

Policy for
Safeguarding Good Research Practice
at Constructor University

The Academic Senate of Constructor University adopted the following Policy for Safeguarding Good Research Practice at Constructor University in its meeting on July 26th, 2023.

The following guidelines are based on the recommendations issued by the German Research Foundation (DFG). Formulations from the above-mentioned texts have been included in the policy in some cases verbatim and in other cases indirectly.

This policy is in harmony with the Constructor University's Code of Academic Integrity and Rules of Procedure of the Ethics Committee at Constructor University.

References to persons and functions in this text are to be taken as including all genders.

Preamble

This policy defines the framework to which we as members and employees of Constructor University and all other persons conducting research at Constructor University adhere. With this new Policy for Safeguarding Good Research Practice, we accept and implement the German Research Foundation's Code of Conduct "Guidelines for Safeguarding Good Research Practice" (DFG code) in the version of July 03, 2019.

The framework for promoting academic integrity, especially in teaching, is defined in the Constructor University's Code of Academic Integrity.

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I. Standards of Good Research Practice at Constructor University

I.1 General Principles of Good Research Practice

Article 1 Subject and Scope of the Policy¹

(1) The present Policy implements the DFG Code of Conduct of July 03, 2019, in a legally binding way at Constructor University (Annex). This Policy outlines the principles of good research practice, in general and in the research process, and describes the Ombudsperson scheme and the Committee for Good Research Practice at Constructor University. It also defines scientific misconduct and the procedure to follow in case of alleged research misconduct.

(2) This Policy applies to all constituencies and employees of Constructor University and to all other persons at Constructor University, who carry out research.

Article 2 Commitment to the General Principles and Their Communication as well as Professional Ethics

(1) The members and employees of Constructor University as well as all other persons at Constructor University, who carry out research, are obliged to comply with the general principles of good research practice² with due regard for the type of research undertaken in their relevant subject area. In particular, the general principles include

- working according to acknowledged, currently valid guidelines to ensure reliable quality assurance in research, as reflected by the compliance with subject-specific standards and established methods, collection and analysis of research data, and selection and use of resources,
- conducting research without prejudging the outcome,
- permitting and promoting critical discourse within the respective research unit and research community,
- documenting results in a fair, transparent, complete, and unbiased way,
- rigorously questioning all findings,
- maintaining strict integrity and honesty to oneself and others when determining scientific facts, maintaining strict honesty in attributing ideas and results to their authors in the past and present, in particular, as regards one's own contributions and those of others (e.g., contributions of persons involved, partners, persons supervised in all qualification phases, competitors, and predecessors),
- respecting colleagues, students, participants in studies, cultural goods, and the environment.

¹ See DFG Code of Conduct 3.1: Applicability, p. 9.

² See DFG Code of Conduct, Guideline 1: Commitment to the general principles, p. 9.

(2) Professional ethics are reflected by all researchers of Constructor University being personally responsible for putting the fundamental values and standards of research into practice and advocating them.³ They have a special responsibility for compliance with the principles of good research practice by them, by persons supervised by them in all qualification phases, as well as by their subordinate employees. All researchers actively participate in the full implementation of Safeguarding Good Research Practice at Constructor University.

(3) Full implementation of good research practice includes communication of the fundamentals of good research work at the earliest possible stage in academic teaching and research training.⁴ This communication is part of mandatory curricula of every degree program at Constructor University.

(4) As part of academic education, the researchers working at Constructor University on all career levels contribute to imparting good research practice. In addition, they should regularly update their knowledge about the standards of good research practice and the current state of the art.⁵

Article 3 Supervision and Promotion of Early-career Researchers

(1) The principles of high-quality supervision and promotion of early-career researchers (doctoral candidates and postdoctoral fellows) at Constructor University must follow the principles laid down in these regulations.

(2) A doctoral agreement concluded between the primary or main supervisor and the doctoral candidate commits both parties to the observation of the rules of good research practice. The Policy for PhD Studies defines minimum requirements for writing dissertations and specifies that the doctoral thesis must represent the candidate's own achievement.⁶ Apart from the doctoral candidate, the supervisor is responsible for compliance with this Policy.

(3) Supervision of doctoral candidates must be accomplished by the supervisors supporting the doctoral candidates in organizing the doctoral process, in establishing an academic network, in identifying career options, and keeping track of current research activities and major development steps of the work. This includes regular talks and progress monitoring for early-career researchers to complete their work within an appropriate period of time.

(4) Postdoctoral fellows at Constructor University are given support for professional growth in this qualification phase that is of crucial importance to the scientific career. Typically, this includes support of the

³ See DFG Code of Conduct, Guideline 2: Professional ethics, p. 9.

⁴ See DFG Code of Conduct, Guideline 2: Professional ethics, p. 9.

⁵ See DFG Code of Conduct, Guideline 2: Professional ethics, p. 10.

⁶ See Policies for PhD Studies at Constructor University in its current version.

postdoctoral fellows in scientific profiling (participation in conferences, publication activities, own project proposals, etc.), regular constructive feedback on the research project and further career perspectives by superiors and granting of a high degree of responsibility and scientific autonomy. The process and responsibilities for habilitation candidates are regulated in the Constructor University Policies for Habilitation Candidates.

Article 4 Responsibility of Leadership

(1) The Executive Board of Constructor University creates the basic framework for research. It is responsible for ensuring adherence to and the promotion of good research practice and for appropriate career support for all researchers and research support staff. The Executive Board of Constructor University guarantees the necessary conditions to enable researchers to comply with legal and ethical standards.⁷ Such basic framework includes, e.g.,

- procedures and principles for staff selection and staff development, which are clear and specified in writing. In staff selection and staff development, due consideration is given to gender equality and diversity as defined in the Constructor University's Gender Equality and Diversity Plan. The relevant processes are transparent and avoid implicit bias to the extent possible,
- suitable supervisory structures and policies for supporting early-career researchers.

(2) The Executive Board is responsible for an appropriate managerial structure at Constructor University. It ensures clear allocation of management, supervisory, quality assurance, and conflict management tasks and suitable communication of them to members and employees.⁸ This also includes the development of appropriate organizational measures to prevent the abuse of power and the exploitation of dependent relationships.⁹ Moreover, every researcher may get advice and support by various offices at Constructor University (e.g., Deans, Ombudspersons, and Research Office) in conflict situations, including other ethical violations that are not under the remit of the present document, e.g., sexual harassment.

Article 5 Responsibility of Work Group Leaders

(1) Research is done by individuals or groups of individuals, which are referred to as Work Group. The leaders of such groups are as a rule professors or lecturers at Constructor University. Members of Work Groups may be staff, early-career researchers, visiting scholars, and may include students.

(2) The size and the organization of the Work Groups should be designed to allow leadership tasks, particularly skills training, research support, and supervisory duties to be performed appropriately. All Work Group leaders are responsible for ensuring clear allocation of management, supervision, conflict management, and quality assurance tasks by an appropriate organization of their work area. They ensure that the members of the Work

⁷ See DFG Code of Conduct, Guideline 3: Organizational responsibility of heads of research institutions, p. 10.

⁸ See DFG Code of Conduct, Guideline 3: Organizational responsibility of heads of research institutions, p. 10.

⁹ See DFG Code of Conduct, Guideline 4: Responsibility of the heads of research work units, p. 11.

Group are aware of their roles, rights, and obligations. This responsibility also includes adequate individual support of early-career researchers and support of the careers of researchers and research support staff. Researchers and research support staff are to benefit from a balance of support and personal responsibility appropriate to their career level with corresponding rights of participation in the Work Group.¹⁰

Article 6 Dimensions of Performance and Evaluation Criteria¹¹

(1) Constructor University follows a multi-dimensional approach regarding performance and evaluation criteria. Where available, performance and assessment criteria for examinations, awarding academic degrees, promotions, employments, and appointments are specified such that originality and quality always have priority over quantity. This primarily applies to the performance- and load-based allocation of funding in research. Quantitative indicators are incorporated in the overall assessment with appropriate differentiation and reflection only.

(2) Apart from research achievements, other aspects may be taken into consideration when assessing the performance of researchers, if this is not prevented by valid legal provisions. For example, involvement in teaching, academic self-governance, public relations, and knowledge and technology transfer, or contributions to the general good of society may be recognized. The approach to research, such as an openness to new findings and a willingness to take risks, may also be considered in the evaluation process. In addition, the principles outlined in the German General Equal Treatment Act (Allgemeines Gleichbehandlungsgesetz, AGG) apply. Where provided voluntarily, individual circumstances stated in curricula vitae may be considered when forming a judgment. These may be periods of absence due to personal, family, or health reasons or prolonged training and qualification phases resulting from such periods, alternative career paths, or similar circumstances.

(3) Reviewers of research theses have to use a transparent evaluation system and maintain their independence as examiners. Their evaluation must be unbiased.

Article 7 Confidentiality and Neutrality of Review Processes and Discussions¹²

Researchers reviewing and evaluating submitted manuscripts, research grant applications, or personal qualifications and working in advisory and decision bodies are obliged to maintain strict confidentiality. Confidentiality of foreign content to which the reviewer or body member is given access also includes disclosure

¹⁰ See DFG Code of Conduct, Guideline 4: Responsibility of the heads of research work units, p. 11.

¹¹ See DFG Code of Conduct, Guideline 5: Dimensions of performance and assessment criteria, p. 11.

¹² See DFG Code of Conduct, Guideline 16: Confidentiality and neutrality of review processes and discussions, p. 19.

to third parties and own use. Third-party content will not be made accessible in any other way; precautions will be taken to protect confidential information.

The reviewer or committee member will immediately inform if confidential information has been disclosed in violation of this policy. The confidentiality obligations do not apply if the scientist has given his/her prior written consent for the specific individual case of passing on the confidential information to a third party. Researchers immediately inform the responsible office of potential conflicts of interest or bias relating to the research project reviewed or the person or matter discussed.

I.2 Good Scientific Practice in the Research Process

Article 8 Cross-phase Quality Assurance and Research Design

(1) Researchers carry out each step of the research process *lege artis*. The research process must be accompanied by continuous quality assurance. This includes, in particular, compliance with discipline-specific standards and established methods, processes, such as equipment calibration, the collection, processing, and analysis of research data, the selection and use of research software, software development and programming, use of AI (such as ChatGPT) and the keeping of laboratory notebooks.¹³

(2) Already when planning research, researchers conduct a careful search with respect to the current state of the art and established standards and applications in practice in order to identify relevant and suitable research questions. Methods to prevent partly unconscious biases are applied when interpreting findings. The relevance of gender and diversity is reviewed with respect to the entire research process.¹⁴

(3) As an essential prerequisite for the comparability and transferability of research findings, researchers use scientifically sound and fully documented methods to answer the research questions. As a rule, application of a method requires specific expertise that is ensured, where necessary, by suitable cooperative arrangements. In particular when developing and applying new methods, importance is attached to quality assurance and the establishment of standards.¹⁵

Article 9 Responsibilities and Roles¹⁶

The roles and responsibilities of the researchers and research support staff participating in a research project must be clear at any stage of the project. The participants in a research project define their roles and responsibilities in a suitable way and adapt them where necessary.

¹³ See DFG Code of Conduct, Guideline 7: Cross-phase quality assurance, p. 13.

¹⁴ See DFG Code of Conduct, Guideline 9: Research design, p. 15.

¹⁵ See DFG Code of Conduct, Guideline 11: Methods and standards, p. 16.

¹⁶ See DFG Code of Conduct, Guideline 8: Stakeholders, responsibilities and roles, p. 14.

Article 10 Legal and Ethical Frameworks, Usage Rights¹⁷

(1) Researchers of Constructor University are obliged to adopt a responsible approach to the constitutionally guaranteed freedom of research. Irrespective of the funding party, this mainly implies unprejudiced research.

(2) In all research projects, applicable legal provisions that result in both rights and obligations have to be observed. These legal provisions include:

1. Laws and acts, such as:

- Copyright Act (Urhebergesetz)
- Data protection regulations (GDPR)
- Act on Inventions of Employees (Arbeitnehmererfindungsgesetz)
- Employment provisions
- Bremen Higher Education Law (Bremisches Hochschulgesetz)

2. Internal rules and guidelines of Constructor University, such as:

- The Code of Academic Integrity
- Rules of Procedure of the Constructor University Ethics Committee
- The Gender Equality and Diversity Plan

3. Agreements with partners and third parties on the rights of use and exploitation of research data and research findings obtained from a research project, such as non-disclosure agreements.

4. Grant notices and grant agreements, including ancillary provisions of the funding parties

(3) According to the valid legal regulations, the researcher responsible for collecting research data is entitled to use them. If possible and reasonable, researchers conclude documented agreements on usage rights at the earliest possible stage of a research project. Such agreements are especially useful at the beginning of a research project when multiple academic and/or non-academic institutions are involved or when it is likely that a researcher will move to a different institution and continue using the data they generated for their (own) research purposes.

(4) Researchers gather approvals and ethics statements and present these when required. Ethical dimensions of the research project should be considered, and the consequences of the research should be

¹⁷ See DFG Code of Conduct, Guideline 10: Legal and ethical frameworks, usage rights, p. 15.

assessed. Researchers observe the binding ethical principles valid at Constructor University. In addition, researchers of Constructor University pay particular attention to aspects associated with security-relevant research (dual use) and the associated risk of misuse of research results.

Article 11 Documentation¹⁸

(1) Researchers must thoroughly document all relevant information pertaining to data collection, experimental methods, and research results production. This documentation should be clear enough to meet the requirements and standards of the relevant disciplinary area. The purpose of such transparency is to enable a comprehensive review and assessment of all research procedures and outcomes. Additionally, it is crucial for researchers to explicitly identify the utilization of AI, including tools like ChatGPT, at any stage of the research process. Moreover, researchers are expected to document individual results that contradict their research hypothesis, avoiding any selective reporting. They should also provide access to information concerning the research data used or generated, methodological evaluations, analytical steps undertaken, and, if applicable, the development of the hypothesis. Furthermore, researchers must ensure the reproducibility of citations and, when developing research software, clearly document the source code and all relevant details.

(2) Where subject-specific recommendations exist for review and assessment, researchers set up the documentation in accordance with these guidelines. If the documentation does not meet these requirements, the constraints and the reasons for them have to be clearly explained.

(3) Documentation and research results must not be manipulated; they are protected as effectively as possible against manipulation.

(4) To the extent reasonable and permitted by legal provisions, third parties are given access to the information according to para. 1, in particular when access to research findings is to be granted according to art. 13.

(5) Pre-registration of research, for example, with Open Science Foundation is encouraged.

Article 12 Archiving¹⁹

(1) Research results as well as the central materials on which they are based and, if applicable, the research software used are retained for a period of ten years as a rule using adequate means according to the standards of the relevant disciplinary area. Such research data include measurement results, software codes, simulation

¹⁸ See DFG Code of Conduct, Guideline 12: Documentation, p. 16/17.

¹⁹ See DFG Code of Conduct, Guideline 17: Archiving, p. 20.

results and analytical calculations, collections, study surveys and questionnaires, as well as cell cultures, material samples, or archeological findings and use of AI (such as ChatGPT). Archiving takes place on durable and secure carriers in the Work Groups or at the institute where the data were produced, at other reliable institutions (in particular archives or libraries), or at acknowledged repositories. In justified cases, shorter archiving periods may be appropriate, e.g., for primary data not archived on durable and secure carriers; the reasons for this are described clearly and comprehensively. The archiving period begins on the date when the results are made publicly available.

(2) The heads of the Work Groups are responsible for ensuring archiving and, for this purpose, adopt suitable regulations based on legal provisions or acknowledged rules for research in the respective subject area. The infrastructure required for data archiving, such as data repositories and long-term data storage, is made available by Constructor University.

(3) Storage obligations due to legal provisions and measures to protect personal data remain unaffected.

Article 13 Scientific Publication and Providing Public Access to Research Results

(1) As a rule, researchers make all results available as part of scientific discourse, unless this is prevented by legal framework conditions (cf. art. 10, para. 2). To the extent possible and pertinent, third parties are provided access to all relevant information required for potential replication. In specific cases, however, there may be reasons not to publish the results, which must be documented (e.g., contractual obligations, patent applications). Researchers decide autonomously – with due regard for the conventions of the relevant disciplinary area – whether, how, and where the research results are made publicly available. This decision must not depend on third parties. If it has been decided to make research results publicly available, the following requirements must be considered.²⁰

(2) Scientific publications

- describe the findings completely, validly, and, if pertinent, reproducibly,
- always outline the quality assurance mechanisms applied, in particular when new methods are developed²¹,
- disclose the origin of the data, organisms, materials, and software used in the research process and clearly indicate the reuse of data²², while protecting information about the identity of participants in accordance with reference to ethical guidelines,

²⁰ See DFG Code of Conduct, Guideline 13: Providing public access to research results, p. 17.

²¹ See DFG Code of Conduct, Guideline 7: Cross-phase quality assurance, p. 13.

²² See DFG Code of Conduct, Guideline 7: Cross-phase quality assurance, p. 14.

- provide full and correct information about their authors' own preliminary work and that of others by citations, the use of AI (such as ChatGPT) and references²³,
- repeat earlier published findings in a clear form and to the extent required for understanding the context only. In line with the principle of "quality over quantity," researchers avoid splitting research into inappropriately small publications.²⁴

(3) In the interest of transparency and to enable research to be referred to and reused by others, researchers make, where possible and reasonable, available the research data, principal materials, information, and applied methods on which the publication is based, provide access to the software used, and comprehensively describe the work processes. This is done in recognized archives and repositories in accordance with the FAIR principles (findable, accessible, interoperable, reusable) or on dedicated data repositories of Constructor University. If self-developed research software is to be made available to third parties, this is usually done with the source code being indicated and use of an appropriate license.²⁵ The source code must be persistent and citable.²⁶

(4) Authors select the publication medium carefully, with due regard for its quality and visibility in the relevant field of discourse. Publication media include books, journals, academic repositories, data and software repositories, as well as blogs, workshops, and scientific conferences. Researchers who assume the role of editor carefully select for which publication medium they will carry out this activity. The scientific quality of a contribution does not depend on the medium in which it is published. A major criterion to selecting a publication medium is whether it has established guidelines on good research practice.²⁷ Predatory outlets may not be used.

(5) If researchers have made their findings publicly available and subsequently become aware of inconsistencies or errors in them, they take care of the necessary corrections. If the inconsistencies or errors constitute grounds for retracting a publication, the researchers will promptly request the publisher, infrastructure provider, etc. to correct or retract the publication and make a corresponding announcement. The same applies if researchers are made aware of such inconsistencies or errors by third parties.²⁸

Article 14 Authorship²⁹

(1) An author is an individual who has made a genuine, identifiable contribution to the content of a research publication of text, data, or software. Depending on the individual case and considering the disciplinary area, an

²³ See DFG Code of Conduct, Guideline 13: Providing public access to research results, p. 17.

²⁴ See DFG Code of Conduct, Guideline 13: Providing public access to research results, p. 18.

²⁵ See DFG Code of Conduct, Guideline 13: Providing public access to research results, p. 18.

²⁶ See DFG Code of Conduct, Guideline 7: Cross-phase quality assurance, p. 14.

²⁷ See DFG Code of Conduct, Guideline 15: Publication medium, p. 19.

²⁸ See DFG Code of Conduct, Guideline 7: Cross-phase quality assurance, p. 13.

²⁹ See DFG Code of Conduct, Guideline 14: Authorship, p. 18.

identifiable, genuine contribution is deemed to exist particularly in instances in which a researcher, in a research-relevant way, takes part in

- the development and conceptual design of the research project, or
- the gathering, collection, acquisition, or provision of data, software, or sources, or
- the analysis / evaluation or interpretation of data, sources, and conclusions drawn from them, or
- the drafting of the manuscript.

(2) When completing the list of authors, researchers must make sure that all contributors in the sense of para. 1, who are not excluded via para. 3 are listed as authors. The order in which authors appear should be agreed upon as early as possible to avoid potential disagreements.

(3) Contributions not sufficient to justify authorship include activities such as:

- the merely organizational responsibility for the acquisition of funds,
- the provision of standard study materials,
- training of staff in standard methods,
- a mere technical participation in data collection,
- pure technical support services, e.g., the mere provision of instruments and test animals,
- the handing over of data sets,
- proof-reading of the manuscript without a substantial contribution to the content,
- heading of the research work unit according to art. 5, para. 2, in which the publication was generated.

If appropriate, the letter types of support may be acknowledged in footnotes, in a foreword, or in an acknowledgment.

(4) A so-called “honorary authorship” where no such contribution according to para. 1 was made, is not permissible. A leadership or supervisory function does not itself constitute co-authorship.

(5) Authors are always jointly responsible for the content of a scientific text, data, or software publication and products generated by employing AI (such as ChatGPT). The authors jointly ensure that no co-author was ignored and that all authors agreed on the final version of the work to be published. All authors agree in good time on the order in which authors are named in accordance with clear criteria that reflect the practices within the relevant disciplinary area. Agreement is reached no later than the point in time when the manuscript is drafted.

(6) Researchers may not refuse to give their consent to the publication of results without sufficient grounds. Refusal of consent must be justified with verifiable criticism of data, methods, or results.

(7) Authors seek to ensure that, as far as possible, their contributions are identified by publishers or infrastructure providers such that they can be correctly cited by users.

I.3 Ombudspersons and Standing Committee for Good Research Practice

Article 15 Local Authorities for Safeguarding Good Research Practice

At Constructor University the following persons/committees are responsible for safeguarding good research practice:

- The Ombudspersons as defined in article 16 and 19 of this policy;
- A standing committee for the investigation of allegations of academic misconduct as defined in article 17 and 19 of this policy;
- Ethics Committee as defined in § 2 of the Rules of Procedure of the Constructor University Ethics Committee; and
- Committee on Academic Integrity as defined in article 4 of the Constructor University Code of Academic Integrity.

Article 16 Appointment and Tasks of Ombudspersons³⁰

(1) The President appoints an independent Ombudsperson and a deputy from the group of associate and full professors at Constructor University as contact persons for members and employees of Constructor University and for all other persons conducting research at Constructor University; they deputize for each other in the event of a potential conflict of interest or unavailability. Ombudspersons may not serve as members of a central governing body of Constructor University as defined in the Academic Constitution of Constructor University chapter 4 or 5 while serving in this role. Their term of office is four years and reappointment for another term of office is possible.

(2) When carrying out their duties, Ombudspersons are given the support and acceptance they need by the Executive Board of Constructor University.

(3) The appointment of the Ombudsperson at Constructor University is announced together with information on how they can be reached on all relevant communication channels.

³⁰ See DFG Code of Conduct, Guideline 6: Ombudspersons, p. 12/13. See also the Academic Constitution of Constructor University chapter 6.2.

(4) As a neutral and qualified contact person, Ombudspersons advise on issues relating to good research practice and in cases of alleged research misconduct. As persons of trust, they advise those who inform them about an alleged research misconduct of others (complainants) and those suspected or accused of research misconduct and, where possible, contribute to solution-oriented conflict mediation. The Ombudspersons submit annual anonymized reports to the President.

(5) The Ombudspersons are autonomous and independent and observe the principles of a fair and confidential procedure. They observe the applicable legal provisions and internal rules of Constructor University, as amended.

(6) All members and employees of Constructor University and all other persons conducting research at Constructor University are free to contact either the Ombudsperson of Constructor University or the national "German Research Ombudsman". The "German Research Ombudsman" is an independent body established by the German Research Foundation (DFG) that provides advice and support on issues relating to good research practice and allegations of inappropriate conduct.³¹

Article 17 Composition and Tasks of the standing committee for the investigation of allegations of academic misconduct

(1) A standing committee for the investigation of allegations of academic misconduct will be appointed, to comprise:

- the professors sitting on the University Committee of Academic Integrity (UCAI) of Constructor University Bremen,
- one member of the Ethics Committee,
- the Ombudsperson and their deputy as guests performing an advisory function.

(2) The Committee elects a Chairperson and a Vice-Chairperson by simple majority vote. Each voting member has one vote.

(3) The members of the Committee as well as the permanent deputies are independent and observe the principles of a fair and confidential procedure. They observe the applicable legal provisions and internal rules of Constructor University as amended. The members and their permanent deputies as well as the guests of the Committee are subject to secrecy.

(4) The Committee will act in response to a request by the Ombudspersons, by one of the Committee's members, or the President.

³¹ See DFG Code of Conduct, Guideline 6: Ombudsperson, p. 13.

(5) If the Ombudspersons are given information suggesting that academic misconduct has taken place, they will investigate the circumstances according to their best judgement. If they conclude that there are adequate grounds for suspecting academic misconduct, they will notify the Committee.

(6) The Committee will also act if information suggesting that academic misconduct has taken place is supplied to it directly.

(7) The Committee must do what it can to clarify the matter and must report to the President. It shall decide the method to be used according to its best judgement. The legal right of the person concerned to be heard must be protected. They can ask to be given a personal hearing, as can the informant in the case of contradicting statements. The right of those involved to inspect files is as provided by the relevant general rules.

(8) Furthermore, the Committee advises the President in the further development of good research practice at Constructor University and studies cases of alleged research misconduct. The responsibilities of the examination, doctoral, and habilitation committees as well as UCAI and the Ethics Committee remain unaffected. The Chairperson annually reports to the President.

II. Non-compliance with Good Research Practice and Procedures

II.1 Non-compliance with Good Research Practice

Article 19 Scientific Misconduct

Scientific misconduct exists in particular when false data are provided in a deliberate or grossly negligent manner, intellectual property of others is violated, or the research activity of third parties is considerably impaired in another way.

Scientific misconduct in the sense of cl. 1 in particular is the:

1. Falsification of scientific facts, for example by
 - the invention / faking of results,
 - the falsification or ignorance of undesired data and results, e.g., by concealment or ignorance,
 - the intentionally distorted interpretation of results, and
 - the intentionally distorted reproduction of research results of others.
2. Deception by intentional misinformation in e.g.,
 - applications,
 - proposals for funding and reports on the use of funds,
 - publications, e.g., multiple publications without the corresponding citations. This implies that copying of larger text sections of already published publications or publications in print (also with small cosmetic corrections) or parallel submission of the same article to various journals is not permitted, if

these copies are not marked and cited correctly. The same applies to qualification theses, such as dissertations.

3. Violation of intellectual property, e.g., by

- unauthorized use under the pretense of authorship (plagiarism) or failure to indicate the use of AI (such as ChatGPT) for content creation. Examples of plagiarisms are copies and pastes of texts without correct citation (complete plagiarisms), plagiarisms with text changes / concealment / paraphrasing, translation plagiarisms, pawn sacrifices (a source is indicated, but the text is not marked as copied word by word), copies of figures, graphical representations, and tables without a correct citation, plagiarisms of ideas and structures, duplicate publications, auto-plagiarism,
- exploitation of unpublished concrete ideas, methods, research results, or approaches of others without their approval (theft of ideas), which does not necessarily represent a copyright violation. A line of thought of others requires citation, even if it does not exist in written form (record, document, image, ...),
- pretense or unjustified assumption of scientific authorship or co-authorship,
- refusal of co-authorship rights of others based on adequate contributions,
- deliberate concealment of major relevant preliminary work of others,
- intentional or unacceptable delay of the publication of a scientific work in particular as superior, editor, or reviewer,
- intentional or unacceptable delay of the submission of a doctoral thesis, or
- unauthorized publication and unauthorized disclosure to third parties, as long as the work, the finding, hypothesis, theory or research approach has not yet been published.

4. Claiming of (co-)authorship of another person without their approval.

5. Sabotage by malicious damage, destruction, or manipulation of equipment or materials, e.g.,

- devices and experimental setups,
- data, documents, and electronic software, or
- consumables (e.g., chemicals).

6. Violation of the rules for the documentation, archiving, and use of research data (see Articles 10, 11, 12), in particular their manipulation and disposal.

7. Participation in the scientific misconduct of others, by e.g.,

- active participation in the misconduct of others,
- deliberate co-authorship in false publications, or
- contribution of texts or passages to the qualification thesis of another person (ghostwriting).

8. Scientific misconduct as superior, head of a research work unit according to art. 5, para. 2 or project managers, e.g.,
- gross neglect of supervisors' duties and quality assurance or
 - setup of contractual provisions or giving of instructions that contradict the rules of good research practice.

II.2 Procedure in Case of Alleged Research Misconduct

Article 20 General Principles and Rules of Procedure³²

- (1) All persons at Constructor University involved in the investigation of an alleged research misconduct are subject to the principles of fair and confidential procedure. The presumption of innocence is adhered to.
- (2) All persons at Constructor University involved in a procedure to investigate allegations of misconduct take appropriate measures to protect both the complainant and the respondent. The information disclosed by the complainant in good faith and based on concrete and reproducible indications should not disadvantage the complainant's research or professional career prospects. This also applies when research misconduct cannot be proved, unless the complaints have been made against one's better knowledge. Unless the contrary is proved, the respondent must be presumed to be innocent in any stage of the procedure. The respondent should not experience any disadvantage resulting from the investigation of the allegation until such time as research misconduct has been formally established.
- (3) If the complainant's identity is known, the investigating body will keep their name confidential and will not share it with third parties without the individual's consent. Different requirements apply only if there is a legal obligation to disclose the name or if the respondent cannot otherwise properly defend herself or himself because, as an exception, the case concerns the identity of the complainant. The investigating body will promptly inform the complainant if their name is to be disclosed. In any stage of the procedure, the respondent and complainant are each given the opportunity to be heard.
- (4) Until such time as it is demonstrated that misconduct has occurred, information relating to the individuals involved in the process and the findings of the investigation are treated confidentially.³³
- (5) The Ombudspersons and the Committee investigate allegations of research misconduct at their due discretion. In case of parallel pending proceedings of doctoral dissertation, habilitation, or other internal

³² See DFG Code of Conduct, Guideline 18: Complainants and respondents, p. 21

³³ See DFG Code of Conduct, Guideline 19: Procedures in cases of alleged research misconduct, p. 23

committees as well as court proceedings covering largely the same allegations, the Ombudspersons or Committee may suspend the procedure.

- (6) Even if it was suspended by the Ombudspersons or Committee, the procedure can be resumed any time, if a new allegation is raised or new facts become known.
- (7) The Ombudspersons and members of the Committee are not permitted to act in an advisory or deciding capacity, if³⁴
 1. they are accused of research misconduct, or the decision of the matter may result in a direct legal, economic, immaterial or other advantage or drawback, or
 2. they are relatives of a person specified in No. 1, or
 3. they represent a person specified in No. 1 by law or by authority or are relatives of the representing person, or
 4. they are employed against payment by a person specified in No. 1 or are in another, particularly economically dependent, relationship to this person.
- (8) In case of a good cause justifying mistrust of an impartial performance of the work as Ombudsperson or if such a cause is invoked by the complainant or the respondent, the deputy of the Ombudsperson takes over work. In case of an apprehension of bias of the deputy, the President of Constructor University appoints a suitable substitute person according to art. 16, para. 1. This substitute person will act in compliance with the rights and obligations of an Ombudsperson as outlined in the provisions of this Policy and in particular in art. 16, para. 5.
- (9) In case of a good cause justifying mistrust of impartial performance of work as a committee member or if such a cause is invoked by the complainant or respondent and if such a conflict of interest is established, the permanent deputy of the Committee member will become active. In case of an apprehension of bias of the permanent deputy, the Faculty Council appoints a substitute member according to the RoP UCAI art. 3, para. a.1. This substitute member will act in compliance with the rights and obligations of a committee member as outlined in the provisions of this Policy and in particular in art. 17, para. 3.
- (10) When investigating an alleged research misconduct, legal data protection regulations are always observed. In particular, it is adhered to the basic principles of purpose, proportionality, and data economy. Any data collected and stored during the procedure must be protected against unauthorized access.

³⁴ See DFG Code of Conduct, Guideline 19: Procedures in cases of alleged research misconduct, p. 22/23

Article 21 Preliminary Proceedings

- (1) In case members and employees of Constructor University or any other persons conducting research at Constructor University become aware of concrete grounds for alleged research misconduct, they immediately inform the Ombudsperson (art. 16) responsible for starting preliminary proceedings at Constructor University or the national body "German Research Ombudsman". As a rule, this information, which may also be anonymous, should be made in writing and, to the extent possible, evidence, proofs, etc. should be enclosed. The Ombudsperson keeps brief anonymous case files during the investigation. If the complainant is unable to verify the facts personally or if there is uncertainty whether an observed set of circumstances represents research misconduct, the complainant should consult the Ombudsperson or the body "German Research Ombudsman" to clarify the allegation.³⁵
- (2) The Ombudspersons check the allegations raised for plausibility, concreteness, significance, potential motives, and for possibilities of dispelling or invalidating them. This also holds for allegations raised by external persons.
- (3) At their discretion, the Ombudspersons can make attempts of mediation between the complainant and respondent. However, this will not replace proper preliminary proceedings.
- (4) In the event of sufficiently concrete grounds for alleged research misconduct, the respondent must be given the opportunity to comment in writing on the allegations raised and evidence presented. Without the complainant's approval, their identity will not be disclosed to the respondent in this stage of the proceedings, unless otherwise provided in art. 20, par. 3. The respondent must be informed of the fact that they are free to comment on the allegation and to seek legal representation anytime. The deadline for commenting is four weeks. In the individual case, it may be extended.
- (5) Upon receipt of the comment or expiry of the deadline, the Ombudsperson decides whether further investigations are needed, the main proceedings are to be initiated according to art. 22, other bodies have to be involved, or the proceedings may be terminated. The respondent and the complainant must be informed about the decision.
- (6) In case of sufficient grounds for alleged research misconduct, the matter is referred to the Standing Committee for the Investigation of Allegations of Academic Misconduct, the University Committee on

³⁵ See DFG Code of Conduct, Guideline 18: Complainants and respondents, p. 21; Framework for Securing Good.

Academic Integrity, responsible examination, doctoral dissertation, or habilitation committee. If this allegation of research misconduct already results in tasks and obligations of the employer to avoid major disadvantages for the Constructor University or necessary for other important reasons (e.g., checking the initiation of disciplinary, labor, civil, criminal, and/or administrative proceedings), the Executive Board is informed accordingly.

- (7) The preliminary proceedings must be terminated, if
1. the allegation has not been confirmed,
 2. the investigation turned out to be impossible even when using all means available, or
 3. insignificance was found.

Termination of the proceedings due to insignificance may be considered in particular when minor research misconduct is established, or the respondent has largely contributed to clarification. Initially, the complainant is informed about the termination decision with the reasons being indicated. In case the complainant does not agree with the termination of the preliminary proceedings, they have the right to request a review of the decision by the Committee within a period of two weeks. The Ombudsperson informs the respondent and the complainant in writing about the decision taken after the preliminary proceedings and the major reasons.

- (8) In case a termination of the proceedings is out of the question, main proceedings by the Committee are initiated by the Ombudsperson, who reports the allegations and the findings of the preliminary proceedings to the Chairperson of the Committee. As for the rest, the Ombudsperson is obliged to secrecy. In the event of a start of main proceedings, the complainant must be informed that the decision made must be treated confidentially.

- (9) The Ombudsperson provides for expeditious preliminary proceedings.

Article 22 Main Proceedings

- (1) The Committee discusses the matter orally in a closed session. Committee members who appear to be biased do not take part in the discussion of this individual case. The Committee checks by free consideration of evidence whether a case of research misconduct exists, and which measures have to be taken according to art. 23, para. 2. The contents, proceedings, and results of the investigations must be documented clearly in writing.

- (2) In the individual case, the Committee can request external experts to assess the research matter as guests having no right to vote. art. 17, para. 3 applies accordingly.
- (3) The respondent accused of research misconduct must be given the opportunity to comment in an appropriate way. The respondent must be informed that they are free to comment orally or in writing or not to comment on the matter and to seek support by a trusted representative or assistant. For commenting, the respondent is given an appropriate deadline in writing. In case the respondent is prevented from observing this deadline for good reasons and if the respondent has communicated this promptly, the deadline must be extended.
- (4) The name of the complainant is confidential. It is disclosed only when a legal obligation exists or the respondent cannot otherwise properly defend themselves because, as an exception, the case concerns the identity of the complainant (art. 20, para. 3).
- (5) In case the responsible doctoral dissertation or habilitation committee initiates proceedings based on a sufficiently concrete allegation of research misconduct, the Committee may temporarily suspend its investigation. If the allegation of research misconduct results in tasks and obligations of the employer according to art. 21, para. 6, applies accordingly.
- (6) In cases of research misconduct in connection with own scientific qualification theses (dissertation, habilitation theses) and in proceedings for the deprivation of academic titles, the corresponding bodies of the Constructor University departments (e.g., doctoral dissertation committee, habilitation committee) are responsible. In such proceedings, an Ombudsperson may be requested to start preliminary proceedings according to art. 21, if the allegation was not presented to an Ombudsperson. When these bodies discuss the above cases, an Ombudsperson for Safeguarding Good Research Practice must be requested to participate with an advisory vote. The Ombudsperson will become active in the case of a sufficiently concrete allegation as outlined in art. 21, para. 6, even when no preliminary proceedings were initiated.
- (7) If the majority of the members of the Committee for the investigation of allegations of academic misconduct considers research misconduct to be established and a measure to be necessary, the Committee forwards the results of its investigations and the reasons that led to this result to the President of Constructor University together with a proposal for further action. Otherwise, the proceedings are terminated. The Committee informs the respondent and the complainant in writing about the major reasons that led to the termination of the proceedings.
- (8) The Committee provides for expeditious main proceedings.

Article 23 Termination of the Proceedings

(1) The Executive Board may return the report to the Committee for further clarification of the matter or adopts one or several measures specified in para. 2 or initiates such measures to protect the scientific standards of Constructor University and the rights of all persons affected directly or indirectly.

(2) Depending on the circumstances of the individual case and on the type and severity of the established research misconduct, the following measures may be considered:

1. Initiation of administrative measures of academic nature, such as
 - revocation of academic degrees
2. Measures under labor law, such as
 - warning
 - termination of the employment contract
3. Disciplinary measures, such as
 - reprimand
4. Measures under civil law, e.g.,
 - surrender claims
 - claims for removal and cease under copyright law, privacy law, patent law, and competition law
5. Initiation of criminal proceedings based on e.g., suspicion of violation of copyrights, document fraud
6. Request to withdraw scientific publications
 - If the faulty scientific publication is unpublished, request to the respondent to retract it
 - If the faulty scientific publication has already been published, request to the respondent to correct it (revocation)
7. Information of third persons and of the public

The Executive Board decides whether and to what extent third persons must be informed. Third persons may be other researchers, scientific institutions, scientific journals and publishers, funding institutions and science organizations, professional associations, ministries, and the public, provided that these have a justified interest in the decision. A justified interest exists in particular when the information is indicated for the protection of third persons, for maintaining trust in scientific honesty, for restoring scientific reputation, for preventing consequential damage, or if it is in the justified public interest.

(3) The respondent and the complainant must be informed in writing about the major reasons that led to the decision of the Executive Board. The parties' right to inspect the files is subject to. Upon the termination of

the proceedings, the files of the formal investigation are kept by Constructor University for a period of 30 years. For this period, the persons named in connection with alleged research misconduct have the right to be given confirmation of release, if this allegation was not confirmed. Moreover, the Executive Board informs the Ombudspersons and the Committee about the final result of the proceedings.

III. Concluding Provisions

Article 24 Entry into Force, Transition Provisions

(1) The Policy for Safeguarding Good Research Practice at Constructor University are published on the public internet site of Constructor University. They enter into force on the day when both the Academic Senate and Executive Board of Constructor University have approved them. In parallel, the Guidelines to ensure good academic practice and for handling academic misconduct in teaching and research cease to be in force.

(2) Proceedings initiated according to the Guidelines to ensure good academic practice and for handling academic misconduct in teaching and research will be continued in accordance with these provisions.

(3) Until the new appointment of Ombudspersons according to art. 16 and the new appointment of the Committee members according to art. 17, previous Ombudspersons and previous Committee members shall continue their work. Previous terms of office should be accounted for when current office holders reapply for a second term of office.

Bremen, April 3rd, 2024

Dr. Stanislav Protassov
President
Constructor University

Prof. Dr. Werner Nau
Interim Provost
Vice President and Head of Academic Operations
Constructor University