

## Regulation relating to academic integrity at the University of Basel

Dated May 3, 2018

The University Council of the University of Basel, based on Art. 9, para. 2 (i) of the statutes of the University of Basel (university statutes) of May 3, 2012, issues the following regulation.

### *Preamble*

Honesty and integrity are prerequisites for the credibility of academic research. The University of Basel requires observance of the rules of academic integrity and good academic practice pursuant to the following provisions.

## **I. GENERAL PROVISIONS**

### *Art. 1. Scope*

<sup>1</sup> This regulation applies to all members of the University of Basel who engage in academic work as part of research groups at the University of Basel or at associated institutions on behalf of the University of Basel.

### *Art. 2. Relationship to other regulations*

<sup>1</sup> The provisions of this regulation are a minimum standard. More stringent regulations issued by other organizational units of the University of Basel or institutions associated with the University of Basel for their members, or which must be observed in the context of national and international research activity, are not limited by this regulation.

### *Art. 3. Reservation of criminal law*

<sup>1</sup> The criminal prosecution of violations of academic integrity and good academic practice remain reserved.

## **II. PRINCIPLES OF ACADEMIC INTEGRITY AND GOOD ACADEMIC PRACTICE**

### *Art. 4. Research projects*

<sup>1</sup> Researchers are free to choose their research objectives and methods within the legal and accepted academic community standards.

<sup>2</sup> Researchers are obliged to remain open and transparent towards members of their research groups and their academic peers, and to maintain a self-critical dialog with the academic community and the public.

<sup>3</sup> Research projects must be planned carefully and documented meticulously. For group research projects, an organizational chart must be created, and interfaces and responsibilities within the group defined.

<sup>4</sup> Research proposals must be clear and complete and correspond to the facts in all respects. The same applies to letters of application concerning participation in a research project.

<sup>5</sup> The data used in or generated by the research must be accurate. It must not misrepresent or infringe any third-party intellectual property rights on works, processes, academic findings, hypotheses, teachings or research approaches.

<sup>6</sup> In particular, misrepresentation includes invention of data and falsification of academic data; for example, by selective use of findings or rejection of unwanted findings without disclosure, or by manipulation of an illustration or figure.

<sup>7</sup> In particular, a violation of third-party intellectual property rights includes:

- a) unauthorized use of materials with false claims of authorship (plagiarism);
- b) exploitation of research approaches and ideas, in particular as a mentor or reviewer (theft of ideas);
- c) distortion of content;
- d) unauthorized publication and unauthorized disclosure to third parties if the work has not yet been published;
- e) sabotage of third-party research activities (including damaging, destroying or manipulating documents, data and data carriers).

<sup>8</sup> In order to ensure that research remains verifiable and that data can be analyzed in accordance with other criteria, research data, including raw data, must be documented as fully and clearly as possible. Following publication of the research findings, the data must be made available on request for a period of at least five years, provided there is no legitimate need for confidentiality that prevents such disclosure. The research project management team is responsible for ensuring the adequate storage of the research findings, their accessibility and compliance with the University of Basel's data protection and archiving requirements.

<sup>9</sup> Research data generated as part of University of Basel research projects generally remain the property of the University of Basel.

<sup>10</sup> Conflicts of interest in connection with a research project must be reported by all participants to the research project management team and any financial sponsors. Conflicts of interest on the part of the project management team must also be reported to the President.

## *Art. 5. Publications*

<sup>1</sup> Research findings intended for publication must be made fully accessible to the public in an unbiased and complete manner, provided there are no interests of confidentiality or contractual obligations of publication.

<sup>2</sup> Anyone who makes a substantial contribution to the planning, implementation, evaluation or review of the research work must be listed as an author. Persons who have made no contribution or no significant contribution may not be listed as an author.

<sup>3</sup> The lead author is responsible for ensuring that the publication does not contain any false statements or data that infringes third-party intellectual property rights. The other authors are responsible for statements or data that they have contributed to the publication, or which they are able to review on the basis of their knowledge. Where no lead author exists, all authors are responsible for the entire publication.

<sup>4</sup> The sources used for the research must be cited in the publication.

<sup>5</sup> In the case of research work conducted in part or in full at the University of Basel, the University of Basel must be listed as the institution where the research work was conducted.

## *Art. 6. Reviews*

### <sup>1</sup> Reviewers

- f) write reports only in subject areas in which they have also been published;
- g) write reports that are unbiased, sound, objective, constructive and timely;
- h) do not make improper use of confidential information available to them in the course of their review activity;
- i) treat all information as confidential.

<sup>2</sup> If an academic review results in a conflict of interest, in particular direct competition with the reviewer's own work, then the conflict of interest must be disclosed to the party that commissioned the review.

## *Art. 7. Faculty contacts*

<sup>1</sup> The faculty assembly elects one or two members of the faculty to serve as permanent contacts for a period of four years. The term of office may be extended.

<sup>2</sup> The responsibilities of the contacts include provision of information about the integrity process, the forwarding of facts and referral of the person concerned to the Integrity Ombudsman.

## **III. PROCEDURE IN THE EVENT OF SUSPICION OF ACADEMIC MISCONDUCT**

### *Art. 8. Academic misconduct*

<sup>1</sup> Under the terms of this regulation, academic misconduct occurs if there are one or more violations of the principles of academic integrity and good academic practice.

<sup>2</sup> Incitement or aiding and abetting academic misconduct and attempted academic misconduct are considered equally a violation of integrity.

<sup>3</sup> Academic misconduct can also be committed by a failure to act in breach of duties.

<sup>4</sup> Those who fail to prevent academic misconduct and who, based on their position, are able to prevent the misconduct, are also in breach of their duties.

<sup>5</sup> If there is evidence of academic misconduct, such evidence will be investigated in accordance with this regulation. The investigation will be carried out by the University of Basel's Integrity Ombudsman.

<sup>6</sup> Anyone may report the suspicion of academic misconduct. The report must be submitted in writing to the Integrity Ombudsman.

### *Art. 9. Integrity Ombudsman*

<sup>1</sup> The Integrity Ombudsman is appointed by the President's Board.

<sup>2</sup> If members of the President's Board are involved in the case or if there is an obvious conflict of interest, the Chair of the University Council appoints a special Integrity Ombudsman.

<sup>3</sup> In the event of simple cases and minor breaches of the principles of academic integrity and good academic practice, the Integrity Ombudsman may conduct the investigation of the report alone. In the event of complex cases and gross breaches, an

independent second person familiar with the subject area must be brought in by the Integrity Ombudsman. The second person is also subject to this regulation.

## *Art. 10. Procedural principles*

<sup>1</sup> The Integrity Ombudsman conducts the investigation and carries out the necessary clarifications. The Integrity Ombudsman listens to the relevant parties, in particular the person who submitted the report and the person suspected of the alleged misconduct. The hearings must be conducted separately. Face-to-face meetings are permitted only with the consent of the relevant parties. In order to preserve evidence, the Integrity Ombudsman may inform the faculty and university management bodies of the suspected misconduct and ask them to take precautionary measures, in particular confiscation of data and documents or securing of laboratories.

<sup>2</sup> The person suspected of misconduct has the right to involve a representative of their choosing or legal counsel at their own expense. The Integrity Ombudsman must inform the accused person of this right. The use of an independent party by the suspected person is made at their own expense.

<sup>3</sup> The principle of written form applies. Minutes of the proceedings will be kept. All documents must be placed in a case file and stored accordingly. The person suspected of misconduct has the right to see the documents and to submit a written statement and evidence.

<sup>4</sup> The Integrity Ombudsman concludes the investigation with a report. The report contains a presentation of the facts, the investigative activities and the results of the investigation.

<sup>5</sup> If the Integrity Ombudsman concludes that no breach exists, the Integrity Ombudsman may suspend the proceedings and inform the parties involved of this. The person suspected of misconduct generally has no claim to compensation in such cases.

<sup>6</sup> All parties involved must maintain absolute confidentiality throughout the proceedings, particularly the person who submitted the report and the person against whom the report was submitted.

<sup>7</sup> The University of Basel ensures the protection of the parties involved against possible reprisals or disadvantages. The parties involved have no further claims against the university.

## *Art. 11. Measures and ruling body*

<sup>1</sup> The ruling body is the President's Board of the University of Basel. If members of the President's Board are directly involved in the case, or if disciplinary measures must be taken against a professor, the ruling body is the University Council.

<sup>2</sup> After receipt of the report from the Integrity Ombudsman, the ruling body invites the relevant dean's office to review the matter. If there is a suspicion that if confirmed might lead to measures, at least one external report will be commissioned.

<sup>3</sup> The ruling body generally reaches a decision on the basis of the documents in the case file. The ruling body makes a decision about the severity of the breach and the responsibility, simultaneously determining the disciplinary consequences of the breach of obligations.

<sup>4</sup> In the case of minor and moderate breaches of integrity, the university may issue a reprimand; in the case of serious breaches of integrity, it may give notice of termination, and in very serious cases, it may give notice of immediate termination. Further consequences include the revocation of a degree, the revocation of a title or other measures according to the doctoral degree regulations, study

regulations, habilitation regulations and academic personnel regulations, as well as the provision of notice to other institutions and the public.

<sup>5</sup> If the competent body intends to issue a ruling that incriminates the person suspected of misconduct, the ruling body provides its ruling, together with the review by the relevant dean's office and the external report, to the suspected person for a final consultation.

<sup>6</sup> In justified cases, this can be dispensed with if an immediate ruling is in the public interest. The hearing is to be held as soon as possible thereafter.

<sup>7</sup> The ruling body sets out its ruling against the person concerned in writing. The person who submitted the report is informed when the investigation is completed.

## *Art. 12. Legal action*

<sup>1</sup> Rulings in accordance with this regulation must be sent to the relevant parties in writing, with a notice about the right to appeal. According to the agreement between the Cantons of Basel-Landschaft and Basel-Stadt concerning the joint sponsorship of the University of Basel, and in accordance with the statutes of the University of Basel, they may be contested before the Appeals Committee of the University Council.

<sup>2</sup> In justified cases, the ruling body may revoke the suspensive effect from the appeal.

## *Art. 13. Legal effect*

<sup>1</sup> The integrity regulation enters into legal effect immediately<sup>1</sup>. It replaces the integrity regulation dated October 18, 2011.

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<sup>1</sup> Following publication in the cantonal journal.