

# Research Ethics Regulations

Established Oct. 19, 2006

Amended Jul. 1, 2016

**Article 1 (Purpose)** These regulations set forth matters concerning the establishment and operation of the Research Ethics and Integrity Committee (hereinafter referred to as the “Committee”) to establish research ethics for a variety of research activities of the University, prevent unscrupulous research activities, and ensure a fair and methodical investigation of research integrity issues in case of allegations of research misconduct.

**Article 2 (Application Target)** These regulations shall apply to all persons who have participated or have been involved in the R&D activities of the University either directly or indirectly.

**Article 3 (Application Scope)** Unless there are other special regulations regarding the establishment of research ethics and verification of research integrity, these regulations shall apply.

**Article 4 (Definitions)** ① Research misconduct (hereinafter referred to as “misconduct”) shall include fabrication, falsification, plagiarism, false authorship, and other wrongdoings which occur in the process of proposing or performing research, or reporting research results, as described in the following:

1. "Fabrication" shall refer to making up data or research results that actually do not exist.
2. "Falsification" shall refer to distorting the substance or the results of research by manipulating the material, equipment, or process of research or arbitrarily modifying or omitting data.
3. "Plagiarism" shall refer to using another person’s ideas, research contents, or results without proper permission or citation.
4. "False authorship" shall refer to denying authorship without justifiable reason to a person who has made a scientific or technical contribution to the contents or results of research or conferring authorship out of gratitude or respect on a person who has made no scientific or technical contribution.
5. Intentional obstruction of the investigation into an allegation of misconduct against himself/herself or another person or causing harm to an informant
6. Any and all other acts that seriously violate the accepted conventions of the scientific community
7. Proposing, forcing, or threatening others to commit any of the misconduct described above

② An "informant" shall refer to a person who informs a research institute or a research sponsoring agency that he/she discovered a misconduct or who provides relevant evidence to the research institute or research sponsoring agency.

③ An "accused individual" shall refer to a person who has come under investigation for possible misconduct because a research institute has become aware of the case either independently or through an informant, or it may also refer to a person who has come under investigation because an allegation of misconduct against the person has been made in the course of an ongoing investigation; a person serving as a testifier or witness in investigation shall not be referred to as an “accused individual”.

④ A "preliminary investigation" shall refer to the procedure to determine whether or not an alleged misconduct merits an official investigation.

⑤ A "main investigation" shall refer to the procedure to determine whether an accusation of misconduct is true or not.

⑥ "Determination" shall refer to the procedure wherein the President of the University finalizes the result of an investigation and the informant and the accused individual are notified of the result in writing.

**Article 5 (Responsibilities)** The Committee shall deliberate and make a decision on the following matters:

1. Matters concerning the establishment and operation of policies on research ethics and integrity
2. Matters concerning the receipt of information on misconduct and designation of the department to handle the case
3. Matters concerning preliminary and main investigations and approval of the investigation result
4. Matters concerning the protection of the informant and actions taken to restore the honor of the accused individual
5. Matters concerning the processing of the result of investigation into a research integrity issue and follow-up actions
6. Other matters recommended by the chair of the Committee

**Article 6 (Organization)** ① The Committee shall consist of nine members including the Vice President of Research and Industry Affairs, Vice President of Academic Affairs, Vice President of Admissions and Student Affairs, and Vice President of Planning (hereinafter referred to as "*ex officio* members"); the Vice President of Research and Industry Affairs shall serve as chairman.

② Members other than the *ex officio* members shall be appointed by the President of the University on the recommendation of the chair of the Committee; the term of office shall be two years, with consecutive reappointment permitted.

③ The director of the Research Planning Team shall serve as secretary of the Committee.

**Article 7 (Committee Meeting)** ① The chair shall represent the Committee and convene and preside over a meeting.

② A quorum shall be declared when a majority of the Committee members are in attendance, and a resolution shall be passed with a two-thirds vote of the attending members.

③ If an agenda to be reviewed is deemed minor by the chairman, however, a decision may be made using written communication.

④ The meeting shall not be made public as a rule; if deemed necessary, a person concerned in the case may be requested to attend the meeting to present his/her opinion.

**Article 8 (Reporting Misconduct)** ① An informant may report a wrongdoing to the Office of Research and Industry Affairs using any and all means available, such as a verbal statement, written statement, telephone call, email message, etc.; an informant must use his/her real name in reporting as a rule. If a report is to be made anonymously, however, the informant must submit the title of the relevant research project name or research paper in writing or via email and provide the detailed contents and evidence of the misconduct.

② If an informant reports untruthful information knowingly or makes a report even though he/she suspects that the information may be false, the informant shall not be entitled to protection.

**Article 9 (Period and Method of Preliminary Investigation)** ① A preliminary investigation shall start within 15 days of receipt of a report; it shall be completed within 30 days of the start of the investigation, and the result shall be approved by

the Committee.

- ② During the preliminary investigation, the following matters shall be reviewed:
1. Whether or not the information reported falls under the category of misconduct as defined in Article 4, Clause 1
  2. Whether or not the information reported is concrete and clear enough to warrant a main investigation and produce a practical outcome
  3. (Deleted July 1, 2016)
- ③ The preliminary investigation shall be conducted by the Office of Research and Industry Affairs; if necessary, however, the Office may request specialists in the case concerned or an ad hoc subcommittee to conduct the investigation.

**Article 10 (Report of Preliminary Investigation Result)** ① The result of a preliminary investigation shall be provided in writing to the sponsoring agency of the research project concerned and the informant within 10 days of the Committee's approval. If the informant reported anonymously, however, this shall not apply.

- ② The report on a preliminary investigation result shall include the following:
1. Detailed contents of the information reported and information on the informant
  2. Description of allegations and the research project involved
  3. Whether or not a main investigation is required and the basis of the decision
  4. Other related evidence

**Article 11 (Initiation of the Main Investigation and its Period)** ① A main investigation shall start within 30 days of approval of the result of a preliminary investigation, and a committee to perform the main investigation (hereinafter referred to as "Investigative Committee") shall be organized during the 30-day period.

- ② A main investigation shall be completed within 90 days.
- ③ If the Investigative Committee deems it impossible to complete the investigation within the period specified in Clause 2, the Investigative Committee shall provide an explanation of the reason to the Committee and request an extension of the period.

**Article 12 (Organization of the Investigative Committee)** ① The Investigative Committee shall have a minimum of seven members.

- ② The Investigative Committee members shall include at least four persons with professional knowledge and experience in the area in question and at least two non-POSTECH members who can exercise impartial and objective judgment.
- ③ No person who has a conflict of interest regarding the issue being investigated may be included in the Investigative Committee.
- ④ Prior to starting a main investigation, the list of members of the Investigative Committee must be provided to the informant; if the informant raises a reasonable objection against any of the members, it shall be accepted.

**Article 13 (Request for Attendance and Submission of Data)** ① The Investigative Committee may request an informant, an accused individual, a witness, and a testifier to attend a meeting to make a statement; the accused individual in particular must comply with such request.

- ② The Investigative Committee may request an accused individual to submit data; in order to preserve evidence, the Investigative Committee may also restrict access to the laboratory by those allegedly involved in misconduct and confiscate and keep the research data in question after obtaining approval from the research

sponsoring agency in question.

**Article 14 (Protection of the Rights of the Informant and the Accused Individual and Confidentiality)** ① Under no circumstances shall the identity of an informant be disclosed directly or indirectly; neither shall the name of the informant be included in the report on the investigation result to protect the informant.

② If an informant is placed at a disadvantage in terms of status (e.g. disciplinary measure), or suffers discrimination in terms of work conditions, unfair pressure, or any other harm for reasons of reporting misconduct, the damage must be restituted, or an action requested by the informant shall be taken.

③ Care shall be taken so that the reputation and rights of an accused individual are not damaged pending completion of the investigation into the alleged misconduct. Likewise, efforts shall be made to restore the reputation of an accused individual who has been proven innocent.

④ Any and all matters related to investigation such as report, investigation, deliberation, resolution, and recommendation shall be treated with confidentiality; any and all persons who participated in the investigation directly or indirectly, the President of the University, and the faculty and staff members related to the case shall not disclose any information obtained in the course of the investigation and the performance of their duties. If there is a justifiable reason for making some information public, however, the information may be disclosed after a resolution is passed by the Committee.

**Article 15 (Right to Raise an Objection and Defend Oneself)** The Investigative Committee shall ensure that both the informant and the accused have equal rights and opportunities to make a statement, raise an objection, and defend themselves and must inform them of the necessary procedures in advance.

**Article 16 (Finalization of Investigation)** ① The Investigative Committee shall finalize an investigation based on the objection or defense raised. (Amended July 1, 2016)

② If an agreement cannot be reached as to the conclusion of the investigation, the matter shall be settled by vote; in this case, a quorum shall be formed when a majority of members are in attendance, and a resolution shall be passed with a two-thirds vote of the attending members.

**Article 17 (Submission of the Results of the Main Investigation)** ① The Investigative Committee shall submit a report on the result of the main investigation (hereinafter referred to as “final report”) to the Committee within 10 days of the date of investigation finalization.

② The final report shall include the following:

1. Details of the report and information on the informant
2. Description of allegations and the research project involved
3. Role of the accused individual in the research project in question and whether or not the allegations are true or not
4. Evidence and witness(es)
5. Objections raised or defense provided by the informant and the accused individual concerning the result of the investigation (if any) and how they were addressed
6. List of the members of the Investigative Committee

③ The President of the University shall ‘determine’ following approval of the final report by the Committee. (Established July 1, 2016)

**Article 18 (Formal Objections, etc.)** ① An informant or examinee dissatisfied with the result of preliminary investigation or investigation may raise an objection to the President of the University in writing within 30 days after such result is informed. (Established July 1, 2016)

② In receipt of an objection under paragraph 1, the President of the University shall decide on such objection within 30 days, unless special cause exists. (Established July 1, 2016)

**Article 19 (Reports to Research Sponsoring Agencies)** ① The final result of investigation, including the processing of formal objections, shall be submitted to the agency that sponsored the research project in question within 10 days of closing; data on the investigation may be submitted in case of a request from a higher-level agency. (Amended July 1, 2016)

② Notwithstanding the provisions of Clause 1, the following matters must be immediately reported to the research sponsoring agency even before the investigation is completed:

1. An applicable law or regulation has been violated.
2. A major threat to public well-being or safety has occurred, or is highly likely.
3. Actions by the research sponsoring agency or other government authorities are required.

**Article 19 (Actions on the Result)** ① The Committee may recommend that the President of the University take disciplinary action against the persons involved in the misconduct.

② The President of the University shall request the relevant disciplinary committee to take action and notify the accused individual in writing of the action to be taken following a prescribed procedure.

③ Matters concerning disciplinary action may be governed by other relevant regulations or stipulated separately.

**Article 20 (Retention and Release of Records)** ① Records related to the preliminary and main investigations shall be kept by the Office of Research and Industry Affairs for a period of five years upon completion of the investigation.

② The final report may be made public after a determination is made; however, the information related to the identities of the informant, members of the Investigative Committee, witnesses, and persons who participated in the review may remain undisclosed if such information is likely to place the persons in question at a disadvantage if leaked.

### **Addendum**

These regulations shall be established and take effect on October 19, 2006.

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These regulations shall be amended and take effect on July 1, 2016.