

## Maastricht University Regulations on Academic Integrity

### Preamble

Everyone involved in academic teaching and research at Maastricht University shares in the responsibility for maintaining academic integrity. Everyone is expected to adhere to the general principles of professional academic practice at all times.

The Netherlands Code of Conduct for Scientific Practice (Association of Universities in the Netherlands, VSNU 2005, as amended 2012) specifies these principles which are also endorsed by Maastricht University. The principles of the Code of Conduct apply as guidelines for the University within the meaning of Article 1.7 of The Higher Education and Scientific Research Act (WHW).

One way to check academic integrity is to exercise the right of complaint when employees of Maastricht University have breached or are suspected of breaching academic integrity.

The Executive Board has laid down these regulations in order to stipulate this right of complaint.

### Article 1 Definitions

Violation of academic integrity:

acts or omissions in violation of the Netherlands Code of Conduct for Scientific Practice among which is the conduct set out in Annex 1;

Complaint:

a report of a violation or suspected violation of academic integrity committed by an employee;

Complainant:

the person submitting a complaint to the Committee, whether or not through the Executive Board or the Counsellor;

Accused:

The employee about whose conduct a complaint is submitted;

Employee:

the person who has or had a relationship of employment under the Collective Labour Agreement of Dutch Universities (CAO-NU) with the university or is or was working in some other sense under the responsibility of the university, whereby this definition also includes PhD candidates and professors holding endowed chairs.

Counsellor:

the person appointed Academic Integrity Counsellor by the Executive Board;

Committee:

the Committee appointed by the Executive Board to handle complaints concerning the violation of academic integrity;

University:

Maastricht University.

### Article 2 General

1. Everyone is entitled to submit a complaint to the Committee, whether or not through the Executive Board or the Counsellor.

2. In accordance with these regulations, oral complaints can only be considered if they are submitted in writing pursuant to the conditions set out in Article 4, paragraph d under 4.
3. If the complaint concerns a member of the Executive Board, the complaint can be submitted to the Committee, whether or not through the Supervisory Board or the Counsellor. In such a case the Committee will make its recommendation to the Supervisory Board and the Supervisory Board will exercise the authority pursuant to Article 5.
4. Everyone is obliged to provide the Counsellor or the Committee all cooperation within a reasonable period of time that these may reasonably ask in the exercise of their authority.
5. Everyone involved with the handling of a complaint is bound to keep confidential everything that he or she comes to know in the course of the complaint procedure.

### Article 3 Counsellor

#### a. Appointment

1. The Executive Board appoints one or more counsellors for a term of four years after consulting the Board of Deans. Each may be reappointed for one additional and contiguous term of four years.
2. Conditions for appointment are:
  - being an (emeritus) professor with extensive experience in teaching and research, preferably at one or more Dutch universities;
  - enjoying an unblemished academic reputation;
  - being able to deal with differences and conflicts;
3. the Executive Board can terminate the appointment at any time:
  - at the request of the Counsellor;
  - as a result of no longer meeting the conditions for appointment;
  - as a result of dysfunctioning as Counsellor.
4. Members of the Supervisory Board, Executive Board, deans and faculty board members as well as staff charged with the management of research and education institutes and schools are not eligible for appointment.

#### b. Duties

The Counsellor:

1. acts as a point of contact for questions and complaints relating to academic integrity;
2. attempts where he or she sees opportunity to mediate in the complaint or otherwise to reach an amicable resolution;
3. shows the complainant how to submit a complaint to the Committee;
4. the Executive Board provides the Counsellor with administrative support.

#### c. Accountability

The Counsellor accounts for his activities to the Executive Board in an annual report.

The Counsellor is bound to keep confidential any information acquired in the performance of his duties.

### Article 4 Committee for Academic Integrity

#### a. Appointment and composition

1. The Executive Board institutes a Committee on Academic Integrity.
2. The Committee is formed by its Chairman and at least two Members.
3. The Chairman and the Members are appointed by the Executive Board.
4. The provision under Article 3.a also applies with the proviso that a counsellor is not eligible to be appointed either Chairman or Member of the Committee.

5. The appointments will be made with the goal of equal representation of the University's academic disciplines. By preference one Member will be a lawyer.
6. The Committee can be enlarged temporarily when investigating a particular complaint by experts who may or may not be affiliated with the University.
7. The Committee is provided with administrative support.

b. Duties

The Committee for Academic Integrity investigates complaints and submits its written advice about these to the Executive Board.

c. Authority

1. The Committee is authorized to gather information from all employees and bodies of the University. It can request access to all documents, records, and correspondence which it deems important to deal with the complaint.
2. The Committee can consult experts who may or may not be affiliated with the University. A report will be made of such consultation.

d. Procedure

1. In so far as the working procedure of the Committee is not specified in these or other regulations, it is for the Chairman to determine the procedure.
2. Members of the Committee who are in any way involved with the persons or facts concerned with the complaint are not eligible to deal with that complaint.
3. If a complaint is lodged with the Committee, the Committee shall inform the Executive Board and the Dean concerned in writing.
4. The Committee will determine the admissibility of the complaint based, among other things, on the following criteria:
  - a. a clear written description of the (alleged) violation of academic integrity by one or more particular employees of Maastricht University;
  - b. the written or other pieces of evidence related to it;
  - c. a statement of the complainant's name, title or position, and contact details;
  - d. the date;
  - e. the complainant's signature;
  - f. at the request of the Executive Board the Committee can investigate an alleged violation of academic integrity or a complaint without knowing the identity of the complainant.
5. The Committee is authorized not to take up a complaint if the violation in its opinion occurred too long before, or if the same complaint had already been investigated or if the Committee judges the complaint clearly unfounded or of insufficient importance..
6. The Committee can offer the complainant the opportunity to supplement the complaint within a period of time of its choosing.
7. If the complaint is written in a language other than Dutch and a translation is required for its adequate handling, the complainant is responsible for providing it.
8. The Committee will render judgment on the admissibility of the complaint within three weeks of receiving it. If it should conclude it is inadmissible, it will immediately so notify the Executive Board.
9. If the Committee deems the complaint to be admissible, it will proceed to handle it.
  - a. The Committee will hear all persons deemed relevant in the Committee's opinion. A report will be made of its hearings.
  - b. The complainant and the accused can be assisted by counsel during the hearing.
  - c. Both complainant and the accused will be present in the hearing unless there are compelling reasons to hear them separately. In the latter case each will be informed of what occurred in the hearing during their absence.
  - d. The Committee can hear witnesses and experts.
10. The Committee will issue its advice to the Executive Board within twelve weeks as to whether the complaint is well founded.

11. Hearings will not be public.

e. Accountability

The Committee gives account of its activities to the Executive Board in an annual report that will form part of the University's annual report.

The Members of the Committee and any experts consulted will keep confidential any information acquired in the performance of their duties.

#### Article 5 Follow-up Procedure

1. The Executive Board will render its initial judgment within four weeks of receiving the advice of the Committee. The complainant and the accused will be immediately notified of such decision in writing. The Committee's advice will be included with the initial judgment. If the initial judgment of the Executive Board differs from the Committee's advice, the initial judgment contains the reasons for the difference.
2. Complainant and accused have six weeks after receiving the notification outlined in paragraph 1. to ask the National Board for Scientific Integrity (LOWI) for its advice on this initial judgment of the Executive Board. Upon request the Committee will immediately send the LOWI copies of all documents relating to the complaint.
3. If the LOWI's advice has not been requested within the term stated under paragraph 2. the Executive Board will render its final judgment on the complaint.
4. If the LOWI's advice is requested, the Executive Board will take LOWI's opinion into consideration when rendering its final judgment.

#### Article 6 Shielding Concerned Parties

The submission of a complaint pursuant to this regulation will not result in any direct or indirect harm to the complainant whatsoever, unless the complainant has not acted in good faith. The same applies to witnesses, experts, the Counsellors, and the Committee Members.

#### Article 7 Unforeseen circumstances

The Executive Board will decide all cases for which these regulations do not provide.

#### Article 8 Final Stipulations

These Regulations take effect on 1 September 2012 and replace the previous complaints procedure in the area of academic integrity.

These Regulations can be referred to as Maastricht University Regulations on Academic Integrity and will be published on Maastricht University's website.

The advice of the Committee and the judgment of the Executive Board on all complaints made and substantively investigated will be published on the VSNU website in anonymized form once the procedure has been completed.

#### Annex 1: Violations of academic integrity

*This is a translation of the Dutch version of the procedure. In case of a conflict between the English and Dutch version of the procedure, the Dutch version will prevail and will be binding.*

## Annex 1 to the Maastricht University Regulations on Academic Integrity

### Violations of academic integrity

There is wide agreement within the academic community as to how scientists should conduct themselves and the conduct that should be repudiated as violations of academic integrity. That agreement is evidenced in the Netherlands by the Royal Netherlands Academy of Arts and Sciences' 2001 Memorandum on Scientific Integrity and the 2004 VSNU Code of Conduct for Scientific Practice. Of the many international documents, the 2011 All European Academies (ALLEA) European Code of Conduct for Research Integrity is leading.

Errors are common and there are many degrees and types of misconduct. Science is possible only when all requirements for scrupulousness, reliability, honesty, impartiality, responsibility, and respect are met. Scientific misconduct causes harm to truth, other scientists, and society. The primary responsibility to counter misconduct and to sanction it as needed is borne by the researcher's employer, the university or research institution.

The universities categorically reject, actively resist, and will punish with the means available to them the following conduct. Violations of academic integrity are understood to include:

1. fabrication: introducing fabricated data  
The fabrication or invention of data which are presented as the actual findings of research. This goes to the heart of science: the process of establishing truth.
2. falsification: the falsification of data and/or the secret elimination of data obtained from research  
Any data that is unwelcome to the researcher may never be manipulated to fit expectations or theoretical outcomes. Data may be omitted only on demonstrably sound grounds.
3. plagiarism of all or part of other people's publications and results  
Science works only with the honest acknowledgment of the intellectual ownership of each person's contribution to knowledge. This applies to the entire range from student projects and papers to academic publications and dissertations. This is not confined to the literal appropriation but also includes the paraphrasing, omission of notes or citations, the unacknowledged use of data, drawings, or tables prepared by others. While copyright offers victims the opportunity for redress through the courts, a plagiarist can be prosecuted for plagiarism even if there is (no longer) any direct victim.
4. intentionally ignoring and failure to acknowledge contributions by other authors  
is a form of misconduct related to committing plagiarism. Wilful and flagrant violations which cannot be resolved within the academic community demand the independent judgment of the Committee for Academic Integrity.
5. wrongly presenting oneself as (co-)author  
A researcher may only be listed as a publication's co-author when he has made a demonstrable contribution to it in the form of ideas and expertise incorporated in it, research performed, or theorizing. A researcher who attaches his name to a publication will ascertain the accuracy and integrity of its contents as best as possible.
6. the intentional misuse of (statistical) methods and/or the intentional misinterpretation of results  
The (statistical) interpretation of research data and empirical results is part of academic discourse and also includes the question of whether or not that interpretation is wrong. It can be labelled as misconduct only when the academic community has reached an unchallenged judgment that there is persistent misrepresentation and presentation of unfounded conclusions. A Committee for Academic Integrity with outside peers can reach such a judgment.

7. culpable carelessness in carrying out the research  
It can be labelled as misconduct only when the researcher goes further than error and sloppiness and does not modify his procedure after serious and well-founded criticism. A Committee for Academic Integrity can investigate whether this is the case.
8. permitting and concealing the misconduct of colleagues  
A researcher or director has a duty of due care with respect to the science as a whole and particularly to the researchers in his immediate circle. It must be acknowledged that hierarchical relationships in science, such as between supervisor and doctoral candidate, do not always make it easy to lodge a complaint against colleagues.