

work per week during the academic year, and up to five days per week in the summer. There are normal charges for fringe benefits on all faculty and student salaries using the fringe benefits pool rate.

6. Before being accepted, each consulting contract must be approved by the principal investigator, the department chair, the Dean of Faculty, the Treasurer, and the Vice President for Advancement, or their designees. Contracts that specify research on human subjects, including using Harvey Mudd College students as research subjects, must also be approved by the Institutional Review Board (see section 2.4.2).

## **8.4 PAID NON-TEACHING ASSIGNMENTS**

Faculty members may undertake paid non-teaching assignments on campus during the academic year provided these assignments are externally funded and have the approval of the Dean of Faculty. The time spent on such assignments plus outside consulting should not exceed one day per week.

## **8.5 POLICIES APPLICABLE TO RESEARCH AND CONSULTING**

### **8.5.1 Scientific Conduct**

The definition of inappropriate scientific conduct covers a wide variety of practices, including but not limited to the following: fabrication, falsification, plagiarism, deception, intentional deviation from standard practices involving credit for work performed or not performed, and failure to comply with federal and other requirements affecting specific conduct of research such as the protection of research subjects.

There are certain standards within the scientific community, which are essential to ensure the quality and integrity of research. It is important that new investigators (students, research assistants, and postdoctoral fellows) be introduced to scientific research by experienced members of the college. The guidelines for research conduct include, but are not limited, to the following:

1. Mandatory supervision of each junior investigator (student, research assistant, or postdoctoral fellow) in any research unit. The number of investigators supervised should be small enough to insure adequate control. Supervisors should not place unreasonable expectations on the investigators which could lead to falsification of data.
2. Each investigator must retain the original primary data generated by his or her research unit, and original experimental results should be recorded in an organized form. Primary data should remain in the area assigned to the research unit at all times and should be kept for a reasonable period of time.

3. The senior investigator shall assume responsibility for the integrity of the work done and for the integrity of the way it is reported. Every co-author who has made a contribution to the study and manuscript must have the opportunity to review the manuscript prior to submission for publication.
4. Faculty must disclose in advance any proposed activities that might present a conflict of interest or commitment, including any financial interest. The college will provide a person or persons who can act as adviser as to what constitutes conflict of interest and screen and monitor proposed agreements with industry or outside agencies.

Any member of the college community may bring a complaint of scientific misconduct before the Dean of Faculty. The Dean of Faculty will, in turn, present the complaint to the Faculty Research Committee (excluding the dean, who serves as an ex-officio member on that committee) for review. If the complaint is found to be without substance, the committee will report this finding to the dean and no further action will be taken. If the complaint is considered worthy of further review, the dean will consult with the individual(s) and provide such individual(s) with the opportunity to present an explanation of the matters at issue. In all instances, every attempt will be made to protect the due process rights of the accused and to insure the confidentiality of the review process.

The dean will relay the response of the individual accused of misconduct to the Research Committee, which will decide whether a full investigation and hearing are warranted. In the event of a full investigation and hearing, the college may take interim action against any faculty member to prevent violations of the law; to protect the health, safety and welfare of research subjects, other researchers or bystanders; and to protect property. Normally, any funding agency or journal affected will be notified at the conclusion of the investigation if the occurrence of improper conduct has been determined.

If an investigation is deemed necessary, the chair of the Research Committee shall give the researcher(s) specific notice of the allegations of scientific misconduct against him or her, and of the possible sanctions that might be imposed by the President if the allegations are proven true. In this notice, the chair shall indicate the proposed date, time and place of the hearing before the Hearing Committee. The Hearing Committee shall consist of three faculty members. Faculty members on the Research Committee (other than the chair) will automatically serve on the Hearing Committee; the remaining member(s) shall be elected from the Faculty Executive Committee by the faculty members of the Faculty Executive Committee. An untenured member of the Research Committee or the Faculty Executive Committee may decline a position on the Hearing Committee if he or she feels strongly that his or her professional career may be jeopardized. If possible, the hearing should take place within thirty days from the delivery of the notice. The chair of the Research Committee shall take charge of the investigation on behalf of the complainant and the college. The researcher and the college must notify each other of the identities of the proposed witnesses at least five days prior to the hearing.

The chair of the Hearing Committee, elected by and from the Hearing Committee members, may at his or her discretion permit additional witnesses to testify. Unless both parties waive the requirement, notice of this decision must be given at least five days before the witnesses are called to testify. The purpose of the hearing is to give the researcher and the college the opportunity to present their cases. Both may submit written arguments concerning any related matters, and the chair of the Hearing Committee may request such written arguments. The hearing shall be conducted informally, and technical rules of evidence and procedure shall not apply. Nonetheless, both the researcher and the college may opt to have attorneys present. Both parties must be notified in writing at least five days in advance if an attorney is to be present. The hearing will be closed unless both parties agree that it be open.

Subject to the standards of fairness, the Hearing Committee shall consider the existing record in the case together with the oral, written or other evidence admitted. The researcher and the college may introduce witnesses who may be questioned by members of the Hearing Committee and by the researcher, the college and/or their representatives (such as legal counsel). The burden of proof is on the college to establish its allegations by clear and convincing evidence.

Unless the Hearing Committee gives notice that a delay is possible, the report will be sent to the President within thirty days of the final completion of all hearings in the case. In its report, the committee will recommend to the President either that there are no grounds for sanctions, or that certain sanctions should be imposed, or that one or more of several alternative sanctions should be considered. Such sanctions include, but are not limited to, dismissal from any or all positions within the college, withholding of research funds, temporary or permanent suspension from any or all research, and written or oral reprimands. Committee recommendations must be accompanied by specific findings of fact and explanations of the recommendation of sanctions. A copy of the report must be sent to the researcher or his or her representative or counsel at the time that it is transmitted to the President.

The President shall consider the recommendations of the Hearing Committee in making a final decision on whether sanctions should be imposed on the researcher, and if so, what those sanctions should be. If possible, the President's decision should be made and transmitted to the researcher and the Committee within ten days of receiving the Committee's report.

## **8.5.2 Intellectual Property**

### **8.5.2.1 Ownership of Intellectual Property**

All faculty members and students of Harvey Mudd College have full ownership of any intellectual property that they produce during the course of their involvement with the college, except when external sponsorship of the work requires the assignment elsewhere,