

**REGULATION
on the Ethics of Scientific Research and Prevention of Research Misconduct at
the National University of Kyiv-Mohyla Academy**

1. General Provisions

1.1. The Regulation on the Ethics of Scientific Research and Prevention of Research Misconduct at NaUKMA (hereinafter – Regulation) defines the values, moral and ethical norms, rules and principles, compliance with established international practices guiding the members of the NaUKMA research community (research, research-teaching staff and students, including NaUKMA doctoral candidates) in conducting research in all fields of knowledge and using and disseminating the results of research, based on academic freedom, zero tolerance to any demonstration of violation of academic integrity, responsibility, transparency, publicity, legality, justice, reasonableness, honesty, objectivity, mutual respect and trust.

1.2. The Regulation builds itself on the principles of the European Charter for Researchers, the Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities, the IAU-MCO (International Association of Universities and the Magna Charta Observatory) Guidelines for an Institutional Code of Ethics in Higher Education, the Bucharest Declaration Concerning Ethical Values and Principles for Higher Education in Europe, relevant provisions of the European Research Area, in particular relative to FAIR data, UNESCO Universal Declaration on Bioethics and Human Rights and other international documents and declarations, as well as is governed by current regulatory acts of Ukraine (laws of Ukraine "On Education", "On Higher Education", "On Scientific and Scientific-Technical Activities", "On Science Parks", the National Open Science Plan, the Code of Ethics of the Scientist of Ukraine (2009), NaUKMA local acts (NaUKMA Statute, NaUKMA Code of Ethics, Regulation on Academic Integrity, regulations of the Research Ethics Committee, Regulation on Financial Conflict of Interest in Externally-Funded Research, Assessment Procedures, etc.).

1.3. The Regulation defines basic principles of prevention (alerting) of the cases of academic dishonesty and encourages compliance with the requirements of the ethics of scientific research in the conduct of scientific and research activities.

1.4. The resolution of disputes related to violations of this Regulation and the development of appropriate procedures (reporting of violations, procedures for identifying and addressing cases of violations of academic integrity, responding to them, etc.) is entrusted to the Research Ethics Committee (established by the NaUKMA Order No. 148 on April 12, 2016). The Committee is an internationally registered by the Office for Human Research Protections (OHRP) Institutional Review Board (IRB00012330) and operates on the basis of the Regulation, which defines the

procedure for its establishment, areas of responsibility, terms of authority, order of work, procedures, etc.

2. Terms

2.1. In this Regulation, concepts and terms are used in the following meaning:

- **academic integrity** – a set of ethical principles and rules defined by the law, to which the participants of the educational process should comply during studying, teaching and carrying out research (creative) activities in order to ensure trust in the results of studying and/or research (creative) achievements;

- **research ethics** – a set of moral and ethical norms, rules and principles established and recognized by the research community that regulate the behavior and interpersonal relations of members of the research community at all stages of the research life cycle;

- **academic freedom** – autonomy and independence of the academic process participants in the implementation of teaching, research-teaching, research and/or innovative activities carried out on the principles of the freedom of speech, thought and creativity, dissemination of knowledge and information, free publication and use of research results with consideration of restrictions established by law;

- **business ethics** – the order of interaction and behavior of members of the NaUKMA research community during joint activities, including business correspondence, hiring, appealing to management, etc.;

- **conflict of interest** – contradiction between the private interests of members of the research community and their official job responsibilities;

- **research activity** – intellectual creative activity aimed at the acquisition of new knowledge and (or) search for the ways of its application, the main types of which are fundamental and applied scientific research;

- **research community** – research, research-teaching staff that work at NaUKMA under an employment agreement (contract); candidates for a degree of the doctor of philosophy or doctor of science; other researchers, who are affiliated with NaUKMA and (or) conduct research at NaUKMA;

- **research project** – a set of measures related to the implementation and direct conduct of scientific research and (or) scientific and technical developments with the aim of achieving a specific scientific or scientific and technical (applied) result;

- **research result** – new scientific knowledge obtained in the process of fundamental or applied scientific research and recorded on the information carriers. Research result can be in the form of a report, published scientific article, scientific report, scientific report on scientific research work, monographic study, scientific discovery, project of a normative legal act, normative document or scientific and methodological documents, the preparation of which requires conducting relevant scientific research or contains scientific component, etc.;

- **private interest** – any property (commercial) or non-property interest of a person, including the one due to personal, family, other non-work relationships with individuals or legal entities;

- **applied scientific research** – theoretical and experimental scientific research aimed at obtaining and use of new knowledge for practical purposes. The result of applied scientific research is new knowledge intended for the creation of new or improvement of existing materials, products, devices, methods, systems, technologies, concrete proposals for the implementation of current scientific, technical and social goals;

- **data principles FAIR** (Findability, Accessibility, Interoperability, Reusability) – a set of guidelines and best practices to ensure that data or any digital object is findable, accessible, interoperable, and reusable;
- **fundamental scientific research** – theoretical and experimental scientific research aimed at obtaining new knowledge about the patterns of the organization and development of nature, society, people, and their interrelationships. The result of fundamental scientific research is hypotheses, theories, new methods of cognition, the discovery of the laws of nature, previously unknown phenomena and properties of matter, the discovery of patterns of social development, etc., which are not aimed at direct practical use.

3. Violation of Academic Integrity

3.1. Violations of academic integrity in the conduct of scientific research in all fields of knowledge and in the dissemination and use of research results are considered to be:

- **academic plagiarism** – publication (in part or in full) of research results obtained by other persons as the result of one's own research and/or reproduction of published texts of other authors without indication of authorship;
- **self-plagiarism** – publication (in part or in full) of own previously published research results as new research results;
- **academic fabrication** – making up data or facts obtained during research, as well as exclusion of "inconvenient" data;
- **academic falsification** – deliberate change or modification (forgery) of already available research data;
- **authorship attribution** – representing as one's own an academic text, fully or partially created by another person (persons), including commissioned research;
- **elaboration or mediation in elaboration** of commissioned academic product;
- **failure to properly maintain, manage and share** the primary data, artifacts and materials;
- **abuse of privacy** relative to unpublished materials, or **appropriation** of joint results, equipment or other research resources;
- **false data** about participation in a research project; for example, not including the legitimate author(s) in reports and publications, or attributing authorship to persons who did not participate in the research, as well as false credentials (e.g., about the qualifications, experience of one of the participants, etc.);
- **non-compliance with established procedures**, legal, professional or ethical requirements in the conduct of research;
- **non-compliance with appropriate requirements** relative to the disclosure of private and (or) confidential information collected about individuals during the research;
- **non-compliance with relevant requirements** in the conduct of research involving humans (medical, clinical, psychological, etc.) and animals (biomedical, etc.) for the aim of ensuring confidentiality, avoiding unreasonable harm or risk to humans, animals, or the environment;
- **inappropriate behavior in the review** of research proposals, results or manuscripts submitted for publication;
- **non-compliance with procedures established at NaUKMA (and stipulated by donors)**, in particular relative to financial control over the conduct of research and reporting on its results;

- **biased behavior** (for example, in the relationship between a scientific supervisor and a doctoral student, a supervisor and members of the scientific research project group, etc.).

4. NaUKMA Values and Principles in Research Activity

4.1. In its activities, NaUKMA embodies the principle of academic freedom, including the conduct of scientific research, promotes critical thinking, freedom of scientific inquiry, expression of views, selection of scientific research project's topics, concepts, hypotheses, problems and methods of their solution, formation of the scientific research project group, creation of opportunities for effective scientific work, including through the development of research infrastructure, etc.

4.2. While carrying out a scientific research, all members of the NaUKMA research community should:

- ✓ act on the principles of academic freedom, responsibility, collegiality and adhere to the highest standards of ethics and academic integrity in the conduct of fundamental and applied research and in dissemination (use) of their results;
- ✓ in implementation of the principles of ethical behavior in the conduct of scientific research, care about the standards of professional integrity and the positive image of NaUKMA;
- ✓ be honest at all stages of the research life cycle: from its planning to the dissemination of results;
- ✓ seek to ensure the accuracy of data and research results, and acknowledge the contributions of others;
- ✓ get familiar with current policies on the best research practices and integrity standards and adhere to them;
- ✓ agree that the research results may be checked for potential misuse (plagiarism, falsification of data, etc.);
- ✓ comply with the legislation norms on copyright and related rights;
- ✓ properly cite sources of information in the event of using ideas, developments, statements, information;
- ✓ provide reliable information about research methods and results, sources of information used and own research, research-teaching activities;
- ✓ agree to the verification of academic integrity violations;
- ✓ ensure proper research data management, including bringing data and metadata in compliance with the **principles of Open Science and FAIR**;
- ✓ ensure the preparation of a research data management plan;
- ✓ seek to ensure safety, dignity and rights of those involved in the research;
- ✓ ensure the prevention of any real or potential conflict of interest;
- ✓ ensure impartiality in the evaluation of professional achievements, competences, etc. of any of the research project (research) participants;
- ✓ make sure that all participants of the research project have the necessary skills and appropriate qualifications for their field of research;
- ✓ recognize authorship and contribution to the research project of all its participants;
- ✓ not allow the transfer (primacy) of authorship for a scientific work to another person, acceptance of authorship or co-authorship or demanding such;

- ✓ to recognize its personal responsibility to the University and colleagues for a proper ethical behavior in the conduct of research.

5. Responsibility for Violation of the Ethics of Scientific Research

5.1. For violation of the academic integrity in scientific research, a person may be held to account on the grounds and in the manner prescribed by the legislation of Ukraine. Furthermore, the following measures of academic responsibility may be applied to research, research-teaching staff, as well as doctoral students of NaUKMA:

- a petition for deprivation of the awarded academic title;
- deprivation of the right to perform the duties of a scientific supervisor (consultant) for a period of up to three years;
- permanent or temporary deprivation of the right to submit grant applications on behalf of the university or scientific publications to the journals, if the name of the university is used;
- recommendation to attend a series of institutional trainings in the ethics of scientific research, research integrity and research misconduct, publication activity rules;
- in severe cases - consideration of the violation as a violation of the rules of NaUKMA internal regulations and a basis for the administrative sanctions prescribed therein.

6. Final Provisions

6.1. The Regulation on the Ethics of Scientific Research and Prevention of Research Misconduct at NaUKMA is approved by the NaUKMA Scientific Council and becomes effective upon the order of NaUKMA President for the period until the next update under the following circumstances:

- ✓ Institutional policy changes to the extent that affects the requirements to research, research-teaching staff and NaUKMA doctoral candidates;
- ✓ Regulations, policies or respective legislation and/or requirements of donors relative to the principles of scientific research ethics outlined in the Regulation change, which affects the current university policy and/or procedures for preventing research misconduct at NaUKMA.

Attachment 1.

Procedures for Institutional Settlement of Cases of Research Misconduct at NaUKMA

All university research, research-teaching staff and persons affiliated with NaUKMA and involved in its research activities and/or implementation of the university grant projects, in particular with the support of international donors, as well as doctoral students of the NaUKMA Doctoral School, in case of detection, report the observed, suspected or apparent research misconduct in research activities at the university to the Office of Vice President for Research and Graduate Studies, which, in coordination

with the Research Integrity Officer (RIO), takes all necessary measures to prevent and collegially review such cases.

The Research Integrity Officer (RIO) is the Chairman of the NaUKMA Research Ethics Committee and the guarantor ensuring the compliance with the university institutional policy on the ethics of scientific research and prevention of research misconduct, who, at the request of the Office of Vice President for Research and Graduate Studies, in case of need, convenes the Research Ethics Committee to consider the case/s of misconduct and potentially adopt the necessary administrative measures by NaUKMA. In case of US federal grants, he/ she also represents university at the Office of Research Integrity (ORI) as official NaUKMA RIO.

Notification of the Office of Vice President for Research and Graduate Studies in writing or orally about suspicion or information about the fact of committed research misconduct is carried out by the **Complainant**, a person that submits a formal allegation about improper behavior. The Complainant may be a single individual or a group of individuals, and the allegations must be presented with the greatest degree of specificity possible under the circumstances. The **Respondent** as a person in whose actions improper behavior was noticed, has the opportunity to also submit his justifications during the consideration of the case.

In case of discovering and informing the Office of Vice-President for Research and Graduate Studies about the fact of possible violation of research ethics and/or research misconduct, the university adheres to the following procedures:

The research misconduct review procedures at NaUKMA are organized in several stages and consist of a preliminary stage (**Pre-Inquiry Review**) followed by two formal stages, **Inquiry** and **Investigation**.

Pre-Inquiry Review: a process during which the Office of Vice President for Research and Graduate Studies, in consultation with the Dean and/or Department Head and/or other persons deemed necessary to ensure informed decision-making (e.g., the Principal Investigator and/or Head of the international research grant project), promptly reviews and evaluates an allegation of misconduct to determine whether there was a case of misconduct, whether there is sufficient and credible evidence of misconduct to conduct an inquiry and/or investigation, or whether the misconduct occurred within the framework of an international grant that requires reporting and involvement of the international structures outlined by the donor in the misconduct allegation consideration, or the violation does not fall under the concept of research misconduct and under the effect of the Regulation on the Ethics of Scientific Research and Prevention of Research Misconduct at NaUKMA and requires consideration by other structures of the university.

This is an informal preliminary step that is undertaken without notifying the Respondent in order to preserve the integrity of any evidence before a decision is made as to whether or not misconduct has occurred. In the event that the fact of research misconduct is confirmed and the need for a formal inquiry and investigation is defined,

all necessary evidence is seized and the Respondent is officially notified of the formal Inquiry and/or Investigation.

Inquiry: a formal stage at which, in coordination with the Research Integrity Officer, the Research Ethics Committee is convened and a preliminary collection and evaluation of the available evidence and testimony of the Complainant, the Respondent, and key witnesses is conducted to the extent necessary to determine the validity of the accusation and the appropriateness of the Investigation stage. The purpose of this stage is not to make a final decision, but only to collect information and evidence from all parties necessary for the inquiry. After review and making a decision, the Committee prepares a written report containing a detailed description of the case, evidence, justification of the decision, recommendations for the correction of the misconduct and possible administrative measures, as well as the expediency or impracticality of conducting a formal Investigation. The report is submitted for consideration by the Vice President for Research and Graduate Studies and for making the final decision. In case of research misconduct consideration under the international grant project and the availability of reporting requirements and obligation for involvement of the relevant international structures in research integrity by the donor, information about the fact of research misconduct within the project is reported to the relevant international structures (such as the Office of Research Integrity – ORI in case of federal grants in the area of healthcare). The Office of Vice President for Research and Graduate Studies also informs the Complainant and the Respondent about the Committee’s decision with further right to provide comments or an appeal (the latter in the Respondent’s case), as well as the Dean and/or Department Head of the Respondent and the Principal investigator/ Head of the grant project in case of Respondent’s involvement in such a project.

Investigation: a formal process that is launched by a university in the case when the Inquiry determines that an allegation has substance and an Investigation is warranted, during which the Research Ethics Committee collects and examines the facts and evidence in more detail to determine whether the evidence supports a finding that research misconduct has been committed. The Committee prepares a report on the investigation conducted, in which also provides the recommendations on appropriate measures to correct/ resolve the situation and submits it to the Vice President for Research and Graduate Studies. However, such recommendations have solely an advisory mission for the Vice President for Research and Graduate Studies. Based on the provided report and recommendations, the Vice President for Research and Graduate Studies makes a final decision, the results of which are communicated to all parties and the necessary administrative measures are taken.