



# Safeguarding good academic practice

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Reacting to spectacular cases of misconduct by researchers, the Commission on Professional Self-regulation in Science of the Deutsche Forschungsgemeinschaft (German Research Foundation, DFG) presented “Proposals for safeguarding good academic practice” in December 1997.

In order to assume their responsibility in research and the directly related tasks in teaching and supporting young researchers, the Senate of Heidelberg University adopted the following Rules (see below)<sup>1)</sup> on 10 November 1998, which – deviating from the provisions at other universities – provide not for one but for three ombudspersons (see below) to act as contacts for members of the University. The ombudspersons come from different fields (humanities and social sciences; natural sciences; medicine). As confidential mediators, they advise those who inform them of suspected academic misconduct and examine the plausibility of the charges.

In addition, the Rector’s Office appointed a Standing Commission to investigate the charges of possible academic misconduct, made up of a vice-rector (Chair), three professors (one qualified to serve as a judge), two members of the non-professorial academic staff, the ombudspersons as guests with the right to speak and (at the request of the Commission) experts with the right to speak. This Commission takes action on request of an ombudsperson or its Chair. In cases of suspected academic misconduct, researchers can bypass official channels and turn directly to the ombudspersons or the vice-rector responsible.

<sup>1)</sup> The rules are based on the Recommendations of the German Rectors’ Conference on handling scientific misconduct in universities (“Zum Umgang mit wissenschaftlichem Fehlverhalten in den Hochschulen”) of July 1998, the decisions of the Senate of the Max Planck Society on procedures for handling allegations of

scientific misconduct ("Verfahren bei Verdacht auf wissenschaftliches Fehlverhalten in Forschungseinrichtungen der Max-Planck-Gesellschafts-Verfahrensordnung") of November 1997 and the DFG memorandum "Safeguarding good academic practice" of 1998.

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## **Rules for safeguarding good academic practice and handling academic misconduct**

At its sitting on 10.11.1998 the Senate adopted the following Rules:

### **Rules of Heidelberg University for safeguarding good academic practice and handling academic misconduct**

#### *Preliminary comment*

In order to assume its responsibility in research and the directly related tasks in teaching and promoting young researchers, Heidelberg University has made legal provision for handling cases of academic misconduct, so that it can fulfil expectations in this regard. At its meeting of 10 November 1998, the Senate therefore adopted the following Rules pursuant to §7 University Law (UG).

#### *§1 Academic misconduct - definition*

Academic misconduct applies in particular when deliberately, or with gross negligence, false statements are made in scientific and other scholarly studies, the intellectual property of others is violated or their research activity is intentionally harmed in some other way.

Misconduct occurs, in particular, in the following cases:

##### a) False statements

- Inventing data



- Faking data, e.g. by
  - selecting and rejecting undesired results, without making this known
  - manipulating a drawing or figure
  - giving incorrect information in an application for a post or for funding (including false statements about publications in the printing process regarding the journal or other organ);

b) Violating intellectual property

- in connection with work protected by copyright, or of essential scientific findings, hypotheses, teachings or research approaches stemming from others:
    - unauthorised use, claiming authorship (plagiarism)
    - exploiting research approaches and ideas, particularly as referee (stealing ideas)
    - appropriating or, without grounds, assuming academic authorship or co-authorship
    - faking content
    - deliberately delaying publication of a scientific or other scholarly study, particularly as editor or referee, or
    - going ahead with the unauthorised publication and enabling accessibility to third parties before the work, the findings, the hypothesis, the teaching or the research approach have been made available to the public;
- c) the claiming of (co)authorship of another person without his/her consent;
- d) the sabotage of research activities (including the damaging, destroying or manipulating of experimental designs, equipment,

documents, hardware, software, chemicals, cell and microorganism cultures or other items required by another person to carry out an experiment);

- e) misappropriation of budgetary funds and private grants;
- f) disposal of original data, if this is against statutory regulations or – depending on the discipline – recognised principles of scientific or other scholarly work.

Co-responsibility for misconduct may, *inter alia*, result from:

- involvement in the misconduct of others
- co-authorship of publications containing faked content
- gross neglect of supervisory duty.

## *§2 Individual procedures*

1. All those doing scientific and other scholarly work shall be obliged to observe the rules of good academic practice. These rules shall be a firm component of the training of young researchers. It is incumbent on the project leader to ensure that this is so.
2. All those in leadership positions shall organise their area of work appropriately in order to ensure that the responsibilities of direction, supervision, conflict resolution and quality assurance have been unambiguously assigned, and that practical implementation of these responsibilities is guaranteed.
3. The head a research project must guarantee that original data is preserved on durable and secure media for ten years, as a basis for publications. More far-reaching obligations to preserve data

on the basis of statutory provisions shall remain unaffected, likewise measures to protect personal data.

4. Authors of a scientific or other scholarly publication shall bear joint responsibility for its content. Exceptions must be clearly indicated. All academics that have made substantial contributions to the conceptualisation, planning, implementation or analysis of research activity must be mentioned as co-authors. Individuals who have made small contributions shall be mentioned in the statement of thanks.
5. The Senate shall appoint three ombudspersons for a period of three years to be contacts for members of the University. The ombudspersons shall come from different fields (humanities and social sciences; natural sciences; medicine). The ombudspersons may consult experts. As confidential mediators they shall advise the individuals who inform them of suspected academic misconduct. The ombudspersons shall examine the plausibility of the charges. The ombudspersons shall meet at least once a year and submit a report to the Rector.
6. In addition, the Rector's office shall establish a Standing Commission to investigate the charges of academic misconduct. The members of the Commission shall be proposed by the Rector's office and elected by the Senate. The members of the Commission shall be
  - a vice-rector (as Chair)
  - three professors, one qualified to serve as a judge
  - two members of the non-professorial academic staff
  - the ombudspersons as guests with the right to speak
  - (at the request of the Commission) experts with the right to vote

Their period of office shall be three years. Re-election is

possible.

The Commission shall take action at the request of an ombudsperson or of the Commission Chair.

7. In the event of suspected academic misconduct researchers can bypass official channels and turn directly to the ombudspersons or the responsible vice-rector.

### *§3 Procedures in the event of suspected academic misconduct*

1. Should the ombudspersons receive indications of academic misconduct they shall examine the facts of the matter with due discretion. If the ombudspersons conclude that there are sufficient grounds for suspecting academic misconduct they shall notify the Commission.
2. The Commission shall be convened by the Chair. The Chair shall convene the Commission at the request of an ombudsman. The Commission shall also take action when it receives direct indications of academic misconduct.
3. The Commission must clarify the matter as best it can and report it to the Rector. It shall determine the procedure with due discretion. The person concerned must be given a hearing in accordance with the law. He/she may demand to make a statement in person, as may the person providing the information in the case of counter-claims. The right of the parties to inspect the files shall apply in accordance with general regulations.

The above Rules shall take effect pursuant to §7(3) sentence 2 UG on the first day of the month following their promulgation.

Heidelberg, 3 December 1998

*signed*

Prof. Dr. Jürgen Siebke  
Rector

*Additional recommendations by the Senate:*

By analogy with the DFG memorandum on “Safeguarding good academic practice” the Senate adopted the following recommendations at its sitting of 10 November 1998:

1. The training and support of young researchers must be given particular attention. Appropriate supervision shall be guaranteed. This shall include regular discussions and supervision of the progress they are making in their work.
2. Criteria for assessing performance in examinations and awarding degrees, for promotions, recruitments, appointments and resource allocation shall be determined in such a way that originality and quality take priority over quantity as an assessment standard.

