



## Statutes of the University of Ulm

### to Ensure Good Scientific Practice

According to §7 para. 2 clause 1 of the UG the Senate of the University of Ulm decided on the following statutes in its meeting on 29 April 1999:

#### **Preamble**

The purpose of scientific work is to gain knowledge. A basic prerequisite is the honesty of the scientist. As opposed to an error – which is sometimes difficult to define – dishonesty in scientific work contradicts the very nature of science and the responsibility of the scientist towards society. No rule or regulation can substitute honesty. However, with the present statutes, the University of Ulm would like to set the basic conditions for good scientific practices in order to avoid misconduct.

The University of Ulm takes it for granted that its members share these values and therefore the following basic principles are common practice:

All personnel terms apply equally to men and women.

#### **1. Basic principles of good scientific practice**

(1) General principles of scientific work are particularly:

- to work according to the rules of the trade
- to log and document data and store it for at least 3 years
- to document results
- to personally and consequently doubt all results
- to preserve strict honesty with regard to contributions from partners, competitors and predecessors

- (2) Every member of the University is responsible that he himself as well as all his junior staff abide by these principles. They are a solid part of lecture and training of next generation's scientists who should not only be conveyed academic knowledge and skills, but also an ethical attitude in their scientific work.

## **2. Publications, Authorship and Responsibility**

Scientists have a duty towards society to account for their work so that society can benefit from it. Publications should fulfill the following criteria:

- publishing of new observations and insights in original works
- verifiability of publications i.e. recording of all methodical data
- taking into consideration and indication of relevant previous works by other authors
- authorship means making essential contributions (such as conception, collection, evaluation and preparation of data into a manuscript that can be published later on)
- authorship also means joint responsibility for the overall concept, being director of a division or department does not justify authorship

The observance of these rules shall be documented with the attached form.

## **3. Next Generation's Scientists**

- (1) A great deal of attention is being placed on the training and the promotion of next generation's scientists.
- (2) Postgraduate students and other junior scientists shall be coached by at least two senior scientists whereby one of these scientists shall not belong to the same working group or department as the junior scientist. The senior scientists shall remain at the disposal for any advice or assistance that is needed and if necessary, they shall also be mediators in conflict situations.
- (3) If other statutes such as regulations for examinations, graduations and postdoctoral lecture qualifications already specify supervision of junior scientists by senior scientists then it shall apply as mentioned in para. 2.

## **4. Performance Appraisal**

Criteria for performance appraisals for examinations, granting of academic degrees, promotions, employment, appointments and appropriation of funds shall be established in such a way that originality and quality always take priority over quantity.

## 5. Misconduct

- (1) Scientific misconduct exists if in a science-related context when there is conscious or grossly negligent misrepresentation of data, if intellectual property of others is being violated or if research work of others is in any other way being impaired. The circumstances of each individual case are crucial.
- (2) The following behaviour qualifies as grave misconduct:
  - a) Misrepresentation of data i.e.:
    - to make up data
    - to falsify results by selecting and rejecting unwanted findings without disclosing this or by manipulation of a statement or a figure
    - false statements in a job application or in a request for funds.
  - b) Violation of intellectual property by:
    - unauthorised utilisation of data by claiming authorship (Plagiarism)
    - exploitation of research approaches and ideas, especially as an assessor (theft of ideas)
    - presumption and unfounded acceptance of scientific authorship or co-authorship
    - falsification of the content
    - unauthorized publishing and unauthorized disclosure to a third party while work, findings, hypothesis, doctrine and scientific approach have not been published yet.
  - c) Claiming someone else's (co-)authorship without his approval.
  - d) To sabotage someone else's research activity including damaging, destroying or manipulation of experiment instructions, equipment, documentation, hardware and software, chemicals or any other items that might be necessary to carry out experiments.
  - e) Removal of primary data in such a way that legal regulations or other accepted principals are being violated.
- (3) Joint responsibility for misconduct can arise – among other things – from:
  - active involvement in the misconduct of others
  - knowing about falsifications committed by others
  - co-authorship at falsified publications
  - gross negligence of the obligatory supervision.

## 6. Committee

- (1) The Senate appoints a permanent committee called "Responsibility in Science" that will monitor that these guidelines are being complied with. The committee consists of five professors, a member of the scientific service, a postgraduate student and a member of the non-scientific service. Should a member declare to be biased or is being rejected due to founded assumption of bias then the senate will appoint a substitute.

- (2) Members of the Committee should not hold office in one of the self-governing bodies of the university. The term of office is two years with the possibility to be re-appointed once.
- (3) The ombudsman or his deputy are part of the Committee as guests and have an advisory vote. If no member of the Committee has the qualification for judgeship then a lawyer of the university management will perform the duty with an advisory voice.
- (4) The Committee will elect a chairman among its members. It decides with a majority vote.

## **7. The Ombudsman**

- (1) The Senate appoints a professor with scientific experience upon proposal from the rector who will be the contact person for university staff submitting allegations of scientific misconduct (ombudsman) and also a deputy in case of bias or unavailability of the ombudsman. Only those persons shall be appointed as ombudsmen who themselves are not bound to act appropriately based on information they might possibly be receiving. (e.g.: as prorector, dean, supervisor). The ombudsman's term of office is two years.
- (2) As a confidant, the ombudsman gives advice to those persons who brief him on alleged scientific misconduct and takes up relevant clues he finds out. He reports to the rector annually.

## **8. Pre-Inquiry Proceedings**

- (1) In case of an existing suspicion involving scientific misconduct the ombudsman or a Committee member shall be briefed immediately. Briefing shall be in writing, in case of oral briefing a written notification shall be made regarding suspicion and corroborating evidence.
- (2) Should the ombudsman or a member of the Committee find out about scientific misconduct he shall verify the allegations with regard to plausibility, tangibility and importance, possible motives and if there is a possibility that the allegations can be dispelled. Should the suspicion prove to be sufficiently real he shall communicate the allegations to the Committee while maintaining strict confidentiality towards the informant.
- (3) The Committee will act upon request from the ombudsman or one of its members. It will also act when it receives direct hints regarding scientific misconduct and will brief the ombudsman on them.
- (4) After the Committee has specified the incriminating facts and evidence to the scientist who is being accused of misconduct (accused scientist), he shall be given the

immediate opportunity to make a statement, without revealing the informant's identity to him. The committee will point out to him that he is free to respond to the accusation, or not to testify, or to seek legal advice at his own choice at any time. The deadline for a statement will be three weeks.

- (5) After the Committee receives the statement of the accused scientist, or when the deadline for his response to the accusations has expired, it will come to a decision whether the pre-inquiry proceedings will be closed, or if official inquiry proceedings will be started. Pre-inquiry proceedings shall be closed if suspicion cannot sufficiently be confirmed, or if the alleged misconduct has been clarified completely. The accused scientist as well as the informant will be notified of the closure of proceedings and the reasons why they were closed.
- (6) If the informant does not agree with the closure of the pre-inquiry proceedings he has the right to initiate a re-examination of the decision within two weeks.

## **9. Official Inquiry**

- (1) The chairman of the Committee shall notify university management about the opening of official inquiry proceedings.
- (2) At its own discretion, the Committee can call in experts on the scientific issue, which is to be examined, and also experts in dealing with similar issues as additional members who will have an advisory vote.
- (3) The Committee debates in a non-public oral hearing. It examines with free argumentation whether scientific misconduct exists. The accused scientist shall receive adequate opportunity to respond to the accusations whereby it shall be pointed out to him that he is free to make a statement regarding the accusation, and that he can seek legal advice of his own choice at any time. The accused scientists can also be heard orally, if he so chooses. Should other persons also be heard, they too have the right to an oral hearing and can also seek advice. If the accused scientist needs to know the identity of the informant in order to defend himself properly, then the identity shall be revealed to him. The basic principles as applied in the code of criminal investigations shall be applied accordingly.
- (4) Proceedings will be closed, if the Committee considers misconduct not to be evident. If misconduct is evident, the Committee will present the results of the inquiry to the rector together with a proposal for further proceedings – with reference to the protection of the rights of other persons – for his decision and initiation of further steps.
- (5) The accused scientist and the informant shall receive immediate written notification of the basic reasons which led to the closure of the proceedings or if the case was forwarded to the rector.
- (6) There are no legal means against the decision of the Committee.

- (7) The records of the official inquiry shall be kept for 30 years.

## **10. Further Proceedings**

- (1) If scientific misconduct has been determined, the university management will examine the necessity to take further steps. This is being done in order to maintain the scientific standard of the university and also to protect the rights of all persons directly or indirectly involved. Penalty for scientific misconduct depends on the circumstances of each individual case.
- (2) Depending upon circumstances, academic, civil, criminal, legal and disciplinary actions, or actions pertaining to labour laws will be taken and the appropriate proceedings will be applied or initiated.

## **11. Entry into force**

- (1) This statute will be effective the day after its publication in the official bulletins of the University of Ulm.
- (2) Simultaneously, "The responsibility in Science – Principles and Recommendations of the Senate of the University of Ulm, 13 November 1998" (Official Bulletin No 10, 24 November 1998, Page 44-55) will be suspended.

Ulm, 29 April, 1999

signed

(Prof. Dr. H. Wolff)  
- Rector -



# Universität Ulm

## Author Declaration on Original Scientific Publications

(This declaration specifying authorship and co-authorship together with all the signatures shall be deposited with the corresponding author and shall be kept for 10 years prior to being sent off for publication)

Title of original publication:

Authors by order of appearance:

Name of Journal:

I hereby declare to assume responsibility for the content of my own part of the publication as well as joint responsibility for the whole publication.

1. Author: Last Name, First Name

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Signature

2. Author: Last Name, First Name

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Signature

3. Author: Last Name, First Name

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Submitted on: