 CRR 420.010 (Research Misconduct)

1. **Statement of Purpose; Definition of Policy**
2. One of the most important academic responsibilities of the University of Missouri is the generation of knowledge through research and creative activity. The necessity for the maintenance of ethical standards in research is self-evident.
3. This rule applies to all research and is also intended to comply with the Federal Research Misconduct Policy stated in 65 FR 76260 (Dec. 6, 2000), as applicable to institutions receiving research funding from federal agencies or departments, and the implementing policies and regulations of those federal agencies or departments, such as 42 CFR 93.
4. Research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results in published work.
(a) Fabrication is making up data or results and recording or reporting them.
(b) 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.
(c) Plagiarism is the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit.
(d) Research misconduct does not include honest error or differences of opinion, or author ordering or credit disputes.
5. A finding of research misconduct made under this section requires that:
(a) There be a significant departure from accepted practices of the relevant research community; and
(b) The misconduct be committed intentionally, knowingly, or recklessly; and
(c) The allegation be proven by preponderance of the evidence.
* CRR 370.010 (Academic Grievance Procedure)

Preamble:

The Board of Curators, the faculty, and the administration of the University of Missouri recognize the importance of providing a prompt and efficient procedure for fair and equitable resolutions of grievances with the University without fear of prejudice or reprisal for initiating a grievance or participating in its settlement. To the extent possible, all grievances should be settled through informal discussions at the lowest administrative level, and disputed matters should be processed as formal grievances only when either party feels that a fair and equitable solution has not been reached in the informal discussions. Accordingly, the members of the faculty as defined in the rules and regulations, Section 310.020 A, including faculty who hold an administrative title or function, are encouraged to use this procedure for grievances relating to their status or activities as faculty members. Former faculty members may only use this process to grieve the non-renewal of their employment. This grievance procedure should not be used in connection with a matter relating to any administrative title or function which the faculty member currently holds or may also have had. When one of the following Sections is applicable, a grievance under Section 370.010 is not allowed for allegations within the jurisdiction of that applicable Section:

Section 200.025 Equity Resolution Process for Resolving Complaints of Harassment, Sexual Misconduct and other Forms of Discrimination against a Student or Student Organization

Section 600.040 Equity Resolution Process for Resolving Complaints of Harassment, Sexual Misconduct and other Forms of Discrimination against a Faculty Member

Section 600.050 Equity Resolution Process for Resolving Complaints of Harassment, Sexual Misconduct and other Forms of Discrimination against a Staff Member.

The success of this procedure is contingent upon the good faith effort of all participants. It is the responsibility of the Faculty Council, Senate and Campus Administration, and the University President to encourage and sustain such efforts, and to ensure that the procedure is followed in its entirety in its spirit as well as letter. The Chancellors will be responsible for ensuring that the determination reached in a grievance is implemented. The Faculty Council/Senate Oversight Committee will monitor this process, as per 370.010 C.11.c. Allegations of violations of this process will be investigated by an external law firm. Any party violating the process will immediately lose any administrative duties, and pay compensation to those harmed. Any GRP exceeding the narrow scope of the original filing’s specific allegations, for example, in an attempt to defame any party, will face dismissal for cause.

Section C: Grievance Process:

b. There are three requirements the grievant must meet when filing:

1. The grieved act listed on the GFF must meet the definitional criteria in 370.010 A.
2. The grievant must demonstrate that s/he attempted to informally resolve the complaint before filing the grievance.
3. The grievant must file the grievance within one hundred and eighty (180) calendar days after the grievant knew, or reasonably should have known, of the occurrence of the event or omission out of which the grievance has arisen. In situations where the grievance arises out of a series of events or omissions, the filing period shall be measured from the last event or omission in the series.
(a) A faculty member who does not initiate a grievance in accordance with the 180-day calendar limit specified herein shall be deemed for purposes of these procedures to have accepted the last decision rendered by an appropriate administrative officer.

 If the GRP determines that any of these three requirements (370.010 C.3.) are not met, they must reject the grievance. Rejections of grievances cannot be appealed. Any GRP that was processed regardless of violations of section b shall be deemed invalid and those GRP members held accountable for their harms caused to the affected parties, with immediate loss of any administrative duties for those members.