

- Investigation within 120 calendar days of its beginning; and
- Submit a copy of the final Investigation Report to the Respondent by certified mail (with return receipt), or personal delivery (with signature to acknowledge delivery).
- The final Investigation Report will constitute the factual basis for any subsequent disciplinary proceedings against the Respondent.

Disciplinary Actions

- The Provost and Chief Academic Officer will review the final report of the Investigation Team.
- If the Provost and Chief Academic Officer accepts or concurs with a finding by the Investigative Team that a preponderance of evidence substantiates that the Respondent committed research misconduct, the Provost and Chief Academic Officer will:
 - Recommend sanctions against the Respondent including but not limited to dismissal, suspension, reprimand, limitation on grant submissions, or suspension or monitoring of research;
 - Report the outcome of the Investigation and submit recommendations of sanctions:
 - Regarding faculty to the President;
 - Regarding students to the Dean of Student Life; and
 - Regarding non-faculty employees (and any other research personnel) to the appropriate Department Manager or Supervisor.
- If the Investigation Team that accepts or concurs with a finding by the Investigation Team that a preponderance of evidence does not substantiate that the Respondent committed any alleged instance of research misconduct, the Provost will, with respect to such allegations:
 - Make all reasonable efforts to protect or restore the reputation of the Respondent;
 - Determine if the allegations were made not in good faith, and if so, recommend appropriate sanctions against the Complainant(s).
- Additionally, where the Provost's review of the final Investigation report determines that additional analysis or fact-gathering by the Investigation Team is required, the Provost and C.A.O. may return the Investigation report to the Team for further proceedings consistent with this Policy.
- In the case of any appeal by a non-faculty employee or a student with respect to a finding of a preponderance of evidence substantiating an allegation of research misconduct, or with respect to the imposition of any sanction based upon such a finding, the appeal will be decided by the President.
- In the case of any faculty member, any appeal with respect to a finding of a preponderance of evidence substantiating an allegation of research misconduct, or with respect to the imposition of any sanction by the President based upon such a finding, shall be presented to, and decided by, the Board of Trustees.
- Because of the technical nature of the facts and issues in these cases, the consideration of appeals by the President and Board of Trustees shall not include the presentation or consideration of any information or evidence that was not presented to the Investigation Team and the fact-finding set forth in the final Investigation report shall be conclusive. However, if the Respondent establishes

that there is newly discovered evidence that could reasonably and materially affect the outcome and which the Respondent could not have discovered and presented in the Investigation through reasonable diligence, the matter may be returned to the Investigation Team for further proceedings consistent with this Policy.

- The Provost and Chief Academic Officer will notify the Director of the Office of Institutional Compliance and Risk Management, the editors of any affected journals and publications, and institutions, individuals and sponsoring agencies with which the individual has been affiliated, of the final outcome of the investigation and disciplinary decision.

Contacts:

- Dr. Kenneth Newbold, Jr., Provost and Chief Academic Officer (630) 829-6240
- Kevin Rappel, Director of the Office of Institutional Compliance and Risk Management (630) 829-6404
- Dr. Alandra Devall, Chair of the Institutional Review Board (630) 829-6295
- Dr. Cheryl Heinz, Associate Provost for Academic Affairs (630) 829-6581

Additional Resources:

- Institutional Review Board website
- *Faculty Handbook*
- *Employee Handbook*
- *Student Handbook*
- **Benedictine University Conflict of Interest Policy**
- **Benedictine University Whistleblower Protection Policy**

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Departments Responsible: Academic Affairs - Office of Institutional Compliance and Risk Management