evidence to the inquiry and investigation



(K) Committees, to be present at an inquiry and/or investigative hearing, to review the inquiry and investigation reports, and to have the assistance of private legal counsel or another advisor during the inquiry and/or investigative hearing, but may advise the respondent. Further, the respondent may write out questions to be asked of witnesses during an inquiry and/or investigation, hear the answer(s), and submit for response any follow-up questions.

(L) The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry or investigation.

(M) Institutional official.

The research integrity officer will appoint inquiry and, if necessary, investigation committees and ensure that necessary and appropriate expertise is secured to carry out a thorough and authoritative evaluation of the relevant evidence in an inquiry or investigation. The research integrity officer will also ensure that interim administrative actions are taken, as appropriate, to protect federal funds and guarantee that the purposes of the federal financial assistance are carried out.

(N) The research integrity officer will receive the reports and written comments of the respondent and the complainant, if any are made. The deciding officer shall determine whether to conduct an investigation, or to recommend that sanctions be imposed, or to take appropriate administrative actions.