

Cyprus American Archaeological Research Institute

RESEARCH MISCONDUCT POLICY

I. Preamble

The Cyprus American Archaeological Research Institute (CAARI) expects its staff and appointees to abide by the highest standards of scholarly conduct and accepts responsibility for investigating allegations and making findings of misconduct concerning its staff; scholars whose research was conducted with funds from CAARI or with funds from other sources that are awarded by CAARI; or scholars undertaking excavation or survey, research, or publication of archaeological materials, archival or other primary source materials in the care of CAARI. Findings of a violation of this policy on the part of scholars whose research was conducted at CAARI with funds from external sources such as the National Endowment for the Humanities (NEH) and the Educational and Cultural Affairs Bureau of the U.S. State Department will be reported to the relevant funding source.

CAARI annually hosts scholars and research fellows, who are funded by individual sources or CAARI grants that in turn can come from private or public, including U.S. federal, sources. These researchers can reside outside of CAARI and be daily users of its research facilities or they can be in residence at CAARI for periods ranging to more than a year. For the most part, these scholars conduct primary research. Upon return to their home institutions or in some cases to independent scholar status they may publish their findings. Usually CAARI will subsequently receive a copy of the publication/s that result from the scholars' research in Cyprus and these materials will be preserved and made available in the CAARI library in Nicosia.

Allegations of research misconduct normally arise as the result of publication of research, an event that, in the case of CAARI fellows and resident scholars, may not happen while they are CAARI fellows or in residence at CAARI. It is far more likely that any such allegation would arise following the term of residence in Cyprus and at the person's home institution, and that the investigation of misconduct would take place there. Under these circumstances, the most likely role for CAARI would be to assist the home institution, usually a college or university, in its investigation. CAARI's primary responsibility in such a case would be to:

- 1) respond appropriately to any request for assistance from such an institution;
- 2) respond only after ascertaining that the procedures being used by that institution conform to accepted guidelines, including, as appropriate, U.S. federal guidelines and research misconduct policies;
- 3) in cases in which the subject of the investigation has been the recipient of a CAARI fellowship that was funded by the U.S. government, notify the funding agency that the home institution of the former fellow was conducting an investigation.

In the event that the allegation of research misconduct was brought to CAARI directly rather than to the subject's home institution, CAARI would conduct its own investigation, in accordance with the following policies.

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II. Definition of Research Misconduct

Research misconduct is defined as fabrication, falsification, plagiarism, or misappropriation of intellectual property in proposing, performing, or reviewing research, or in reporting research results. Research misconduct can also include retaliation against a person who makes an allegation of research misconduct.

1. Fabrication is making up data or results and recording or reporting them.
2. Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record (i.e. the record of data or results that embody the facts emerging from the research, and includes, but is not limited to, research proposals, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, and books).
3. Plagiarism is the appropriation of another person's ideas, data, or words without giving appropriate credit.
4. Misappropriation of intellectual property is the use of intellectual property in violation of copyright and similar laws that protect authors' intellectual products without the express written permission of the owner of the rights concerned.
5. The use of archaeological, archival or other primary source material in the custody of the CAARI requires the written permission of the CAARI Director. The use of archaeological, archival or other primary source material not in the custody of CAARI requires the written permission of the individual with responsibility for care and oversight of these materials.

III. Standard for a Finding of Research Misconduct

A violation of this policy must be the result of intentional, knowing, or reckless conduct and not the result of honest error or a difference of opinion. In addition, the alleged misconduct must constitute a significant departure from the pted practices of the relevant research community. The allegation must be proven by a preponderance of the evidence, and the burden of proof is on the complainant.

IV. Procedures of Inquiry, Investigation, and Adjudication:

A. Informal Procedure

The complainant must first file a complaint with the supervising authority, who is either the Director of CAARI or the Chair of the Fellowships Committee, to determine if the complaint may be resolved informally to the satisfaction of those involved. The Chair of the Fellowships Committee may appoint another member of the Fellowships Committee to serve as the supervising authority in case of the Chair's lack of availability. In case of conflict of interest, the President of the Board may appoint another member of the Board to serve as the supervising authority. The complainant may be any individual or entity.

The supervising authority shall conduct a preliminary investigation and following consultation with the President of the Board, or if the President has a conflict of interest, the Vice President, and following the investigation either dismiss the complaint or refer the complaint for formal proceedings within four weeks of the filing of the complaint. If the supervising authority determines to dismiss the complaint, the individual against whom the complaint was made need not be informed. If the supervising authority determines to refer the complaint for further proceedings, then the individual must be informed immediately and the supervising authority must attempt to resolve the complaint between the two parties before making the referral.

B. Formal Procedure

If the complaint cannot be resolved informally or in the event that the supervising authority deems that an informal procedure is for any reason inappropriate with respect to a specific case, the following formal procedure is to be followed.

1. Grievance Panel:

An *ad hoc* Grievance Panel consisting of three members of the Board will be appointed by the President of the Board, or if the President has a conflict of interest, by the Vice President. This panel will convene to inquire into, investigate, and adjudicate the case. The President or, in case of conflict of interest, the Vice President, shall designate one of the three members of the panel to serve as Chair. The Chair shall be responsible for convening meetings of the panel and for preparing the report.

2. Determination of Misconduct:

a. Inquiry: If the allegation is judged to have no substance, the case will be dismissed. If the allegation is judged to have substance, a complete investigation will be conducted.

b. Formal Investigation: The formal investigation will consist of the development of a factual record and the examination of that record leading to a dismissal of the case or to a finding of research misconduct if a majority of the Grievance Panel agrees. Both parties have the right to present any evidence that they wish and the individual accused of misconduct has the right to consult with any additional individuals. In carrying out its investigation, the Grievance Panel may contact any individuals whom the Panel believes can assist with the investigation or have relevant evidence.

c. Adjudication: If the Grievance Panel makes a determination by majority vote that the Research Misconduct Policy has been violated, the Panel shall recommend to the CAARI Board President or, in case of conflict of interest, the Vice President what appropriate penalties are to be imposed. These may include a reprimand, either oral or written, appropriate steps to correct the research record, revocation of association with and/or use of the facilities of CAARI for a determined period of time, and informing the individual's home institution of the research misconduct. In deciding what penalty or penalties are appropriate, the Grievance Panel should consider the seriousness of the misconduct, including, but not limited to, the degree to which the conduct was knowing, intentional, or reckless; was an isolated event or part of a pattern; or had significant impact on the

research record, other researchers, or institutions. The CAARI Board President or, in case of conflict of interest, the Vice President has the ultimate responsibility for ensuring that the recommendation of the Grievance Panel concerning penalties is carried out.

d. Report of the Grievance Panel: Immediately upon the conclusion of the adjudication phase, the Chair of the Grievance Panel shall prepare and submit a Report to the President of the CAARI Board. This Report shall include the evidentiary record, the investigative report, the decision, the basis for the decision, and any corrective actions taken or planned. The Report shall also contain an explanation of the methods and procedures employed as well as a full explanation of the findings, recommendations, and conclusions of the investigation.

e. Both informal and formal procedures should be executed in the most expedited manner possible and in no case should these procedures take longer than six months from the time that a complaint has been filed. Extension of time for formal procedures will be granted only by a two-thirds majority vote of the Grievance Panel in favor of an extension. If an extension is voted, it will be limited to a maximum of three additional months with no provision for any further extension. The decision of the Grievance Panel will be final.

V. Notification of Allegations and Adjudications of Research Misconduct to Granting Agencies

A. If an allegation or finding of research misconduct is made involving research funded by an outside funding source, such as NEH, or an application for such funding, the granting agency shall be notified a follows:

1. At the time that a determination is made that there is sufficient evidence to proceed to an investigation; and
2. If resources or interests are threatened; if public health or safety is at risk; if research activities should be suspended; if there is reasonable indication of possible violations of civil or criminal law; if action by the outside funding agency is required to protect the interests of those involved in the investigation; if the CAARI Board President or, in case of conflict of interest, the Vice President believes the inquiry or investigation may be made public prematurely so that appropriate steps can be taken to safeguard evidence and protect the rights of those involved; or if the research community or public should be informed.

B. When the adjudication of an allegation of research misconduct that involves NEH-funded research or an application for NEH funding is complete, CAARI will forward the Report of the Grievance Panel, described in Section IV.B.2.d above, to the NEH Inspector General.

C. If a finding of research misconduct is made involving research funded by an outside funding source or agency other than NEH, that source or agency shall be informed immediately of the determination, and any penalties imposed on the individual who committed the misconduct. A copy of the Report of the Grievance Panel will be provided to the outside funding source or agency at that entity's request.

VI. Procedural Safeguards and Confidentiality

A. Every effort shall be made to protect those who bring a complaint and who cooperate with the investigation in good faith from retaliation by providing fair and objective procedures for the investigation and resolution of allegations of research misconduct, and through the use of diligence in protecting the positions and reputations of those persons.

B. The individual against whom an allegation of research misconduct is made is entitled to prompt written notification once a formal investigation is initiated, unless such notification would jeopardize other legal proceedings. Any allegation that does not proceed to the formal investigation stage (described in Section IV.B.2.b above) will not be reported and no written record of the allegation shall be maintained by CAARI or forwarded to outside funding sources or agencies.

C. To the extent possible and consistent with a fair and thorough investigation, confidentiality will be preserved and knowledge about the identities of the complainant, the person alleged to have committed the research misconduct, and those who cooperate with the investigation shall be limited to those who need to know for the furtherance of the investigation.

VII. Review of CAARI Research Misconduct Policy

The Research Misconduct Policy will be adopted by a majority vote of the Board of CAARI. It shall be fully reviewed by the Executive Committee of CAARI or an *ad hoc* committee formed by the Executive Committee, no more than five years after its adoption by the Board. Any substantive changes in the Policy must be adopted by a majority vote of a quorum in attendance at a regularly scheduled meeting of the CAARI Board.

Adopted: April 24, 2010