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CODE OF ETHICS IN ACADEMIC RESEARCH

CODE OF ETHICS IN ACADEMIC RESEARCH

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I. INTRODUCTION

Starting with the notion of academic freedom as the leading principle of our research, at all levels, the European University Institute is committed to promoting and maintaining high standards of integrity and accountability in the conduct of academic research and is keen to embed and endorse a culture of honesty and transparency in all its institutional activities. In undertaking this commitment, the Institute emphasizes that academic freedom is a core value to be safeguarded and sustained. The Institute is dedicated to guaranteeing a free academic environment to conduct research, to teach, to speak and to publish, subject to the norms and standards of scholarly inquiry, without interference or penalty, wherever the search for truth, knowledge, scholarship and/or understanding may lead.

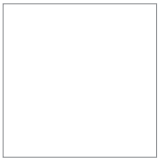
The EUI is a publicly financed institution whose funding enables it to provide essential research resources to its scholarly community. It requires its members to adhere to the terms and conditions governing access to such resources, be they on paper or in digital format.

The EUI supports the principle of Open Access and invites its members to facilitate the widespread dissemination of their published research by reporting and depositing their publications with the Institutional Repository of the EUI (Cadmus).

The Institute invites its members (teaching staff, fellows, research students, visiting students as well as administrative and support staff) to abide by the highest

standards of integrity in their conduct of academic research and/or support to academic research activities.

The first part of this document provides recommendations on good practice in academic research at the EUI, the second part defines the tasks and composition of the EUI's Ethics Committee, while the third part defines academic misconduct and regulates the EUI procedures for investigating such misconduct and determining appropriate sanctions.



II. GOOD PRACTICE IN ACADEMIC RESEARCH

A. Academic Freedom, Integrity and Responsibility

Academic freedom is the freedom to teach study and pursue knowledge and research without unreasonable interference or restriction from law, institutional regulations or public pressure. Its basic elements include the freedom of scholars to inquire into any subject that evokes intellectual concern, to present findings, to publish data and conclusions without control or censorship and to teach in the manner they consider professionally appropriate.

At the same time, integrity, accountability and responsibility in conducting academic research form the cornerstone of any academic enterprise and violations of widely-recognized academic research standards represent serious offences to the entire academic community at the Institute and are considered injurious for its credibility and authority as an institution that promotes excellence in academic research in Europe.

Academic integrity requires that academic research follows elevated professional standards, including appropriate research design and frameworks, adheres to high levels of research ethics and abides by the requirements set out by professional and regulatory research guidance and research ethics frameworks issued in appropriate areas.

Principles and Values of Academic Integrity

Academic integrity is defined in terms of the commitment to the values of honesty, trust, fairness, respect, responsibility, legality and dissemination.

Honesty: An academic community should advance the quest for truth, knowledge, scholarship and understanding by requiring intellectual and personal honesty in learning, teaching and research.

Trust: An academic community should foster a climate of mutual trust to encourage the free exchange of ideas and enable all to reach their highest potential.

Fairness: An academic community should seek to ensure fairness in institutional standards, practices and procedures as well as fairness in interactions between members of the community.

Respect: An academic community should promote respect among students, staff and faculty: respect for self, for others, for scholarship and research, for the educational process and intellectual heritage.

Responsibility: An academic community should uphold high standards of conduct in learning, teaching and research by requiring shared responsibility for promoting academic integrity among all members of the community.

Legality: An academic community should observe valid legal norms related to the conduct and publication of research particularly in relations to copyright, the intellectual property rights of third parties, the terms and conditions regulating access to research resources and the laws of libel.

Communication: An academic community should seek to make the results of its research as widely and as freely available as possible.

B. Institutional Responsibilities

The Dean of Graduate Studies, the Heads of Departments, Directors of Graduate Studies, the Directors of the Academy of European Law, Robert Schuman Centre and Max Weber Programme, the Library Director, together with the teaching staff, are responsible for promoting and endorsing a transparent academic environment conducive to the application of the high professional and ethical criteria of good practice for academic research. Professors are expected to create and sustain a climate

of mutual co-operation that facilitates the open exchange of ideas and the development of academic research skills. They are also expected to ensure the provision of appropriate supervision and direction for researchers, in accordance with the nature of the individual academic discipline and associated mode of research.

The European University Institute is committed to the provision of appropriate direction of research and supervision for researchers. Supervisors are expected to adhere to the Code of Practice for Doctoral Supervision at the EUI, which delineates the supervisory relationship, the assessment of research progress, and the procedures to resolve problems in the supervisory relationship.

C. Training (doctoral researchers and support staff)

The Academic Departments should ensure that all researchers undertake appropriate training in research design, methodology, regulatory and ethics approvals and consents, equipment use, confidentiality, data management, record keeping, data protection and publication, the appropriate use of licensed research resources and respect for the intellectual property rights of third parties. The Institute is also committed to preparing its administrative and support staff involved in record keeping and the implementation of *EUI Data Protection Policy* and expects them to fully respect the principles and rules of the Code of Ethics in Academic Research.

D. Publication Practice and Authorship, Notification, Archiving and Depositing Copies of Research Publications with the Institutional Repository (IR)

The European University Institute encourages the publication and dissemination of results of high quality research. It also expects that researchers will engage in the process of publishing and dissemination of their work responsibly and with an awareness of the consequences of any such dissemination in the wider media.

Results should be published in a form appropriate to the academic discipline. The Institute requires that all individuals listed as authors accept responsibility for

the contents of the publication and can identify their contribution to it. Authors should have participated sufficiently in the research to take public responsibility for the content.

The Institute does not recognize the practice of honorary authorship.

Open Access Policy

Definition of Open Access and its background

Open Access (OA) is the free, immediate, online access to the results of scholarly research, and the right to use and re-use those results as you need.[1] The basic idea of OA is simple: Make research literature and outputs available online without price barriers and without most permission barriers.[2]

The EUI supports the principle of Open Access and invites the academic community to facilitate the widespread dissemination of their published research by reporting and self-archiving their publications with Cadmus, the EUI Research Repository (green OA) and publishing Open Access articles in journals (gold OA[3]).

The EUI signed the Berlin declaration on Open Access to Knowledge in the Sciences and Humanities[4] (in 2011) and the Budapest Open Access Initiative on its 10th Anniversary[5] (in 2012), both milestones of the Open Access movement.

The EUI Open Access Policy

The EUI, as a European, publicly funded international research institution, adopts its strengthened institutional Open Access policy on 15 November 2017 to support the widest possible dissemination and reuse of EUI research outputs.

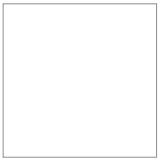
1 Two degrees of Open Access can be distinguished: gratis Open Access, which is online access free of charge, and libre Open Access, which is online access free of charge plus various additional usage rights

2 For a common ground of Open Access definitions see the Budapest (2002), Bethesda (2003) and Berlin (2003) declarations — sometimes referred to as the BBB-definition of OA.

3 Self-archiving / Green OA refers to refers to the practice of depositing Open Access articles in an institutional or subject repository. Open Access publishing / Gold OA refers to publishing articles in Open Access journals, or in hybrid journals (that both sell subscriptions and offer the option of making individual articles openly accessible [against payment]).

4 https://openaccess.mpg.de/Berlin-Declaration

5 http://www.budapestopenaccessinitiative.org/boai-10-recommendations



The EUI Open Access policy is compatible with EU member states' Open Access policies, the 2012 European Commission Recommendation on access to and preservation of scientific information and Horizon 2020 programme requirements[6].

This policy regards Open Access to published work while EUI recommendations on Open Research Data are contained in the EUI Library Research Data Guide[7] and the EUI Guide on Good Data Protection Practice in Research[8]

1. Cadmus: depositing work published (self-archiving/Green OA)

- Cadmus is the EUI's institutional solution for dissemination and preservation of published outputs. Cadmus facilitates Open Access, supports interoperability with other repositories (OAI-PMH), and takes steps toward long-term preservation.

- In order that the EUI meet its open access obligations, EUI members are required to deposit a full-text copy of their academic publications (articles, working papers, books, book chapters, and reports) with Cadmus while respecting copyright law, thereby ensuring Open Access[9]. Deposits should be made as early as possible, and no later than the date of formal publication.

- All EUI members grant the EUI and its authorised staff permission to make the appropriate full-text versions of their eligible academic publications while at the EUI[10] available in Cadmus

6 Cadmus, the EUI Research Repository, is a possible solution for funder requirements for Open Access (Green Open Access)

7 http://www.eui.eu/Research/Library/ResearchDataServices/Guide.aspx

8 http://www.eui.eu/Documents/ServicesAdmin/DeanOfStudies/ResearchEthics/Guide-Data-Protection-Research.pdf

9 Even where copyright and licence do not allow for full-text archiving, the bibliographic details of all scholarly publications must be reported to Cadmus immediately upon publication. This OA policy does not cover publications where university members have been editors. Editors must however report the bibliographic details of edited books and special issues of journals to Cadmus.

10 Eligible publications are works published by members of the EUI academic community while at the EUI or published subsequently but based on the research carried out when they were at the EUI.)

2. Cadmus: work originally published under the EUI imprint

EUI theses published under the EUI imprint must be deposited in Cadmus according to the EUI Academic Rules and Regulations[11] in immediate Open Access or under Embargoed Access

- All other EUI imprint publications, such as books, working papers, lectures, policy papers, research reports, journals, must be made available in Open Access in Cadmus

3. Authors encouraged to publish in Open Access journals

- EUI members are encouraged to publish their results, when appropriate, in high quality Open Access journals. In order to guarantee green Open Access, authors who publish in subscription journals should deposit a full-text copy of their article in Cadmus.

4. Licences

The EUI encourages authors to retain their copyright and grant adequate licences to publishers. Creative Commons[12] offers useful licensing solutions (e.g. CC BY or CC0 International licences). Such licences are good tools for providing open access in its broadest sense.

5. Identifiers

- Where possible, authors should be uniquely identifiable, through identifiers which are persistent, non-proprietary, open and interoperable. (e.g. through existing sustainable initiatives such as ORCID author identifiers)[13] The EUI is as of 1 November 2017 signatory and supporting member institution of ORCID and thereby advises its members to register for ORCID and/or connect their ORCID to the EUI.

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11 http://www.eui.eu/Documents/ServicesAdmin/DeanOfStudies/EUI-RulesRegs.pdf
The EUI Academic Rules and Regulations for the Doctoral and Master's Programmes state (since 2013) in Article 9.13. 'Publication of Thesis' that:
"In accordance with the Convention setting up the EUI, Article 14 (1), theses approved by an Examining Board must be published.
Theses can be published on paper or in electronic format with an external publisher or in the open access electronic EUI repository. In the latter case, the copyright remains with the author. If the author decides not to agree to publication of the thesis in the EUI repository but fails to publish it with an external publisher within four years after the defence or has no firm indication of proximate publication, the EUI will automatically acquire the right to publish thesis in the EUI repository. These conditions shall be accepted by the author of the thesis in a signed agreement…." (IUE 341/16 (CA 312) - Rev.1 - Academic Council 18 January 2017

12 http://creativecommons.org/

13 http://orcid.org/

III. THE ETHICS COMMITTEE

A. Tasks of the Ethics Committee

- to provide advice and guidance to the EUI academic community on all matters pertaining to academic research ethics
- to advise the Academic Council on compliance with the 'Code of Ethics in Academic Research' of the various academic activities at the EUI
- to provide guidance and academic support to scholars on ethical issues in respect of teaching, research and other academic activities. On an entirely voluntary basis, researchers may ask the Ethics Committee for consultation on ethical aspects of their research.
- to confirm to external parties on behalf of the EUI compliance with ethical standards in respect of research projects undertaken by scholars at the EUI. The Committee is only convened at the explicit request of scholars needing an assessment of the ethical dimensions of a research project.
- to advise the Executive Committee and the Academic Council of any policies that may be required in relation to accepting funds from particular sponsors of research
- to act as an investigative/consultative body for any disputed matter concerning research ethics and conduct
- to make recommendations to the internal EUI Disciplinary Committee on what action, if any, should be taken as a result of the investigations.

B. Appointment and Composition of the Ethics Committee

The Ethics Committee is appointed by the Academic Council upon nomination by the Principal.

The Committee shall be composed of six voting members:

- two Professors from different departments
- two Post-Doctoral Fellows from different fellowship programmes
- the Dean of Graduate Studies
- one Researcher proposed by the Researchers' Representatives

The members' mandate is for two years – renewable once.

In case of conflict of interests members of the Ethics Committee shall be temporarily replaced by substitutes nominated by the Principal.

The Chair is approved by consensus among members and has a casting vote.

IV. MISCONDUCT IN ACADEMIC RESEARCH

A. Definition of Research Misconduct

Misconduct in academic research implies (and is not limited to) fabrication, falsification, plagiarism or deception in proposing, carrying out or reporting results of research and deliberate, dangerous or negligent deviations from accepted practice in carrying out research. It includes failure to follow an agreed protocol if and when this failure results in unreasonable risk or harm to persons, the environment, and when it facilitates misconduct in research by collusion in, or concealment of, such actions by others. Misconduct also includes any plan or attempt to do any of these things. It does not include honest error or honest differences in interpretation or judgment in evaluating research methods or results, or misconduct unrelated to research processes.

Misconduct includes (and is not limited to) the following acts:

Plagiarism: The deliberate copying of ideas, text, data or other work (or any combination thereof) without due permission and acknowledgement.

Piracy: The deliberate exploitation of ideas from others without proper acknowledgement

Abuse of Intellectual Property Rights: Failure to observe legal norms regarding copyright and the moral rights of authors.

Abuse of Research Resources: Failure to observe the terms and conditions of institutionally licensed research resources.

Defamation: Failure to observe relevant legal norms governing libel and slander.

Misinterpretation: The deliberate attempt to represent falsely or unfairly the ideas or work of others, whether or not for personal gain or enhancement.

Personation: The situation where someone other than the person who has submitted any academic work has prepared (parts of) the work;

Fabrication and Fraud: The falsification or invention of qualifications, data, information or citations in any formal academic exercise.

Sabotage: Acting to prevent others from completing their work. This includes stealing or cutting pages out of library books or otherwise damaging them; or wilfully disrupting the experiments of others; or endangering institutional access to licensed research resources by wilfully failing to observe their terms and conditions.

Professorial misconduct: Professorial acts that are arbitrary, biased or exploitative.

Denying access to information or material: To deny others access arbitrarily to scholarly resources or to deliberately and groundlessly impede their progress.

Misconduct in formal examinations: Includes having access, or attempting to gain access during an examination, to any books, memoranda, notes, unauthorised electronic devices or any other material, except such as may have been supplied by the invigilator or authorised by the Academic Department. It also includes aiding or attempting to aid another candidate or obtaining or attempting to obtain aid from another candidate or any other communication and conversations that could have an impact on the examination results.

B. Identifying levels of violations of good academic practice:

Two levels of violations of good academic practice can be distinguished.

1. Minor Violations:

Minor violations may occur because of inexperience or lack of knowledge of the principles of academic integrity and are often characterised by the absence of dishonest intent on the part of the person committing the violation. They may result from:

a. weak procedures and methods which may jeopardise the integrity of the research but are not undertaken deliberately or recklessly

b. weaknesses which present no major risks to either subjects or policies which they may influence

On the whole, these minor violations can be seen as failings which may reflect only poor, rather than unacceptable practices and therefore mainly require further training and development rather than any formal disciplinary action.

Examples of minor violations include:

- *Minor plagiarism* defined as a small amount of paraphrasing, quotation or use of diagrams, charts etc. without adequate citation. Minor plagiarism may result from poor scholarship (i.e. when a student, through inexperience or carelessness, fails to reference appropriately or adequately identify the source of the material which they use).

- *inaccurate claims to experience, qualifications or contributions in a context where the person committing the violation cannot expect major benefits (such as winning a competition for a prize or job)*

- *inaccurate representation of findings without deliberate distortion*

- *lack of diligence in declaring relevant conflicts of interest*

Such violations may present no risks to subjects, the wider community or the environment, but they may warrant some penalty or sanction at institutional level.

2. Major Violations:

Major violations are breaches of academic integrity that are more serious in nature or that affect a more significant aspect or portion of the academic work compared with minor violations. Key examples are:

a. Deliberate, reckless or grossly negligent conduct which would clearly pose a significant risk in one form or another to the integrity of the research.

b. Conduct that may pose risks to subjects, the wider community, the environment, or to the research reputation of the institution and research in general.

c. Major plagiarism defined as:

- *extensive paraphrasing or quoting without proper citation of the source;*
- *lifting directly from a text or other academic source without reference;*
- *the use of papers (or parts thereof) from essay banks, either downloaded from the internet or obtained from other sources;*
- *presenting another's designs or concepts as one's own;*
- *continued instances of what was initially regarded as minor plagiarism despite warnings having been given.*

Other examples of major violations are:

1. *the wilful destruction of data (except where required by the legitimate data provider or where norms of privacy might otherwise be endangered)*
2. *fabrication or falsification of data*
3. *falsification of ownership*
4. *defamation*
5. *systematic abuse of the terms and conditions of licensed research resources*
6. *other systematic violation of the intellectual property rights of third parties*

The EUI is committed to fully investigate serious violations of academic misconduct by any academic member of the EUI community.

C. Procedures for Investigation of Research Misconduct

1. Instigation of proceedings

Without prejudice to the right and duty of Departments to address and assess issues of plagiarism in the course of the regular assessment of a paper presented by a researcher, any person may submit a complaint about academic misconduct to the Principal. Such complaints need to be supported by sufficient evidence. The EUI Principal will decide whether the allegation is serious enough to warrant an investigation by the Ethics Committee. If the allegation concerns a PhD researcher or postdoctoral fellow, the Principal may also delegate this task to the Dean of Graduate Studies.

The initiator of the allegation shall be asked to set out in writing the basis of the allegation.

The Ethics Committee may carry out:

- a preliminary investigation to ascertain whether there is sufficient substance to the allegation as to warrant a more thorough investigation;

- a formal inquiry which may include the consultation or involvement of external experts when needed.

The Library Director has the right to investigate any suspected abuse of institutionally licensed research resources and to suspend any user from continued access to all resources, digital or paper, pending a full investigation. The Library Director will also register a complaint with the Ethics Committee when appropriate.

2. Investigation

Where possible, the investigation will include examination of all relevant documentation, including, but not limited to: relevant research data; laboratory notebooks; computer files; other materials; proposals; publications; correspondence; and memoranda, insofar as this is necessary for the investigation and compatible with the EUI *Data Protection Policy*.

The Chair of the Ethics Committee may invite internal or external experts who are not involved in the disputed matter and who are not members of the Committee to attend meetings. They may be heard or participate in discussions but have no vote.

Interviews shall be conducted with the complainant and the respondent. Other individuals involved in making the allegations and individuals who might have information regarding key aspects of the allegations may also be heard by the Committee.

The respondent has the right to be assisted or represented by a member of the EUI community of his/her own choice.

Details of the allegations and the investigation will be made available only to the Ethics Committee. All individuals interviewed during the investigation will be asked to respect the confidential nature of the investigation.

3. Investigation report and recommendations

The Ethics Committee will produce a report stating: the procedures under which the formal investigation was conducted; how and, where appropriate, from whom information was obtained; the findings of the committee and the basis for these; a summary of the views of the respondent; and a description of any recommendations made by the committee.

The respondent will receive a copy of the investigation report and have an opportunity to comment on it. Comments may be submitted to the Ethics Committee and will be attached as an addendum to the investigation report.

If disciplinary actions are recommended, the Ethics Committee will communicate to the internal EUI Disciplinary Committee what action, if any, should be taken as a result of the investigation.

Based on the investigation report and recommendations of the Ethics Committee, the EUI Disciplinary Committee may decide on sanctions (when considered appropriate).

The respondent has a right of appeal, against the decision and/or sanctions made by the Disciplinary Committee as specified in the Disciplinary Regulations.

D. Sanctions

Sanctions, as recommended by the Ethics Committee and as decided by the Disciplinary and/or Disciplinary Appeals Committee, may include (but are not limited to):

1. resubmission of an assignment or academic work
2. a failing grade for the examination or specific assigned exercise; or a failing grade for the course as a whole, depending on the importance of the work to the overall course grade
3. a letter of reprimand, issued by the chair of the Disciplinary Committee, which may or may not be recorded on the scholar's file
4. suspension from the programme
5. suspension of grant/contract
6. revocation of a degree or certificate (see EUI Academic Rules and Regulations under 9.15)

Any sanctions, or decisions not to resort to them, are without prejudice to the academic assessment of a researcher's paper by the Department in question, and to the decisions by the Entrance Board.

The team that developed this policy consulted and benefited from policy documents on good practice in academic research in the following institutions:

- Center for Academic Integrity. (2000). Fundamental Principles for Academic Integrity.
- Encyclopedia Britannica on academic - freedom
- King's College London. (2004). Guidelines on Good Practice in Academic Research.
- London School of Economics – Disciplinary Regulations for Students.
- Research Councils UK. (2008). Code of Conduct and Policy on the Governance of Good Research Conduct. Public Consultation Document.
- RUTGERS the State University of New Jersey. (2008). Rutgers University Interim Academic Integrity Policy.
- Sussex 'Examination and Assessment Handbooks/ Postgraduate 2007/2008'
- University of Exeter. (2002). Code of Good Practice in the Conduct of Research. Research Committee.
- University of Liverpool. (2012-13). Code of Practice on Assessment.
- University of Oxford. (2009). Academic Integrity in Research: Code of Practice and Procedure.
- University of Westminster. (2008). Code of Research Good Practice 2008/2009 Academic Year.
- Wellcome Trust. (2005). Guidelines on Good Research Practice.

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