

## **Statutes for Safeguarding Good Scientific Practice at the University of Greifswald**

Of 24 August 2021

Based on § 51(2) and § 2(1) of the *Landeshochschulgesetz* - LHG M-V (State Higher Education Act) of January 2011 (Law and Ordinance Gazette of Mecklenburg-Vorpommern (GVOBl. M-V) p. 18), last amended on 21 June 2021 (GVOBl. M-V p. 1018), the Senate of the University of Greifswald hereby passes the following regulations as statute:

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### **I. Good Scientific Practice**

#### **§ 1**

#### **Fundamental Principles**

(1) Scientific work requires the correct use of methods. Correspondingly, the University requires its members of academic staff to comply with the University of Greifswald's code of good scientific practice, the guidelines of the German Research Foundation (DFG) including their various detailed specifications, as well as any corresponding rules published by the learned societies or faculties within their respective areas of responsibility.

(2) Researchers at all stages of their careers regularly update their knowledge of the standards of good scientific practice.

(3) Good scientific practice can only be accomplished through the collaboration of all members of the university community. The individual researchers are primarily responsible for observing and conveying the governing regulations.

(4) When interpreting the following regulations on good scientific practice and

other stipulations of these statutes, the corresponding guidelines of the DFG must also be taken into account. The same applies if and as long as corresponding regulations have been postulated by learned societies or faculties within their areas of responsibility.

## **II. Safeguarding Good Scientific Practice**

### **§ 2**

#### **General Responsibilities**

The principles of good scientific practice are conveyed at the earliest possible stage of university education and academic training.

### **§ 3**

#### **Responsibilities of Senior Management**

- (1) To the best of their ability, the Rectorate, the management of the faculties and other institutions ensure the observation and dissemination of good scientific practice in their respective area of responsibility, appropriately support the careers of all researchers and lay the foundations for enabling the researchers to observe the applicable legal and ethical standards.
- (2) The Rectorate determines guidelines on procedures and criteria in recruitment and staff development procedures, including the support of early career researchers and equal opportunities.
- (3) Within the framework defined in sub-section (1), the Rectorate and management of the faculties ensure that researchers have access to the infrastructure required for documenting all of the information relevant to the attainment of a research result, which is necessary for securing good scientific practice.
- (4) The University and University Medicine provide details on the origin of external funding according to guidelines passed by the Senate.

### **§ 4**

#### **Obligations of Line Managers/Middle Management**

- (1) If academic staff members are collaborating as part of a research project, their line managers and middle managers must make sure that they are able to fulfil their tasks as a group, that the required level of collaboration and coordination takes place and that all members of staff are aware of their respective roles, rights and duties.
- (2) The duties of sub-section (1) also include, in particular, the safeguarding of an appropriate level of individual support for early career researchers and career advancement measurers for members of academic staff and academic support staff.
- (3) The abuse of power and taking advantage of dependent relationships must be prevented by the introduction of suitable organisational measures at both individual academic working group level, as well as the management level of academic institutions.

## **§ 5**

### **Performance and Assessment**

If required, performance is principally assessed according to qualitative standards. Quantitative indicators can only be included in the overall assessment following differentiation and careful consideration. If provided voluntarily and lawfully permissible, individual particularities in researchers' lives will be included in the assessment. The scientific quality of a contribution does not depend on the publication medium in which it is made available to the public.

## **III. Academic Misconduct and How it is Handled**

### **§ 6**

#### **Academic Misconduct**

(1) Academic misconduct is behaviour related to academic activities, which violates legal regulations or fundamental principles of good scientific practice as defined in § 1(1).

(2) Academic misconduct often occurs when false details are provided in a research context, intellectual property of third parties is infringed or the research activities of third parties is impaired in other ways. The individual circumstances of each case are crucial.

(3) Academic misconduct in the terms of these statutes could apply in particular to the following circumstances if they are the result of intentional actions or gross negligence:

#### **1. Creation and use of false details**

- a) Fabrication of data and research results;
- b) Distortion of data or research results, e.g. through selection of desired and rejection of undesired results without disclosure, through manipulation of images or illustrations;
- c) Provision of incorrect details in applications, as part of the compulsory reporting duty or in a funding application, including provision of false details regarding the publication medium and publications currently in print;
- d) Deception of external funding providers regarding points relevant to the decision-making process;

#### **2. Infringement of intellectual property related to a copyright protected piece of work of a third party or significant scientific findings, hypotheses, theories or research approaches from other persons by**

- a) Copying texts, ideas or data from other persons without clear reference to the author (plagiarism);
- b) Exploiting research approaches, methods and ideas without the approval of the author, in particular as reviewer (theft of ideas);

- c) Presuming or unjustified assuming of academic authorship or co-authorship as well as claiming (co-) authorship of a text from another person without their consent;
  - d) Manipulating the contents of an academic text;
  - e) Unauthorised publishing or making available to third parties if the findings, hypothesis, theory or research approach have yet to be published;
- 3. Impairment or sabotage of the research activities of other persons, in particular by damaging, destroying or manipulating working materials, for example devices, experiment apparatus, data, documents, literature, archive and source material, hard and software, consumables (e.g. chemicals) or other things required by another person for realising a research project;
  - 4. Disposal of primary data if this entails the violation of legal requirements or recognised principles of scientific work specific to the academic discipline;
  - 5. Infringement of documentation and storage periods for primary data;
  - 6. False and defamatory remarks that have the potential to sustainably damage the academic reputation or academic work of an individual.
- (4) Academic misconduct can also apply if individuals are actively involved in or aware of the academic misconduct of and manipulation by other persons, gross negligence of the duty of supervision or co-authorship of publications that have been manipulated.
- (5) If the person who is suspected of academic misconduct was a member of the university community at the University of Greifswald during the decisive period of misconduct, the provisions of these statutes still apply even if the person is no longer a member of the University's community.

## **§ 7 Institutional Regulations**

The Senate elects a permanent senate committee and two ombudspersons to implement the provisions of these statutes.

## **§ 8 Committee Duties**

- (1) The Committee has the task of securing the proper handling of suspected cases of academic misconduct at the University. It gets involved if members of academic or artistic staff at the University are suspected of academic misconduct and also if the revocation of a title gained following completion of a doctoral or habilitation project at the University is being considered.
- (2) The respective examination board can also ask the Committee to consider the academic misconduct of students.

## **§ 9**

### **Composition of the Committee**

- (1) The Committee is made up of one member of professorial staff from each faculty, including University Medicine, as well as two post-doctoral fellows, one of which predominantly works with methods common to the humanities and the other who primarily performs experimental or data-based research. All members should have considerable experience in research. A substitute is to be named for every member in view of possible conflicts of interest or unavailability.
- (2) The members of the Committee and their respective substitutes are elected for a period of four years by the Senate on proposal from the Dean responsible for the respective member of professorial staff or the Senate's elected representatives of academic staff members, following consultation with the Senate's Research Committee. Re-election is possible. The Senate also determines who is to chair the Committee and who acts as deputy.

## **§ 10**

### **Ombudspersons**

- (1) Besides the Committee, the Senate also elects two members of experienced professorial staff as ombudspersons for the same period of office. These ombudspersons can be contacted by the members of the university community in matters related to good scientific practice, especially in cases of suspected academic misconduct. A further term of office is possible. One of the ombudspersons should mainly work with methods commonly used in the humanities and the other should primarily carry out experimental or data-based research; furthermore, if possible, one of them should be male and one female.
- (2) A substitute should be appointed for each ombudsperson, who represents the ombudsperson in any conflict of interest or if they are unavailable.
- (3) The ombudspersons and their substitutes may not belong to the Rectorate or the senior management of a faculty during their term of office.
- (4) The ombudsperson who has been called upon must verify the details of the subject matter following an initial consultation with the person(s) affected and, if applicable, studying the documents that have been made available. If the prerequisites of § 8(1) apply, the ombudsperson will bring the matter before the Committee. If this is not the case, s/he can add a corresponding anonymised note to the file.
- (5) The independent ombudspersons have the right to read the minutes of the Committee's meetings.
- (6) The University advocates a reduction of the teaching responsibilities of ombudspersons of one SWS (contact hour per week).
- (7) Members of the university community are able to choose whether they would like to consult one of the University's ombudspersons or the national 'German Research Ombudsman'.

## **§ 11**

### **Preliminary Procedure**

- (1) The chairperson and every individual member of the Committee can be contacted in suspected cases of academic misconduct.
- (2) If a person affected would like to report him/herself, s/he can attend a confidential consultation with an ombudsperson prior to commencement of the procedure.
- (3) The ombudsperson must inform the person affected at the beginning of the consultation that s/he is obliged to start a procedure before the Committee if s/he suspects academic misconduct following disclosure of the relevant information during the consultation.

## **§ 12**

### **Procedure**

- (1) The Committee only commences investigations if a person affected has reported him/herself in writing or a third party, including an ombudsperson, has reported the suspected case of academic misconduct in writing. Third parties must report the offence in good faith; deliberate incorrect or wanton allegations can themselves constitute academic misconduct. Neither the person reporting an offence in good faith, nor the person affected by the allegations shall be faced with disadvantages for the own academic or professional development.
- (2) Allegations of academic misconduct are investigated confidentially and are subject to the presumption of innocence.
- (3) If there are reasonable grounds for suspicion of academic misconduct, the Committee will open proceedings by way of formal notification and determines a date for the hearing.
- (4) The Committee informs the person affected in writing about the opening of the proceedings and invites him or her to the hearing at least two weeks prior to the respective date. The Committee must investigate the facts of the alleged misconduct by hearing the person affected and collecting all of the other available evidence. The Committee's investigations must comply with the principles of a due process. The person affected must be advised on the record, that his/her statements can have consequences for further procedures related to civil service, employment and other laws. The person affected is entitled to view all of the materials presented to the Committee and to pass comments on these as well as any other kind of collected evidence.
- (5) If the person affected fails to appear at the hearing before the Committee without a valid excuse, the Committee will present the material in its possession to the respective line manager/superior.
- (6) The hearing before the Committee is not open to the public. However, if desired by the person affected, members of the university community can attend the hearing as listeners.

### **§ 13**

#### **Quorum Requirements and Decision Making**

- (1) The Committee only has a quorum if, in addition to the chairperson or his/her deputy, at least three further members are present at the hearing. If there is a tie of votes, the vote of the chairperson, if they are absent, the vote of his/her deputy, will be decisive.
- (2) If the majority of the Committee is convinced that the person affected is guilty of academic misconduct, the Committee passes a corresponding formal decision and expresses its disapproval of the behaviour. The person affected must be receive written notification of the decision within one week.
- (3) If there is sufficient evidence that would justify the initiation of further procedures according to employment, civil service or criminal law, the Committee must notify the Rector.
- (4) If there are indications that procedures for revoking academic titles are worth considering, the Committee not only informs the Rector, but also the respective Dean and suspends its own procedure. Once the Faculty has passed its final decision, the Dean reports back to the Committee. If the academic title has been revoked, it draws an end to the procedure. If the Committee feels that the faculty's procedure has not dispelled the suspicion of academic misconduct by the respective member of the University's academic or artistic staff, it recommences its procedure and informs the Rector.
- (5) Under any circumstances, other members of the university community who were involved in the procedure as part of their areas of responsibility (Rector, Dean, line manager/superior, independent ombudsperson) will be informed of the result of each case.

### **§ 14**

#### **Appeals**

- (1) Appeals to the Committee's decision can be made in writing or recorded within one month after receipt of notification and are to be addressed to the chairperson of the Committee. Reasons for the appeal must be provided.
- (2) If the Committee considers the appeal to be justified, it will grant redress.
- (3) If the Committee does not grant redress, it hands over the appeal to the Rector who then passes the decision.
- (4) The Rector decides by means of an appeal notification.
- (5) Legal action pertaining to administrative law can be taken against the appeal notification.

### **§ 15**

#### **Entry into Force, Expiry**

These statutes enter into force on the day after they are made available to members of the university via publication on the website. At the same time, the *Satzung zu Errichtung und Verfahren einer Kommission zur "Selbstkontrolle in der Wissenschaft"*

*an der Ernst-Moritz-Arndt-Universität Greifswald* (Statutes for Creating and Duties of a Commission for Self-Regulation in Science at the Ernst-Moritz-Arndt University of Greifswald) of 23 July 2012 ceases to be valid.

Drawn up following a resolution passed by the University of Greifswald's Senate on 18 August 2021.

Greifswald, 24 August 2021

**The Rector  
of the University of Greifswald, University Professor Dr. Katharina Riedel**

Made public and accessible to all members of the University on 25 August 2021