



Northwestern
University

PROCEDURES FOR REVIEWING ALLEGED RESEARCH MISCONDUCT

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Overview

These Procedures (i) implement Northwestern's *Policy for Reviewing Alleged Research Misconduct*, and (ii) outline the process followed by Northwestern. All terms not defined herein shall have the same definitions set forth in the *Policy for Reviewing Alleged Research Misconduct*. A research misconduct proceeding typically consists of three phases: assessment of the allegation(s), inquiry, and investigation.

Reporting an Allegation

Any individual, whether associated with Northwestern or not, with concerns about potential research misconduct involving Northwestern research is strongly encouraged to report these concerns to Northwestern's Office for Research Integrity (ORI). Reports of suspected research misconduct can be made directly to the Research Integrity Officer (RIO). Alternatively, reports can be made to an Associate Vice President (AVP), the Vice President for Research (VPR), the Provost, and/or the relevant Department Chair, Research Dean, Dean. If a report of suspected research misconduct is made to members of the Northwestern community other than the RIO, the community member to whom the report is made must convey the reported information to the RIO.

Concerns can also be reported via any institutionally recognized official reporting channel, including EthicsPoint, where reporting can be anonymous. Reports submitted in this manner will be directed to the RIO. If a Complainant requests that their identity be kept confidential, all reasonable efforts will be undertaken to do so; however, confidentiality cannot be guaranteed in all situations. If the suspected incident involves a concern requiring mandated reporting or disclosure, for example, a risk to public safety or research participants, the RIO is required to report the incident to the appropriate parties.

After the RIO is notified of the allegation, the Complainant will be offered an opportunity to submit evidence to ORI in support of the allegation(s) raised. This evidence may be used in the assessment, inquiry, and/or investigation.

If an individual is unsure whether a suspected incident falls within the definition of research misconduct, they may contact the RIO to discuss the suspected incident informally and confidentially.

Assessment

Purpose

The purpose of the assessment is to determine if an allegation warrants an inquiry.

Conducting the Assessment

ORI, under direction of the RIO, conducts the assessment to determine if the allegation (a) falls within the definition of research misconduct and if so (b) is sufficiently specific and credible so that potential evidence of research misconduct may be identified. ORI conducts the assessment by gathering and summarizing readily accessible data and information. ORI may engage a consultant and/or expert to assist ORI, as needed.

The RIO and/or ORI will:

- Document the assessment and maintain the record of the assessment;
- Initiate sequestration, if appropriate;
- Identify the Respondent(s) by, to the extent possible, determining the roles and responsibilities of the individuals involved in the questioned research;
- Identify, to the extent possible, the potentially implicated funding;
- Determine if Northwestern has jurisdiction over the allegation;
- Determine if there are issues that would justify broadening the scope beyond the initial allegation(s);
- Determine, based on the applicable federal regulations, whether time limitations or exceptions to time limitations apply (see Subsequent Use Exception below); and
- Consult with the AVPR, VPR, Provost and/or Deans as appropriate.

If the RIO determines that an allegation falls within the definition of research misconduct and is sufficiently specific and credible so that potential evidence of research misconduct may be identified, then the RIO will initiate an inquiry. ORI will inform the relevant Research Dean, Department Chair and Program Director, as applicable, and promptly sequester all relevant research records and evidence.

If the RIO determines that the allegation does not meet the definition of research misconduct, is not sufficiently specific and credible so that potential evidence of research misconduct may be identified, and/or is related to matters outside the requisite time limit, the RIO will formally dismiss the allegation. The RIO need not notify the Respondent of the dismissal of such allegation, but will notify the Complainant, if their identity is known, that the allegation will not be pursued under Northwestern's *Policy for Reviewing Alleged Research Misconduct*. The RIO need not provide additional information beyond the initial confirmation of receipt of an allegation to anonymous Complainants.

Sequestration

Purpose

The purpose of a sequestration is to promptly take all reasonable and practical steps to collect and secure all relevant research records and evidence, which may include copies of the data or other evidence so long as those copies are substantially equivalent in evidentiary value, needed to evaluate allegations as part of the research misconduct proceeding.

Authority

1. The research record is defined in Northwestern's *Policy for Reviewing Alleged Research Misconduct*. The research record is comprised, in part of research data, and consistent with *Northwestern's Policy on Research Data: Ownership, Retention and Access*, research data are all information in whatever form (e.g., both physical and electronic) collected and/or generated in the course of a research project conducted at the University, under the auspices of the University, or with University resources and are the property of Northwestern.
2. The RIO and ORI staff have the authority and responsibility to take all reasonable and practical steps to sequester relevant research records, whether physical or electronic, and other evidence, records and materials that the RIO believes may become relevant in the course of an inquiry or an investigation of alleged research misconduct.
3. Where the research records or other evidence are located on or encompass scientific instruments shared by multiple users, Northwestern may obtain copies of the data or other evidence from such instruments, so long as those copies are substantially equivalent in evidentiary value to the instruments.
4. If research records and potentially relevant evidence exist outside of Northwestern, the RIO and ORI staff have the authority to contact the appropriate officials to locate and secure all research records and evidence relevant to the allegation.

Conducting a Sequestration

ORI will take all reasonable and practicable steps to (a) collect and secure relevant research records and other evidence needed to conduct the research misconduct proceeding, (b) inventory the research records and other evidence; and (c) create a written record describing how the sequestration was conducted. Whenever possible, ORI will sequester the research records and other evidence before or at the time the institution notifies the Respondent of the allegation(s) and whenever additional research records and/or other evidence become known or relevant to the inquiry or investigation.

Respondent's Rights and Responsibilities

ORI will provide the Respondent with an inventory of items sequestered from the Respondent. When appropriate, ORI will give Respondent electronic copies of, or reasonable, supervised access to, research records sequestered in accordance with the research misconduct proceeding.

Inquiry

Purpose of Inquiry

The purpose of the inquiry is to conduct a review of the available evidence to determine if an allegation warrants an investigation. An inquiry does not require a full review of the evidence related to the allegation.

Timeframe

The Inquiry Committee is generally convened within 30 days of the determination to convene an inquiry, or as soon as practicable. The inquiry should generally be completed within 90 days of the convening of the inquiry, unless circumstances warrant a longer period, as determined by the RIO, with approval from the relevant oversight agency or funding entity, as necessary.

Notification to Respondent

Upon initiation of an inquiry, ORI will make a good faith effort to notify in writing the presumed Respondent. Respondent notification includes:

- The specific allegation(s);
- The rights and responsibilities of the Respondent(s);
- The role of the Inquiry Committee;
- A description of the inquiry process; and
- Copies of Northwestern's *Policy for Reviewing Alleged Research Misconduct* and Northwestern's *Procedures for Reviewing Alleged Research Misconduct*.

The relevant Dean, Research Dean, Program Director, Department Chair, or equivalent are also notified in writing of the determination to convene an inquiry. If the inquiry subsequently identifies additional respondents, ORI will similarly notify the additional respondents of the inquiry within 30 days of the determination, or as soon as practicable.

The Inquiry Committee

The RIO and one faculty member will form the Inquiry Committee. The faculty member may be a member of the Standing Research Integrity Committee, or the RIO may appoint a faculty member with appropriate expertise. If the Inquiry Committee determines that additional expertise is necessary, the Inquiry Committee may engage consultants. The RIO will ensure that each Inquiry Committee member is not influenced by conflicts of interest with those involved in the research misconduct proceeding, including the Complainant and the Respondent (see Conflict of Interest section below).

The Inquiry Review

The Inquiry Committee will perform a review of the evidence to recommend whether the allegation(s) warrants an investigation, but is not required to perform a full review of the evidence related to the allegation(s). The Inquiry Committee may, but is not required to, interview the Complainant, Respondent and/or other witnesses that would provide additional information for the institution's review of the allegation(s).

The Inquiry Committee will determine whether the issue is specific and credible so that potential evidence of research misconduct may be identified and whether the allegation has substance to warrant an investigation. An investigation is warranted if the allegation(s) meet(s) the following criteria:

- There is a reasonable basis for concluding that the allegation falls within the definition of research misconduct; and
- Preliminary information-gathering and fact-finding from the inquiry indicates that the allegation may have substance.

The Inquiry Committee may also identify issues that would justify broadening the scope beyond the initial allegation(s), and if so, may recommend that Northwestern examine these issues. If the Inquiry Committee determines that the scope of the research misconduct process should expand beyond the initial allegation(s), and if the RIO deems such expansion reasonable, ORI will notify the Respondent in writing and the Respondent will have an opportunity to respond to the additional allegation(s).

If additional respondents are identified during an inquiry, Northwestern is not required to conduct a separate inquiry for each new respondent. However, each additional respondent will be provided notice of and an opportunity to respond to the allegation(s).

The Draft Inquiry Committee Report

At the conclusion of an inquiry, the Inquiry Committee prepares a written draft report that summarizes their findings and recommendations. The Respondent will be provided the draft report along with evidence considered or relied on by the Inquiry Committee and have the opportunity to provide written comments and evidence in response to the draft report. The Respondent must provide any written comments and evidence

within 15 days of receipt of the draft Inquiry Committee report. The Inquiry Committee may, but is not required to, provide relevant portions of the report to a Complainant for comment.

The Final Inquiry Committee Report

The Inquiry Committee will consider the comments of the Respondent and may revise the draft Inquiry Committee report, as appropriate. Any written comments to the draft Inquiry report provided by the Respondent or Complainant must be attached to the final Inquiry Committee report. If the final Inquiry report is not completed within 90 days of the convening of the inquiry, the final Inquiry Committee report may need to document the reasons for exceeding the 90-day period, if required by applicable regulations. The final Inquiry Committee report with all attachments is submitted to the VPR.

The Inquiry Committee report includes but is not limited to:

- Name, professional aliases, and positions of the Respondent and Complainant, if known;
- Names and titles of Inquiry Committee members, and a summary of each member's subject matter expertise;
- Summary of the process used, i.e. accordance with Northwestern's *Policy for Reviewing Alleged Research Misconduct* and Northwestern's *Procedures for Reviewing Alleged Research Misconduct*;
- The allegation(s) of research misconduct;
- Inventory of sequestered research records and other evidence and description of how sequestration was conducted;
- Transcripts of any transcribed interviews conducted by the Inquiry Committee, if any;
- Inquiry timeline and procedural history;
- Any scientific or forensic analyses conducted;
- Whether there is potential evidence of honest error or difference of opinion;
- The basis for the recommendations that the allegation(s) warrants an investigation;
- The basis for the recommendation that the allegation(s) do not merit an investigation;
- Identification of any sponsored awards or funding;
- Any institutional actions implemented or recommended, including communications with journals or funding agencies;
- Any other information required or requested by applicable oversight agency
- Any comments on the draft Inquiry Committee report by the Respondent; and
- Any comments on the draft Inquiry Committee report by the Complainant, if applicable.

Institutional Decision

The Inquiry Committee makes recommendations to the VPR regarding whether an investigation is warranted, based on whether the allegation(s): (1) falls within the definition of research misconduct; and (2) is sufficiently specific and credible so that potential evidence of research misconduct may be identified. If the Inquiry Committee identified issues that would justify broadening the scope of the review beyond the initial allegations, including the addition of Respondents, the Inquiry Committee will make recommendations to the VPR to further examine these issues. The VPR receives and reviews the final report of the Inquiry Committee and any written comments provided by the Respondent, along with all other relevant attachments, and determines whether an investigation should be initiated or whether the allegation(s) should be dismissed. The VPR also reviews any recommended institutional actions identified by the Inquiry Committee, and determines whether any institutional actions are necessary to protect Northwestern research, the research community and/or the scientific record. If the VPR determines an investigation is warranted, the RIO will formally convene the research misconduct investigation, and may take other actions as directed by the VPR.

Notifications

The VPR notifies the Respondent in writing of the results of the inquiry and whether an investigation is warranted, including a copy of the final Inquiry Committee report with all attachments. This communication is also sent to the RIO, the relevant Dean, Research Dean, Program Director, Department Chair, or

equivalent in the Respondent's department. If required, within 30 days of the determination that an investigation is warranted, the RIO provides written notification to the appropriate research sponsor and/or federal agencies of any decision to open an investigation. This written notification may include a copy of the Inquiry Committee report and the institutional record, or other information and references required by sponsors and/or federal oversight agencies. Consistent with applicable federal regulations, this notification may be sent earlier in the process, as appropriate and necessary. ORI may notify a Complainant of the results of the inquiry.

Investigation

Purpose of Investigation

The purpose of the investigation is to determine whether each allegation constitutes research misconduct and to recommend appropriate institutional actions.

Timeframe

The Investigation Committee will generally be convened within 30 days of the determination to convene an investigation, or as soon as practicable. The investigation will generally be completed within 180 days of beginning the investigation, unless circumstances warrant a longer period as determined by the RIO, with approval from the relevant oversight agency or funding entity, as necessary.

Sequestration

The RIO will take all reasonable or practical steps to inventory and sequester in a secure manner all research records and evidence needed to conduct the research misconduct proceeding that were not previously sequestered during the inquiry. If there are any additional relevant research records that were not previously secured during the inquiry, the RIO will promptly obtain such records in a confidential and secure manner whenever additional items become known or relevant to the investigation.

The Investigation Committee

The RIO appoints three faculty members to serve on the Investigation Committee. Individuals appointed to the Investigation Committee may also have served on the Inquiry Committee or be a member of the Standing Research Integrity Committee. The RIO will ensure that each Investigation Committee member (a) has appropriate expertise to evaluate the evidence and issues related to the allegation(s); and (b) is not influenced by conflicts of interest with those involved in the research misconduct proceeding, including the relevant parties (i.e. the Complainant, the Respondent, and witnesses). (See Conflict of Interest Section below)

When necessary to secure subject matter expertise, timeliness, or to avoid conflicts of interest, or when otherwise warranted by the circumstances of the matter, the RIO may appoint experts from disciplines appropriate to the particular matter, or with useful experience, from outside Northwestern to serve on the Investigation Committee.

The Investigation Review

The Investigation Committee determines whether each allegation warrants a finding of research misconduct.

A finding of research misconduct requires that:

- There be a significant departure from accepted practices of the relevant research community; and
- The research misconduct be committed intentionally, knowingly, or recklessly; and
- The allegation be proven by a preponderance of the evidence.

The Investigation Committee will:

- a. Use diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and other evidence relevant to reaching a decision on the merits of the allegations;
- b. Request additional evidence, as necessary;
- c. Interview the Complainant, the Respondent, and any other available person who has been reasonably identified as having information relevant to the investigation. All interviews conducted by the Investigation Committee shall be recorded and transcribed.
 - i. The Respondent shall not be allowed to attend the interviews of other witnesses, however the Respondent shall be provided transcripts of all witness interviews with the draft Investigation Committee report;
 - ii. The Respondent may suggest witnesses to be interviewed; however, the Investigation Committee shall determine whether a suggested person has been reasonably identified as having information relevant to the investigation, and if so, whether the person is available;
 - iii. Following an interview, ORI staff and the interviewee will be given the opportunity to review the transcript and note corrections;
 - iv. The transcripts, along with any corrections and exhibits, will be included in the evidence reviewed by the Investigation Committee and attached to the Investigation Committee report.
- d. Pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including identifying issues which would justify broadening the scope of the misconduct proceeding beyond the initial allegation and may recommend that Northwestern examine these issues.
 - i. The RIO, in consultation with the Investigation Committee, as needed, will determine whether the issue is specific and credible so that potential evidence of research misconduct may be identified and whether the allegation has substance to warrant an investigation.
 - ii. If it is determined that the scope of the research misconduct process should expand beyond the initial allegations, and if the RIO deems such expansion reasonable, ORI will notify the Respondent in writing and the Respondent will have an opportunity to respond to the additional allegation(s).
- e. Recommend appropriate institutional actions.

A committee chair is selected from among the committee members, by the committee, and serves as the individual who ensures that the committee's deliberations are reflected in the report.

If additional Respondents are identified during an investigation, Northwestern is not required to conduct a separate inquiry for each new Respondent. However, each additional Respondent will be provided notice of and an opportunity to respond to the allegation(s). While an investigation into multiple respondents can convene with the same Investigation Committee members, separate investigation reports and research misconduct recommendations will be written for each Respondent.

The Draft Investigation Committee Report

At the conclusion of an investigation, the Investigation Committee prepares a written report that summarizes its findings and recommendations. The Respondent will be provided the draft report along with evidence considered or relied on by the Investigation Committee and have the opportunity to provide written comments and evidence in response to the draft report. The Respondent must provide any written comments and evidence within 30 days of receipt of the draft Investigation Committee report. The Investigation Committee may, but is not required to, provide relevant portions of the report to a Complainant for comment.

The Final Investigation Committee Report

The Investigation Committee considers the comments of the Respondent and may revise the Investigation Committee draft report, as appropriate. Any written comments to the draft investigation report provided by the Respondent or Complainant must be attached to the final Investigation Committee report. The final Investigation Committee report with all attachments is submitted to the VPR. If the final Investigation

Committee report is not completed within 180 days of beginning the investigation, the final Investigation Committee report may need to document the reasons for exceeding the 180-day period, if required by applicable regulations. The final Investigation Committee report with all attachments is submitted to the VPR.

The Investigation Committee report includes, but is not limited to:

- Name and position of the Respondent;
- Names and titles of Investigation Committee members, and a summary of each member's subject matter expertise, and names and titles of experts or consultants, if any;
- Summary of the process used, i.e., accordance with Northwestern's *Policy for Reviewing Alleged Research Misconduct* and Northwestern's *Procedures for Reviewing Alleged Research Misconduct*;
- The allegation(s) of research misconduct for consideration in the investigation of the Respondent, including any additional allegation(s) addressed during the research misconduct proceeding;
- The specific published papers, manuscripts submitted but not accepted for publication, funding applications, progress reports, presentations, posters or other research records that allegedly contained the falsified, fabricated, or plagiarized material;
- Inventory of sequestered research records and other evidence, except records the Investigation Committee did not consider or rely on, and a description of how the sequestration was conducted during the investigation;
- Transcripts of all of the interviews conducted by the Investigation Committee, including any corrections and exhibits;
- Any scientific or forensic analyses conducted;
- A statement of the findings and the conclusions reached for each allegation for which the Investigation Committee recommends a finding of research misconduct including:
 - The individual(s) who committed the research misconduct
 - Whether the research misconduct was falsification, fabrication and/or plagiarism;
 - Whether the research misconduct was committed intentionally, knowingly or recklessly;
 - Whether there was a significant departure from accepted practices of the relevant research community;
 - A summary of the facts and analysis supporting the conclusion;
 - A consideration of the merits of any explanation offered by the Respondent
- Other relevant aggravating and mitigating factors, e.g., scope, impact, and severity of misconduct, pattern of behavior, accountability, retaliation, etc.
- A detailed rationale for each allegation for which the Investigation Committee does not recommend a finding of research misconduct;
- Description and documentation of relevant sponsored awards, including, for example, any grant numbers, grant applications, and contracts;
- Identification of current support or known applications or proposals for support that the Respondent has pending with federal agencies, if required by applicable federal regulations;
- Identification of any publications that require correction or retraction;
- Any other information required or requested by applicable sponsor or oversight agency; and
- Any comments on the draft Investigation Committee report by the Respondent.

Institutional Decision

The VPR receives and reviews the final report of the Investigation Committee and provides recommendations to the Provost. The Provost, in consultation with the VPR, the RIO, and applicable Deans, as appropriate, will make the final determination that includes (a) whether the institution found research misconduct and, if so, who committed the research misconduct; and (b) a description of the relevant

institutional actions taken or to be taken. The Provost's decision, with respect to the finding of research misconduct and institutional actions taken to correct the scientific record are final and cannot be appealed. Other institutional actions can include any sanctions referenced in the Faculty Handbook, Student Handbook, and/or the Staff Handbook. These sanctions will be final, and cannot be appealed, unless expressly provided for otherwise under another applicable University policy related to research misconduct.

Notifications

The Provost notifies the Respondent in writing of the results of the investigation, including a copy of the final Investigation Committee report with all attachments. This communication is also sent to the RIO, the relevant Dean, Research Dean, Program Director, and Department Chair or equivalent in the Respondent's department. The notification will outline plans for any institutional actions to be taken, including any sanctions. If required, the RIO notifies the appropriate federal oversight agencies in writing of the Investigation Committee's findings and institutional decision, and any completed or pending institutional actions, including any sanctions. This notification includes a copy of the investigation report and the institutional record or other information and references as required by sponsors and federal oversight agencies. ORI may notify the Complainant of the results of the investigation.

Additional Procedural Rules

Modifications to the Procedures

In some cases, including those in which the Respondent admits responsibility or refutes allegations, the RIO, in consultation with the VPR and/or Deciding Official, and if appropriate, sponsors and/or federal oversight agencies, may consider whether to modify or eliminate any of the procedural stages of the procedures set forth above. The RIO may also consult as appropriate with Deans, Research Deans, and/or Department Chairs regarding modifications. Procedures may also be modified if interim actions are necessary (see Special Circumstances section below).

Admissions

If a Respondent has admitted to research misconduct at any stage of the research misconduct proceeding, then the RIO may need to notify the relevant sponsor or oversight agency in advance if Northwestern plans to close the research misconduct proceeding.

A Respondent's admission of research misconduct must be made in writing and signed by the Respondent. An admission must specify (a) the falsification, fabrication, and/or plagiarism that occurred and which research records were affected, (b) that the misconduct was committed intentionally, knowingly and/or recklessly, and (c) that there was a significant departure from accepted practices of the relevant research community. If required by the relevant sponsor or federal oversight agency, the RIO will provide the admission and a statement describing how Northwestern (a) determined that the scope of the misconduct was fully addressed by the admission and (b) the Respondent's culpability. A resolution with the Respondent may be reached only with prior approval from the relevant sponsor or oversight agency, if required, and with the concurrence of the Deciding Official.

Conflicts of Interest

The RIO has the responsibility to take precautions to ensure that individuals responsible for carrying out any part of the research misconduct proceeding do not have unresolved personal, professional, or financial conflicts of interest relative to the parties (i.e. the Complainant, Respondent, or witnesses) throughout the research misconduct proceeding.

At the beginning of an Inquiry or Investigation, ORI will perform a preliminary screening and inform the Respondent in writing of the proposed committee members. The Respondent will be given five business days

to object to the proposed committee members based on a personal, professional or financial conflict of interest relative to the parties. The RIO reviews any disclosure of a potential, perceived, or actual conflict of interest relative to the parties to determine what steps, if any are necessary to address them, and if an unresolved conflict of interest exists, the RIO determines what steps, if any, are necessary to ensure such conflicts do not influence participants in carrying out their duties relevant to the research misconduct proceedings.

The RIO's determination of whether an unresolved conflict of interest exists and if so, what steps are necessary, are final. The RIO will notify the relevant parties of the determination, as appropriate.

If at any stage of the research misconduct proceeding the VPR, Provost, and/or the RIO have to recuse themselves due to an unresolved conflict of interest, an appropriate designee will be appointed.

Anonymous Complainant

Northwestern will review allegations raised anonymously under these *Procedures*. Anonymous complainants will not be afforded the same rights as named Complainants, and the University will not notify anonymous Complainants of the outcome of the assessment, inquiry and/or investigation.

Referrals

Regardless of the research misconduct proceeding phase, if Northwestern's review of the allegation(s) identifies potential misconduct under the jurisdiction of another institution, the RIO will contact the appropriate institution to apprise it of the concerns. If concerns other than research misconduct are identified during Northwestern's review, the RIO will refer these matters to the proper Northwestern institutional or federal office for action.

Special Circumstances

At any time during a research misconduct proceeding and consistent with applicable regulations, Northwestern may need to notify the funding entity or oversight agency immediately if it has reason to believe that any of the following conditions exist:

- Health or safety of the public is at risk, including an immediate need to protect human or animal subjects.
- Agency resources or interests are threatened.
- Research activities should be suspended.
- There is reasonable indication of possible violations of civil or criminal law.
- Federal action is required to protect the interests of those involved in the research misconduct proceeding.
- The agency may need to take appropriate steps to safeguard evidence and protect the rights of those involved.

At any time, the Deciding Official and/or VPR may take institutional actions to protect research, (including research funds, materials, equipment, records, research participants, or animals), the research community, and/or the scientific record.

If at any time during a research misconduct proceeding, the RIO identifies a need for Northwestern to take interim action to protect public health, research funds, equipment, records, the legitimate interests of research participants or animals, or the scientific record, the RIO shall notify and make recommendations to the VPR and/or the Deciding Official. Interim actions shall not predetermine any finding or conclusion from the University's review of an allegation under these *Procedures*, but any information arising from any such action may constitute evidence.

Necessary institutional actions will vary according to the circumstances of each case, but may include terminating or temporarily stopping project activities and expenditures, delaying the publication of project

results, embargoing data in question from use, providing for closer supervision of one or more researchers/scholars, requiring approvals for actions relating to the activity that did not previously require approval, auditing pertinent records, and/or taking steps to contact other institutions that may be affected by an allegation of research misconduct. Such institutional actions will not be deemed disciplinary in nature.

Extension Requests by Respondent

Respondents requesting additional time to provide a response to the allegations, the draft report, for an interview, or for any other reason, must submit any such requests in advance of the relevant deadline to the RIO in writing. All extension requests must be timely, supported by a reasonable justification, and (if requested) by evidence. The RIO will make the final determination on all extension requests, however some may also require preapproval by relevant oversight agencies or funding entities, with which the RIO will consult as needed.

Termination or Resignation Prior to Completing Inquiry or Investigation

The termination of the Respondent's institutional employment, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the research misconduct proceeding or limit Northwestern's responsibilities. If the Respondent, without admitting to the misconduct, elects to resign their position after Northwestern receives an allegation of research misconduct, the assessment of the allegation will proceed, as well as the inquiry and investigation, as appropriate, based on the outcome of the preceding steps. If the Respondent refuses to participate in the process after resignation, Northwestern and any Inquiry or Investigation Committee will use their best efforts to reach a conclusion concerning the allegations, noting in the report the Respondent's failure to cooperate and its effect on the evidence.

Legal Counsel, Union Representatives, and Non-Attorney Colleagues

1. Interviewees generally may not have their legal counsel present during interviews by the Inquiry or Investigation Committees, except at the express invitation of the relevant committee. Requests to invite legal counsel to a meeting of the Inquiry or Investigation Committee must be submitted in writing to the RIO at least 7 business days before the scheduled meeting. If an interviewee's legal counsel is invited, the invitation will also be extended to legal counsel for the Committee. When invited, legal counsel may observe but shall not participate in the proceeding (e.g., legal counsel will not be directly involved in interviews, or other case-related activities).
2. Except as provided otherwise by an applicable collective bargaining agreement, a union-represented Northwestern employee may, upon request, have a union representative present during any interview that the employee reasonably believes could lead to discipline. Requests for participation by a union representative must be made in writing to the RIO at least 7 business days before the scheduled interview.
3. With the prior approval of the committees, an interviewee may request to be accompanied by a non-attorney colleague at meetings of the committees. This approval request must be submitted in writing to the RIO at least 7 business days before the scheduled meeting. If attendance of the non-attorney colleague is approved by the committee, the non-attorney colleague may observe but shall not participate in the proceeding (e.g., the non-attorney colleague will not be directly involved in interviews, or other case-related activities).
4. Except as otherwise provided in this section, the RIO, Inquiry Committee, and Investigation Committee, and all other University officials and entities may seek the advice and/or representation of University-provided legal counsel on any and all aspects and at any stages of the proceeding.

Subsequent Use Exception

Federal regulations related to research misconduct generally apply to research misconduct occurring within six years of the date that Northwestern receives an allegation of research misconduct. This six-year time limitation, however, is subject to the subsequent use exception. If the Respondent uses, republishes, or cites to the portion(s) of the research record (e.g., processed data, journal articles, funding proposals, data

repositories) that are allegedly falsified, fabricated, or plagiarized for the potential benefit of the Respondent in research records that were published or submitted within six (6) years of the date that the allegation was received by Northwestern the subsequent use exception applies.

If Northwestern determines that the Respondent continued or renewed any incident of alleged research misconduct that occurred before the six-year limitation period through the use, republication of, or citation to a portion of the research record that are allegedly falsified, fabricated, or plagiarized for the potential benefit of the Respondent, then the subsequent use exception will apply and the allegation will not be limited by the six-year limitation period, and will be reviewed. If Northwestern determines that the research is subject to the time limitation, and not subject to the subsequent use exception, then Northwestern will document its determination and retain documentation pursuant to University policy and procedures and federal regulations, and the RIO will determine how to resolve any allegations, as appropriate.

Access to Research Records

The RIO shall maintain, and upon request, provide to authorized federal officials, records of the research misconduct proceeding, including: (1) records secured by the University for the assessment, inquiry and investigation; (2) the inquiry report and final documents produced in the course of preparing that report, including the documentation of any decision not to investigate; and (3) the investigation report and the records in support of that report, including the recording or transcript of each interview conducted. Otherwise, access to the materials in the file shall be available only upon authorization of appropriate University officials for good cause.

Retention of Records

ORI will maintain the institutional record and all sequestered evidence including physical objects (regardless of whether the evidence is part of the institutional record) in a secure manner for seven years after the completion of the institutional proceeding or the completion of the sponsor or oversight agency's proceeding, whichever is later.

Related Information

[Policy for Reviewing Alleged Research Misconduct](#)

[Northwestern University Conflict of Interest policies webpage](#)

[Northwestern University Policy on Non-Retaliation](#)

[Northwestern University Policy on Research Data: Ownership, Retention and Access](#)

[42 CFR 93, Public Health Service Policies on Research Misconduct](#)

[45 CFR 689, National Science Foundation Research Misconduct Regulation](#)

Northwestern University would like to acknowledge that this Procedures document was modeled on and referenced content from the federal Office of Research Integrity's *Sample Policy and Procedures for Responding to Allegations of Research Misconduct*, and institutional policies and procedures at The Pennsylvania State University, Indiana University, The Ohio State University, the University of Alabama, Florida State University, and The George Washington University.

Contacts

If you have any questions regarding this Procedures document, you may:

1. Call the Office for Research Integrity at 312.503.0054, or
2. Email researchintegrity@northwestern.edu

History

Procedures originated on September 1, 1989, and were last amended in December 2025.

Procedures URL

<https://researchintegrity.northwestern.edu/docs/ori-misconduct-procedures.pdf>