

Ethical Policies for Conducting Research



PURPOSE

The purpose of this policy is to provide for guidelines for the engagement in ethical research in order to maintain the highest standards of honesty, integrity, and ethical behavior by researchers at the Alabama College of Osteopathic Medicine.

DEFINITIONS

1. Researcher – any faculty, staff member or student who engages in research.
2. Human subject – a living individual about whom an investigator (whether professional or student) conducting research obtains data through intervention or interaction with the individual, or identifiable private information.
3. Research – a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program which is considered research for other purposes. For example, some demonstration and service programs may include research activities.
4. Deception – when a human subject is deliberately given false information in the course of research by a researcher.
5. Misconduct – fabrication, falsification, plagiarism, or other serious deviation from accepted practices in proposing, carrying out, and/or reporting results from research or other scholarly activity.
6. Allegation – written or oral statement of possible misconduct made to a member of the Dean’s cabinet.
7. Complainant – person who makes an allegation of research misconduct.
8. Inquiry – system by which information is gathered to determine whether an allegation or apparent instance of research misconduct warrants an investigation.
9. Investigation – the formal examination and evaluation of all relevant facts to determine if misconduct has occurred and, if so, to determine the responsible person and the seriousness of the misconduct.
10. Respondent – the researcher against whom an allegation of research misconduct is directed. There can be more than one respondent in any inquiry or investigation.

OBLIGATIONS TO HUMAN SUBJECTS

Researchers at the Alabama College of Osteopathic Medicine have an ethical obligation to:

1. Inform subjects of a research project of all features of the research that may have an effect on their willingness to participate in a research project.
2. Respect the freedom of subjects to decline participation or to withdraw from participation in research at any time.
3. Honor all commitments and responsibilities that they make to subjects in the research project.
4. Protect subjects from physical or mental discomfort, distress, harm or danger.
5. Obtain written informed consent from human subjects.
6. Protect the anonymity and/or confidentiality of subjects to the extent possible and practical and not disclose personally identifiable information that has been collected during the conduct of research projects.
7. Explain, at the conclusion of the research project, why concealment of information or deception was necessary if it was required as part of the validity of a research project.

MISCONDUCT PROCEDURES

Complaint

Anyone having reason to believe that a member of the faculty, staff, or student body has engaged in misconduct in research or other scholarly activity should consult with the appropriate Department Chair or Associate Dean. If the result of such discussion confirms the seriousness of the allegation, the matter then shall be reported, in writing, to the Dean's Council. The identity of the complainant will be kept confidential during the inquiry. Persons who knowingly falsify allegations of misconduct shall themselves be subject to disciplinary action. If the individual making the informal allegation chooses not to make a formal allegation, but the Department Chair or Associate Dean believes there is sufficient cause to warrant an inquiry, the matter will be pursued without a complainant.

Inquiry

Upon receipt of the allegation, the Dean's Cabinet will convene a board of inquiry or members as designated by the Dean's Council. The inquiry normally should be concluded within 30 days. If the inquiry cannot be completed within the 30 days, the board of inquiry must submit a report citing the reasons for the delay and progress to date. If the allegation is serious enough to warrant interim administrative action prior to completion of the inquiry, the Dean's Council must approve such action. Interim administrative action will be taken only when there is a possibility of additional damage if a research program continues and can consist of an order to stop specified research activities. This interim administrative action should not be considered in the assessment of guilt of the respondent. If the evidence brought forward during the inquiry supports the allegation, the respondent will be given an opportunity to respond in writing to the allegations prior to the completion of the inquiry.

The Dean's Council will designate a board of inquiry officer to be responsible for the security and confidentiality of all evidentiary materials relating to the inquiry. It is understood that all involved parties are obliged to cooperate to the fullest in any and all proceedings concerned with securing data related to the case. All materials related to the inquiry will be kept until such time that no further action is required and, at that time, the materials will be destroyed.

The board of inquiry will submit, for the record, a written report to the Dean's Council that outlines the review of evidence and relevant conclusions of the inquiry. The submission of this report will conclude the inquiry. If the board of inquiry concludes that the allegation does not warrant an investigation, the inquiry will be closed, and the appropriate individuals will be notified.

Investigation

If the board of inquiry calls for a formal investigation, the respondent shall be notified and sent a copy of the inquiry report. At this time, the Dean's Council will appoint members of an investigation committee to review the report from the board of inquiry and the misconduct allegation. The investigation must start within 30 days of the date that the inquiry ends or as deemed by the Dean's Council.

The investigation committee must be comprised of at least five (5) faculty (or external scholars or persons who have the relevant expertise to examine the allegations) who do not have a conflict of interest. The committee shall conduct a prompt and thorough investigation in order to ascertain the facts of the case and to determine whether the respondent has violated this policy.

The respondent has the right to address the allegations through the presentation of statements and/or documents with respect to the misconduct allegation, to call witnesses, to provide information concerning the matter under investigation, and to cross examine all witnesses called by the investigative committee. The respondent also has the right to obtain an attorney (or other individual) to advise them during the course of the proceedings.

At the end of the investigation, the committee shall prepare a preliminary report that outlines the review of evidence and findings in the investigation with regards to the misconduct allegation. The respondent will receive a copy of this preliminary report and must present a written response within two weeks of receipt of the report. The investigation committee will prepare a final investigation report after the conclusion of the two weeks.

The final investigative report shall contain:

1. The allegations of misconduct
2. The names of the investigation committee
3. The evidence reviewed
4. The conclusions reached by the investigation committee

If a majority of the investigation committee finds that the individual guilty of misconduct, it shall recommend an appropriate course of action to the Dean's Council, who will recommend any disciplinary action to be taken. This report shall be provided to appropriate parties, including the respondent.

Disciplinary Action

Disciplinary action of employees may consist of, but is not limited to, one or more of the following:

1. Letter of reprimand
2. Removal from particular project
3. Special monitoring of future work
4. Probation
5. Suspension
6. Salary reduction
7. Rank reduction
8. Termination of employment

Reporting to External Funding Agencies

The Dean's Council, in compliance with applicable laws, regulations and agreements, will notify external research funders/sponsors if:

1. An board of inquiry recommends a formal investigation
2. Any administrative actions are taken that affect the research project

3. The seriousness of the allegation warrants notification
4. There is an immediate health or environmental hazard concern
5. The funding agency's (or sponsor's) resources, reputation, or other interests require protection
6. Federal action is required to protect the interests of a subject of the investigation
7. The scientific community or the general public need to be informed.
8. There is reasonable indication of a possible criminal violation.

If necessary, the external funding agency (or sponsor) shall be provided with copies of all final reports and decisions resulting from any investigation.