

Academic Misconduct

The following Policy on Academic Misconduct (see also the University Policy website at https://www.dfa.cornell.edu/sites/default/files/policy/vol1_2.pdf) was adopted by the Faculty Council of Representatives on December 13, 1989, and supersedes the Integrity Policy Statement previously adopted by that body on April 9, 1986. This Policy covers undergraduate, graduate or extramural students only insofar as their actions are not already covered by the Code of Academic Integrity as amended on May 15, 1985.

Preamble

The search for truth underlies our academic values as an educational institution. Members of the Cornell community, whether faculty, graduate and undergraduate students, or staff, are expected to perform their scholarly and scientific activities with scrupulous honesty and to meet the highest ethical standards. In all academic work they must respect the facts, the appropriate standards of evidence and the contributions and scholarship of others. Each member is expected to promote such standards of integrity in interactions with other scholars and to participate in review procedures and disciplinary actions as may be appropriate in the case of reported violations of these standards.

While taking all reasonable steps to protect the rights and interests of individuals whose work or performance is questioned, the University will vigorously investigate allegations of academic misconduct, for such misconduct on the part of any of its members threatens and subverts the fundamental values of the institution as a whole.

Academic Misconduct

Academic misconduct includes any act that violates the standards of integrity in the conduct of scholarly and scientific research and communication. This includes, but is not limited to, plagiarizing the work of others, i.e. intentionally or knowingly representing their words or ideas as one's own; deliberately falsifying or fabricating data, citations, or information; forging of academic documents; abusing the confidentiality of information obtained from colleagues or other persons; intentionally or knowingly helping another to commit an act of academic misconduct, or otherwise facilitating such acts; or other practices that seriously deviate from ethical standards that are commonly accepted within the scientific and scholarly communities for proposing, conducting, or reporting

research. Academic misconduct does not include honest error or honest differences in interpretations or judgments of data.

Procedures

A. Disclosure of Academic Misconduct

Members of the Cornell University community are obligated to report suspected acts of academic misconduct. The initial report of such an allegation, whether on the part of a faculty member, a member of the staff, a student with a University appointment, or any other person with a University appointment, should be made to the Dean of the Faculty.

B. Inquiry

Upon receiving such a report, the Dean of the Faculty shall conduct a preliminary Inquiry into the allegation or other evidence of possible academic misconduct. The purpose of the Inquiry shall be to gather sufficient information and facts to enable the Dean of the Faculty to determine whether an Investigation is warranted. Such an Inquiry should normally be concluded within sixty days of receipt of the initial report of alleged academic misconduct.

In the course of the preliminary Inquiry the Dean of the Faculty shall:

- 1) take all reasonable precautions to protect the interests and the reputation of the individual against whom the allegation was made and the person who made the disclosure;
- 2) conduct interviews with complainant, subject or subjects, and others as necessary or appropriate for purposes of the Inquiry;
- 3) prepare a written report that summarizes the evidence reviewed and interviews conducted and includes the conclusion of the Dean of the Faculty as to whether an Investigation is warranted;
- 4) provide a copy of the report to the subjects of the Inquiry and the complainant for written comment, which comments, if any, together with the report, shall become a part of the record of the Inquiry.

In the event the Dean of the Faculty concludes that further investigation is not warranted, he/she shall terminate the Inquiry. In such case, the report of the Inquiry

shall be maintained in the confidential file of the Dean of the Faculty for a period of three years, after which such file will be destroyed.

C. Investigation

Should the allegations, in the judgment of the Dean of the Faculty, warrant further investigation, he/she, within thirty days of the completion of the Inquiry, shall refer the matter to the Dean of the college or the head of the appropriate administrative unit in which the subject is appointed. The Dean or unit head shall conduct a thorough examination and evaluation of all relevant information to determine if academic misconduct has occurred, and shall advise the Vice Provost for Research (see also the University Policy website at https://www.dfa.cornell.edu/sites/default/files/policy/vol1_2.pdf) and University Counsel of such action. The Dean or unit head may designate an ad hoc committee, a standing committee, or other personnel to assist in the conduct of the Investigation. The Investigation shall include but need not be limited to:

- 1) examination of pertinent documentation including relevant research data and proposals, publications, correspondence, etc.;
- 2) interviews of all principals and witnesses whenever possible;
- 3) preparation of written summaries of interviews to be provided to the interviewed party for comment and/or revision;
- 4) maintenance of documentation and summaries of interviews as part of the investigative file;
- 5) consultation with experts from within or without the University as deemed appropriate;
- 6) preparation of a written report including documentation and findings regarding academic misconduct, recommended administrative actions to repair any damage misconduct may have caused, and recommended disciplinary actions ranging from reprimand to termination; and
- 7) submission of the investigative report to the subject(s) and the complainant for written comments, which comments, if any, together with the report shall become a part of the record of the Investigation.

A final written report, including the comments, if any, of the subject, shall be submitted by the Dean or unit head to the Dean of the Faculty. The Investigation should normally be completed within one hundred and twenty (120) days after referral by the Dean of the Faculty. If, based upon the report, the Dean of the Faculty concludes that academic misconduct has not occurred, the Investigation is terminated. In such case, the report of the Investigation shall be maintained in the confidential file of the Dean of the Faculty for a period of three years, after which such files will be destroyed.

D. Disciplinary Action

Should the Dean of the Faculty, based upon the report, conclude that academic misconduct has occurred, he/she shall recommend such administrative action as may be appropriate to repair any damage the misconduct has caused (notice to publishers, etc.) and such disciplinary penalty as deemed appropriate. Possible penalties range from reprimand to dismissal, depending on the seriousness of the offense. The Dean of the Faculty may, in his or her discretion, accept or reject the findings and recommendations contained in the report and prepare findings or recommendations of his/her own.

Should the Dean of the Faculty conclude that disciplinary action is appropriate, applicable University procedures appropriate to the class of researchers to which the accused belongs will be invoked. For this purpose, he/she shall forward a copy of the report and his/her recommendation to the appropriate University administrator for imposition of discipline. The subject may appeal any disciplinary action using applicable grievance procedures.

E. Confidentiality

Throughout the Inquiry and Investigation of alleged academic misconduct, those conducting the reviews should take all reasonable precautions, consistent with the need for a complete and comprehensive review, to maintain confidentiality and to protect the rights and legitimate interests of both the person making the disclosure and the subject(s) of the reviews.

F. Reporting

1) In order to protect the public interest, the interests of the scientific community, a sponsor, or specified individuals, or to insure the integrity of research, persons heading Investigations under this Policy shall inform the Vice Provost for Research (see also https://www.dfa.cornell.edu/sites/default/files/policy/vol1_2.pdf)

of the progress of such reviews in case sponsor or other interactions are required or advisable prior to completion of the Investigation.

2) In cases where it is concluded that academic misconduct has occurred, the Vice Provost for Research (see also the University Policy website at https://www.dfa.cornell.edu/sites/default/files/policy/vol1_2.pdf) will notify and submit reports to sponsors upon completion of the Investigation, or as required by sponsor regulations.

G. Government Procedures

In cases where academic misconduct is alleged to have occurred in the course of research subject to applicable governmental regulations as, for example, violations which may occur in the course of research sponsored by the National Science Foundation and/or the National Institutes for Health (see also the University Policy website at https://www.dfa.cornell.edu/sites/default/files/policy/vol_2.pdf), the requirements of such governmental regulations shall apply and supplement and/or, to the extent inconsistent herewith, supersede, the provisions of this Policy. In that event, applicable governmental time periods for conduct of the review process, reporting procedures and other substantive and procedural requirements will be adhered to.