

## Official Announcements

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### **Principles**

#### **For Safeguarding Good Scientific Practice**

**at RWTH Aachen University**

**dated March 28, 2000**

**In the amended version providing**

**changes to the Principles for Safeguarding Good Scientific Practice**

**dated 1/11/2011**

**published as a complete version**

On the basis of § 2 para. 4 of the NRW Higher Education Act (HG) dated October 31, 2006 (GV. NRW. p. 474), last modified by Article 2 of the Act on the Expansion of Universities of Applied Sciences for Health Professions in NRW dated October 8, 2009 (GV. NRW. 2009 p. 516), RWTH Aachen University has agreed on the following policies and principles:

## **First Section: Principles of Good Scientific Practice**

### **§ 1 Guiding Principles**

- (1) Scientists and scholars at RWTH Aachen University have the obligation
  - to work “lege artis,”
  - to document their results and consistently to doubt their own findings,
  - to be strictly honest with regard to the contributions of partners, competitors and predecessors,
  - to avoid and prevent scientific misconduct and to
  - adhere to the principles laid out below.
- (2) Aside from measures to identify and to sanction scientific misconduct, additional measures should be introduced to prevent scientific misconduct before it even begins. The University as a place for research, teaching, and the support of young academic talent has a special responsibility in this context.
- (3) The heads of working groups are to demonstrate exemplary scientific behavior at all times. Students and early-career researchers have a responsibility to be vigilant for instances of misconduct in their environment, not least in the interest of their own future planning.
- (4) The Faculties are recommended to integrate the topic of “scientific misconduct” into the curricula and inform students and early-career researchers about the principles adopted by RWTH Aachen University.

### **§ 2 Collaboration and Leadership Responsibilities in Working Groups**

The heads of research groups are responsible for providing appropriate management, making sure that general management tasks and responsibilities concerning supervision, conflict management, and quality assurance are properly assigned and met.

### **§ 3 Supervision and Guidance of Junior Researchers**

Heads of research groups are responsible for the adequate supervision of graduates, doctoral candidates and students. Each student and junior researcher in the team must be assigned an individual who provides her or him with information on the principles on safeguarding good academic practice at RWTH.

#### **§ 4 Performance and Assessment Criteria**

Originality and quality are more important than quantity in the assessment of exams, the conferral of academic degrees, promotion of staff, hiring, professorial appointments, and the distribution of funds. For the review of applications, an upper limit shall be defined for the number of publications which are to be presented as proof of performance.

#### **§ 5 Securing and Retention of Primary Data**

Primary data as a basis for publications are to be stored for a period of ten years on durable, secure data carriers within the institution in which they were generated. As far as possible, specimens and samples that served as a basis for primary data are to be stored and secured for a period of ten years as well.

#### **§ 6 Scientific Publications**

Authors of scientific publications jointly bear the responsibility for the content of the publication. So-called "honorary authorship" is not permitted.

#### **§ 7 Scientific Misconduct**

- (1) Scientific misconduct is defined as the intentional or grossly negligent statement of falsehoods in a scientific or scientifically relevant context, the violation of intellectual property rights, or impeding another individual's research work. This includes:
  - a) False statements or misrepresentations such as
    - the fabrication of data;
    - the falsification of data, e.g. by the incomplete use of data or the non-consideration or non-disclosure of undesired results; the manipulation of a representation or figure;
    - the provision of inaccurate information in an application or funding proposal (including inaccurate information on publishing bodies and on publications in print);

- b) the violation of intellectual property rights in respect of a copyrighted work or scientific results, hypotheses, theories, and research approaches by third parties through
- the unauthorized use under presumption of authorship (plagiarism),
  - the exploitation of research approaches and ideas of others, in particular as a peer reviewer (theft of ideas),
  - the pretense or unsubstantiated appropriation of scientific authorship or co-authorship,
  - the misrepresentation of content,
  - the unauthorized publication and unauthorized granting of access to third parties prior to the publication of the work, the findings, the hypothesis, the theory, or the research approach;
- c) claiming authorship or co-authorship without the author's/authors' consent;
- d) sabotage of research activities, including damaging, destroying, or manipulating experimental set-ups, equipment, documents, hardware, software, chemicals, or other materials needed by another person to conduct an experiment; and
- e) deletion of primary data insofar as this violates legal provisions or accepted principles of scientific work in the field or discipline.
- (2) Scientific misconduct is also evident in any behavior that results in partial responsibility for the misconduct of others, in particular in the form of active participation, cognizance of fraud, co-authorship of fraudulent publications, and gross negligence of duty of supervision.

## **Second Section: Procedure in the Event of Suspected Scientific Misconduct**

### **§ 8**

#### **Investigations into Scientific Misconduct**

- (1) If there is an indication or allegation of scientific misconduct within the University, RWTH will investigate and resolve the matter. To this purpose, the Senate institutes a permanent Commission of Inquiry to clarify the matter. If the Commission finds that scientific misconduct has occurred, the Rector's Office will take measures within its authority that are appropriate to the situation.
- (2) The investigation conducted by the Commission does not replace any other legal or statutory proceedings (such as academic procedures, legal proceedings relating to employment or civil service, or civil or criminal proceedings). Such proceedings may be initiated by the relevant bodies.

- (3) As part of this process, the Faculties provide an evaluation, in collaboration with the Rector's Office, of whether other scientists and scholars (earlier and possible future partners in collaboration, co-authors), research institutions, academic journals and publishers (in case of publications), funding bodies, research and professional associations, ministries, the public) must be informed about the matter.

## **§ 9 Ombudspersons**

The Rector's Office appoints two ombudspersons who serve as contact persons for scientists and scholars in cases of conflict and when there are allegations of scientific misconduct. These ombudspersons are appointed from the group of tenured RWTH professors with civil servant status. The ombudspersons are appointed for a period of three years; one-time re-appointment is possible.

## **§ 10 Commission of Inquiry**

In order to investigate and resolve any cases of academic misconduct, the Rector's Office appoints a Commission of Inquiry. The Commission, which has voting rights, is appointed for a period of two years. It consists of three members from the group of university professors and one member each of the groups of academic staff, technical and administrative staff, and students. The Commission will be chaired by a member from the group of university professors. The Commission of Inquiry has the right to involve further individuals who serve in an advisory function.

## **§ 11 General Procedure**

- (1) Meetings of the Commission of Inquiry are not open to the public.
- (2) Decisions of the Commission are made by simple majority.
- (3) The Commission has the right to take any steps that help clarify the matter under investigation. It is entitled to gather all relevant information, statements and opinions; moreover, it may also involve the central Equal Opportunities Officer and consult with external experts from the scientific field in question.
- (4) The incriminating facts and (if applicable) the incriminating evidence are to be brought to the attention of the respondent.
- (5) Both the complainant and the respondent must be given the opportunity to make a statement in regard to the matter. The respondent must have the opportunity to be present at the discussion of the case. Both the complainant and the respondent may consult with advisers at any time.
- (6) If the identity of the complainant is not known to the respondent, it is to be disclosed to the respondent if this information seems to be required for their defense, in particular if the credibility of the complainant is crucial for determining whether scientific misconduct has occurred.

- (7) The Commission of Inquiry shall take its decisions according to its free conviction, based on the findings of the investigation and the given evidence.

## **§ 12 Preliminary Inquiry**

- (1) Upon receiving a credible allegation of research misconduct, the Commission of Inquiry gives the respondent the opportunity to provide a statement concerning the allegation within two weeks. Any relevant facts as well as incriminating and exonerating evidence are to be recorded in writing.

Upon receipt of the respondent's statement or upon expiry of the deadline at the latest, the Commission of Inquiry decides within for weeks whether the preliminary investigation is to be concluded, as the allegation cannot be sufficiently substantiated, or whether a formal investigation is to be initiated.

## **§ 13 Formal Investigation**

- (1) The Commission chair notifies the Rector's Office of the opening of a formal investigation.
- (2) The Commission of Inquiry is entitled to take all appropriate steps to clarify the circumstances. It is entitled to request statements from all university members and other involved individuals and summon them to a hearing. The respondent must be given the opportunity to be present at this hearing.
- (3) The Commission of Inquiry reports the results of its activities to the Rector's Office and prepares a proposal on how to proceed. If academic misconduct has been identified, the Commission shall make a recommendation to the Rector's Office on what action is to be taken.

## **§ 14 Decision by the Rector's Office**

- (1) Based on the report and recommendation of the Commission of Inquiry, the Rector's Office decides on whether the investigation is to be closed or whether there is sufficient evidence for academic misconduct. In the case of the latter, the Rector's Office decides on the consequences.
- (2) Both the complainant and the respondent are to be notified of the decision of the Rector's Office. The main reasons leading to the decision must be immediately communicated in writing.
- (3) At the close of the formal investigation, the ombudsperson identifies all individuals that are or were involved in the case. The ombudsperson provides advice to all individuals involved in or affected by the present incident of scientific misconduct without their fault. This advice focuses on how to preserve their personal and scientific integrity.

## **§ 15 Coming Into Effect**

These general principles take effect one day after publication in the official announcements of RWTH Aachen University.

Issued based on the decision of the Senate dated December 16, 2010

The Rector  
of  
RWTH Aachen University

Aachen, Jan. 11, 2011

Univ.-Prof. Dr.-Ing. Ernst M. Schmachtenberg