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Rules to Secure Good Research Practice and Avoid Academic
Misconduct at the University of Rostock of 5 May 2023

Rules to Secure Good Research Practice and Avoid Academic Misconduct at the University of Rostock

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Based on § 51(2) in conjunction with § 2(1) of the *Landeshochschulgesetz* (hereinafter State Higher Education Act) in the version announced on 25 January 2011 (Law and Ordinance Gazette of Mecklenburg-Vorpommern (GVOBl. M-V) p. 18), last amended by the Sixth Act to Amend the State Higher Education Act of 21 June 2021 (GVOBl. M-V p. 1018), the University of Rostock has hereby passed the following Rules to Secure Good Research Practice and Avoid Academic Misconduct at the University of Rostock as statute:

Preamble

With these rules for securing good research practice, the University of Rostock fulfils the legal obligation pursuant to § 51(2) State Higher Education Act (LHG-MV), according to which all persons who are employed in scientific roles at the university as well as all students are obliged to scientific honesty. The University of Rostock gives itself these rules in full conviction and in high responsibility of the professorial staff for the freedom and responsibility of research and teaching. In view of their responsibility as role models, deans, professorial staff, every head of an academic working group and of a research project must behave in a scientifically correct manner. The rules form the foundation for honest scientific conduct and establish appropriate framework conditions for this purpose. The entire university, as a place of research, teaching and nurturing of young academics, has an institutional responsibility in this regard. In addition to measures for identifying and punishing academic misconduct, appropriate measures should be taken or strengthened on the basis of these rules to prevent academic misconduct from occurring at all. The following provisions put the Code "Guidelines for Safeguarding Good Research Practice" of the Deutsche Forschungsgemeinschaft of 1 August 2019 into practice. When interpreting these provisions, the relevant guidelines from the Code and the explanatory notes will also be taken into account. The same applies if and as long as corresponding regulations have been postulated by learned societies.

§ 1

Rules for Good Research Practice

- (1) All scientists working at the University of Rostock are obliged:
 - to work according to the established rules and customs,
 - to document results,
 - to consistently question their own results,
 - to maintain strict honesty with regard to their own and third parties' contributions,
 - to avoid and prevent academic misconduct, and
 - to observe the principles set out in these guidelines.
- (2) Every researcher at the university carries responsibility for ensuring that their own behaviour complies with the standards of good research practice. This also includes realising and standing up for the fundamental values and standards of scientific work in one's own actions.
- (3) The rules of good research practice also comprise the subject-specific principles of research work developed by the individual faculties and academic disciplines.
- (4) All academics at all stages of their careers are called upon to convey the principles of good research practice at the earliest possible stage of university education and academic training. They help each other to achieve this and engage in a joint continuous learning and development process.

§ 2 Managerial Responsibility

(1) The Rectorate of the University of Rostock is responsible for providing and monitoring the general conditions for scientific work. In this respect, the Rectorate is responsible for providing an appropriate institutional organisational structure in which, depending on the size of the individual academic working units, the tasks of management, supervision, quality assurance and conflict management are defined and suitably communicated to the respective members and affiliates. The Rectorate is responsible for ensuring good research practice is observed and communicated. Furthermore, it provides adequate career support for all researchers. This includes clear procedures and principles that have been set down in writing for recruiting staff and staff development, as well as for supporting early-career researchers and promoting equal opportunities. Gender equality and diversity must be considered alongside the personal competencies when recruiting staff and implementing staff development. Suitable supervision structures and concepts must be introduced for young researchers. This also includes appropriate advisory services for career paths as well as further training opportunities.

(2) The management of academic units at the University of Rostock carry the responsibility for the whole unit. Collaboration must be organised in such a way that the entire academic unit is able to fulfil its tasks, the necessary cooperation and coordination can take place and all members are aware of their roles, rights and obligations. The managerial tasks also include, in particular, the safeguarding of an appropriate level of individual support for early career researchers that is part of the overall concept of the respective unit, as well as the provision of career development measures for members of academic staff and academic support staff. The abuse of power and taking advantage of dependent relationships must be prevented by the introduction of suitable organisational measures at both managerial level as well as at the level of individual sections of the unit.

(3) The management of the University of Rostock and its scientific units shall make efforts to ensure that in cooperation agreements with non-university research institutions, the cooperating institutions shall also commit themselves to observe the Deutsche Forschungsgemeinschaft's Guidelines for Safeguarding Good Research Practice.

§ 3 Performance Dimensions and Evaluation Criteria

A multidimensional approach is required for evaluating researchers' performance. The evaluation of performance primarily follows qualitative standards that are to be made transparent and consider discipline-specific criteria. In addition to scientific performance, other aspects can be taken into account, such as teaching activities, work on academic committees, public relations efforts, knowledge and technology transfer, scientific attitude such as openness to new findings and willingness to take risks; contributions in the interest of society in general can also be recognised. Personal, family or health-related periods of absence or related extended periods of training or qualification, alternative career paths or comparable circumstances shall find appropriate consideration.

§ 4 Research Design, Quality Assurance, Methods and Standards

(1) When planning and realising a research project, researchers consider and acknowledge all aspects of the current state of research. The identification of relevant and suitable research questions requires careful analysis of previously published research findings.

(2) The researchers carry out each stage of the research process in accordance with the established rules and customs, i.e. continuous research-accompanying quality assurance refers, in particular, to compliance with subject-specific standards and established methods, to processes such as the calibration of equipment, the collection, processing, analysis and documentation of research data, the application of methods to avoid falsifications, the selection and use of research software, its development and programming, to the keeping of laboratory records, and, where appropriate, to reflection on the gender equality and/or diversity dimension of the research project. They apply scientifically recognised and comprehensible methods and place particular emphasis on quality assurance and the establishment of standards when developing and applying new methods.

(3) In order to allow for the results or findings to be verified by other academics and the possibility of further use, researchers must indicate the origins of data, organisms, materials and software used in the research process. Researchers must also describe the type and scope of research data generated in the research process. The authors of the data determine whether and to what extent the data generated by them may be used by third parties for subsequent purposes. If the data is used for subsequent purposes, authors must cite the original sources.

§ 5

Responsibilities, Roles, Rights of Use and Ethical Aspects

(1) The roles and responsibilities of the researchers and research support staff involved in a research project must be clear at all stages of a research project.

(2) Roles and responsibilities are adjusted if necessary for realising the research project.

(3) If the research project requires consideration of ethical aspects and issues, they must be clarified before work starts in consultation with the responsible bodies such as the Ethics Commission at University Medicine Rostock.

(4) Researchers must take rights and duties into account, in particular those stipulated in legal provisions, but also those set down in contracts with third parties. If required, they obtain and present approvals and ethics votes. Their responsibility also stretches to the obligation to use their knowledge, experience and skills to identify, gauge and assess risks.

(5) Wherever possible and reasonable, researchers come to written agreements on the rights of use of the generated data at the earliest possible stage of a research project, especially if several institutions are involved. In particular, the researcher responsible for the collection of the data shall be entitled to its use. During an ongoing research project, the persons entitled to use the data shall decide (in particular, in line with data protection regulations), whether third parties shall be granted access to the data.

§ 6

Documentation and Archiving

(1) Researchers document all of the information that is relevant for achieving a research result as comprehensibly as required and suitable for the subject area in question in order for the findings to be verified and assessed. They must also document all of the individual results that do not support the theory. If it is not possible to document the results in this manner, the limitations and reasons shall be explained in a clearly transparent manner. Documentation and research results must be protected as well as possible against manipulation. The source code of developed research software must be documented.

(2) Public access to the research results must be ensured. If possible and reasonable, the research data, materials, information, methods applied, the documentation of work processes, used software (FAIR principles), and self-programmed software including the source code that the findings are based on shall be made available to the public.

(3) Researchers protect the research data or research results and the underlying central materials and, if applicable, used research software, made available to the public, in accordance with the

standards of the subject area in question, in an adequate manner and store them at the institution

where they were produced for at least 10 years. The storage period begins on the date on which they were made available to the public.

(4) The university governance ensures the provision of the infrastructure required for proper archiving in consultation with the IT and Media Centre, the University Library and the faculties.

§ 7

Authorship and Publication

(1) An author is any person who has made a genuine, identifiable contribution to the contents of an academic publication, whether in text, data or software form. Researchers agree on who is to be named author. It is not possible to deny authorship without sufficient reason. Moreover, the denial of authorship is only possible if it is justified by verifiable criticism of the data, methods, or results. Agreement on the order in which authors are named is usually made in good time, but at the latest when the manuscript is being produced, based on transparent criteria and in accordance with usual practice in the subject area. All authors agree on the final version of the work that is to be published. They carry joint responsibility for the publication unless it has been explicitly indicated otherwise. In this definition of authorship, the following examples do not justify an attribution as author:

- Being a member of a research project or research group without making a substantial contribution to the publication
- General management of the department or institution in which the research has been performed
- Provision of financial means, equipment, staff, or other resources
- Purely technical contribution to the collection of data
- Provision or use of research materials or data sets
- Mere reading of the manuscript without providing a significant contribution to the content

A so-called honorary authorship is not permitted. If a contribution is not sufficient to establish authorship, it is possible to acknowledge support in other ways, e.g. in prefaces, footnotes or acknowledgements. Authors pay attention to and, as far as possible, ensure that their research contributions are labelled by the publishing houses or infrastructure providers in such a way that users are able to quote them correctly.

(2) Researchers decide at their own accord, taking into account the customs of the discipline concerned, whether, how and where they will publish their results. Authors carefully select the publication medium, taking into account its quality and prevalence in the respective field of discourse. The scientific quality of a contribution does not depend on the publication medium in which it is made available to the public; in addition to books and scientific journals, subject repositories, data and software repositories can be considered as publication media.

(3) If research findings are published (in the narrower sense in publications, but also in the broader sense via other communication channels), they always state the mechanisms used for quality assurance. Inappropriately small-scale publications should be avoided. Researchers indicate their own and third-party groundwork in full and correctly. Full proof of their own previously publicised results can be omitted as an exception if not required as per the customs of the discipline. Self-citation should be limited to the minimum amount required for understanding. If discrepancies or errors become apparent after publication, they will be corrected and correspondingly marked, or, if necessary, the publication will also be withdrawn.

§ 8

Reviews and Consultations

Researchers who have been asked to review, in particular, submitted manuscripts, funding proposals or the credentials of individuals are obliged to observe strict confidentiality on the matter. They disclose any facts that could justify any concern of bias. This also applies to members of academic advisory and decision-making bodies. The requirement of confidentiality concerning

third-party content to which reviewers or committee members gain access rules out disclosure to third parties and own use.

§ 9 Academic Misconduct

(1) Academic misconduct is behaviour in an academic context that violates legal provisions or such written or unwritten rules, the compliance with which is considered indispensable in general, in a specific scientific subject or in a scientific discipline. Academic misconduct often occurs when false details are provided in a research context, intellectual property of third parties is infringed or their research activities are impaired in other ways. The individual circumstances of each case are crucial.

(2) Academic misconduct in the terms of these statutes could apply in particular to the following circumstances if they are the result of intentional actions or gross negligence:

1. Creation and use of false details through:
 - a. Fabrication of data or research results;
 - b. Distortion of data or research results, e.g. through selection of desired and rejection of undesired results without disclosure, as well as manipulation of images or illustrations;
 - c. Provision of incorrect details in an application, as part of the compulsory reporting duty or in a funding application, including provision of false details regarding the publication medium and publications currently in print;
 - d. Deception of external funding bodies regarding aspects relevant to the decision (including disregard of the prohibition of double funding, i.e. applying for funding from the same or another funding body to fund the same thing).
2. Infringement of intellectual property related to a copyright protected piece of work of a third party or significant scientific findings, hypotheses, theories or research approaches from other persons by:
 - a. Copying texts, ideas or data from other persons without clear reference to the author (plagiarism);
 - b. Exploiting research approaches, methods and ideas without the approval of the author, in particular when acting as reviewer (theft of ideas);
 - c. Presuming or unjustified assuming of academic authorship or co-authorship as well as claiming (co-)authorship of a text from another person without their consent;
 - d. Manipulating the contents;
 - e. Unauthorised publishing or making available to third parties if the work, findings, hypothesis, theory or research approach have yet to be published.
3. Impairment or sabotage of the research activities of other persons, in particular by damaging, destroying or manipulating working materials, for example devices, experiment apparatus, data, documents, literature, archive and source material, hard and software, consumables (e.g. chemicals) or other things required by another person for realising a research project.
4. Disposal of primary data if this entails the violation of legal requirements or recognised principles of scientific work specific to the academic discipline.
5. Violation of the obligation to document and retain primary data.
6. False and defamatory remarks that have the potential to sustainably damage the academic reputation or academic work of an individual.

(3) Academic misconduct can also apply, for example, if individuals are actively involved in or aware of the academic misconduct, as well as manipulation by other persons, gross negligence of the duty of supervision or co-authorship of publications that have been manipulated.

(4) If the person who is suspected of academic misconduct was a member of the university community at the University of Rostock during the decisive period of misconduct, the provisions of these statutes still apply even if the person is no longer a member of the university community.

§ 10

Reporting and Prosecuting Academic Misconduct

- (1) The University of Rostock will investigate any clear suspicion of academic misconduct at the university. To this end, it appoints six ombudspersons for prevention and mediation and sets up a Committee of Inquiry for the more detailed investigation of allegations of academic misconduct. A coordination office manages the everyday affairs of the Board of Ombudspersons and the Committee of Inquiry.
- (2) Reports of academic misconduct must be made in good faith.
- (3) Persons seeking advice with regard to academic misconduct may choose whether they would like to turn to an ombudsperson at the University of Rostock or to the national “German Research Ombudsman” (German: *Ombudsmann für die Wissenschaft*).
- (4) The procedure for dealing with academic misconduct stipulated below in §§ 13, 15, and 16 does not replace or inhibit other internal or external, legal or statutory regulated procedures (for example legal proceedings related to employment or civil-service law, civil or criminal procedures, as well as procedures defined in examination, doctoral and habilitation regulations). These will be initiated and realised by the respective competent bodies and committees. Ombudspersons and members of the Committee of Inquiry can be asked to attend sessions of the responsible bodies in an advisory capacity. However, it must be guaranteed that the required confidentiality is observed. If there are simultaneously pending procedures that are essentially based on the same allegations, the ombudsperson or the Committee of Inquiry shall suspend their own procedure, in particular, if it can be expected that the other procedure will deliver significant proof for the own proceedings. The ombudsperson or the Committee of Inquiry are to be informed about the initiation, status and findings of the other procedure. If, in the other procedure, a final decision has been made that confirms or rejects the presence of academic misconduct, the ombudsperson or Committee of Inquiry must dismiss its own proceedings.
- (5) If an ombudsperson or the Committee of Inquiry has reasonable grounds to suspect academic misconduct is related to the bestowal of a university degree, the suspected case must be forwarded to the competent body pursuant to the relevant examination, doctoral or habilitation regulations.
- (6) The Rector shall be informed immediately if reasonable grounds to suspect behaviour relevant for disciplinary proceedings or a violation of employment duties have been found in an ombudsperson’s or the Committee of Inquiry’s investigations.
- (7) In order to protect the person who has provided the information and the person who is subject to suspicion, the work of the ombudspersons and the Committee of Inquiry is subject to the highest level of confidentiality. Persons who provide information on suspected academic misconduct must not be faced by any disadvantages for their own academic and professional careers.
- (8) Every investigation into allegations of academic misconduct is subject to the presumption of innocence. This applies to both the preliminary investigations as well as the formal investigation procedure. In particular, persons affected by allegations of academic misconduct must not be subject to any disadvantage until misconduct has been formally established.

§ 11

Bias

- (1) When prosecuting academic misconduct, the provisions of §§ 20 and 21 *Verwaltungsverfahrensgesetz -VwVfG* (Administrative Procedure Act) apply to the exclusion and bias of parties to the procedure. Ombudspersons or members of the Committee of Inquiry may be considered bias, in particular, if they and the person accused of academic misconduct belong to the same faculty or are collaborating or have collaborated on joint research projects. Anyone who is biased may no longer take part in the procedure to determine academic misconduct.
- (2) If an ombudsperson or a member of the Committee of Inquiry considers themselves biased or there are doubts whether the stipulations of subsection (1) exist, this must be communicated immediately to the person chairing the Board of Ombudspersons or the Committee of Inquiry. Doubts of

impartiality can also be raised by other persons involved in the procedure. The chairpersons of the two bodies are obliged to perform an audit.

(3) Whether a person is biased pursuant to subsection (1), shall be decided for ombudspersons by the Board of Ombudspersons and for a member of the Committee of Inquiry by the Committee of Inquiry following a hearing and discussion. The person affected shall not take part in the discussion and passing of the decision.

§ 12 Ombudspersons

(1) The Academic Senate elects a total of six ombudspersons from the fields of the (a) humanities and social sciences, (b) engineering sciences, (c) natural sciences, and (d) medicine to investigate suspected cases of academic misconduct. The ombudspersons are appointed by the Rector.

(2) Professors with experience in research and teaching as well as members of academic staff with doctorates may be considered as ombudspersons. They may not hold offices with managerial roles in the university's self-government bodies; furthermore, ombudspersons may not belong to the Committee of Inquiry at the same time. Four professors and two postdoctoral members of academic staff are appointed. When appointing the ombudspersons, it must be ensured, in particular for the postdoctoral academic staff members taking on this function, that they have experience in the management of projects and so much academic experience that they can be expected to pass a knowledgeable judgement on possible allegations of academic misconduct. The term of office lasts three years and starts on the date of appointment; re-election and re-appointment is possible. The ombudspersons are announced to the university public in a suitable manner.

(3) The ombudspersons shall receive the support and acceptance required for performing their tasks from the university governance and university bodies.

(4) The ombudspersons advise those individuals that have informed them of suspected academic misconduct, as well as persons accused of suspected academic misconduct. Furthermore, they address specific indications of academic misconduct that have been drawn to their attention by other means. Every member of the university community is entitled to speak in person to the ombudspersons at short notice, with no longer than a month's wait.

(5) The ombudspersons are also responsible for the preliminary clarification of suspected cases and for the first mediation attempts between the person who provided the information and the person accused of suspected misconduct. They conduct the preliminary investigation procedure pursuant to § 13.

(6) The ombudspersons represent one another and together form a Board of Ombudspersons. The Board informs each other mutually and discusses individual cases, aiming to guarantee the most uniform possible treatment of issues related to the rules of good research practice and any corresponding breach of rules. Furthermore, the Board of Ombudspersons advises the Rectorate and the Dean's Offices in fundamental issues pertaining to research practice and can issue recommendations.

(7) If an ombudsperson is considered biased or is unable to take on an issue, they will transfer the tasks in their responsibility to one of the other ombudspersons.

(8) The Board of Ombudspersons elects a chairperson and deputy chairperson from its midst.

(9) The Academic Senate can vote ombudspersons out of office due to important reasons with a two-thirds majority of its members.

§ 13 Preliminary Investigation Procedure

(1) If there is a suspected case of academic misconduct, as a general rule of principle, the responsible ombudsperson must be informed first. The notification should be made in writing and if possible be accompanied by evidence to substantiate the suspicion. If the notification is made verbally, a written note shall be made of the suspicion and the evidence supporting it. A tip that has been given anonymously can only be investigated in a procedure if the person providing the information is able to name reliable and specific facts.

(2) The ombudsperson will immediately take the steps that they deem suitable and necessary to clarify the details of the case as discretely as possible. The person affected by the suspicion must be given the opportunity to pass comment as early on in the process as possible. They must be informed that it is their decision to comment on the suspicion and that they can consult their own legal advisor at any point. An appropriate deadline of at least two weeks must be set for the receipt of the comment. The name of the person who provided the initial information will not be named at this stage of the procedure without their permission.

(3) The ombudsperson examines the allegations with regard to the plausibility of the concreteness, significance and possible motives. If possible, attempts shall be made to achieve an amicable settlement between the parties involved. If the suspicion appears to be sufficient and any possible attempts at mediation have failed, the ombudsperson notifies the Board of Ombudspersons.

This forwards the allegations confidentially in a written report with the results of the preliminary investigation procedure to the Committee of Inquiry for further investigation pursuant to § 15. If necessary pursuant to § 10(3) and (4), further committees and bodies shall be informed. In other respects, the ombudsperson is bound to confidentiality.

(4) The preliminary investigation procedure must be discontinued if the suspected academic misconduct has been refuted, has not been sufficiently substantiated or alleged misconduct has not been fully clarified. If the preliminary investigation procedure has been discontinued, the person who provided the information must be informed first, in a written notification stating the main reasons. If this person does not agree with the discontinuation of the preliminary investigation procedure, they are entitled to demand the Committee of Inquiry to review the decision regarding the discontinuation of the preliminary investigation procedure within two weeks following notification of its discontinuation. If this deadline has passed without any such action or a final decision has been made by the Committee of Inquiry on the discontinuation of the preliminary investigation procedure, the person affected by the suspicion must be informed in the same manner.

(5) The preliminary investigation procedure shall last no longer than six months.

§ 14 Committee of Inquiry

(1) The University appoints a Committee of Inquiry to advise the Rectorate on matters regarding the safeguarding of good research practice and honesty and to investigate suspected cases of academic misconduct. The Committee can issue its own standing orders.

(2) The Committee of Inquiry is made up of:

1. four professors and two postdoctoral members of academic staff at the university. One of the professors shall belong to each of the fields (a), (b), (c), and (d) pursuant to § 12(1); one of the postdoctoral members of academic staff shall belong to the humanities and social sciences, and the other to the natural and engineering sciences, or medicine.
2. a member of the university community that is qualified to serve as a judge.

(3) A deputy must be appointed for every member of the Committee of Inquiry.

(4) The members and deputy members of the Committee of Inquiry are elected by the Academic Senate and appointed by the Rector. The period of office is three years and starts on the date on

which they are appointed; re-election and re-appointment is possible. Members of the Committee of Inquiry pursuant to subsection (2) number 1 must be professors or postdoctoral academic staff

members with experience in research and teaching. They may not hold office with a managerial function in the university's self-government bodies, nor may they be an ombudsperson.

(5) The ombudspersons are permanent guests of the Committee of Inquiry with an advisory function. The Committee can also ask other members of the university community and other experts to attend their meetings in an advisory capacity.

(6) The Committee is independent and not subject to any orders. Members of the university community and the university's organisational units must support the Committee of Inquiry with its tasks and, in particular, grant access to their files. In all other respects, the stipulations of the *Landesverwaltungsverfahrensgesetz* (State Administrative Procedure Act), including §§ 20, 21 and 24, and 88 to 93 apply mutatis mutandis.

(7) The Committee of Inquiry convenes as required and in private. It passes its decisions with the majority of the members present. The members are subject to official secrecy or shall be specially bound to secrecy by the chairperson; the same shall apply to persons called in as experts. The binding to secrecy shall be recorded on file.

(8) The Committee of Inquiry selects a chairperson and deputy from within its midst.

(9) The Academic Senate can vote out the Committee of Inquiry or members of the Committee of Inquiry due to important reasons by a majority of two-thirds of its members.

§ 15

Formal Investigation Procedure

(1) After receiving the procedure from the Board of Ombudspersons, the Committee of Inquiry will examine whether there are actually reasonable grounds of suspicion to open a formal investigation procedure. In order to prepare the decision, it may wish to clarify further aspects and, in particular demand the person affected by the suspicion and the person who provided the information to provide further details. The Committee of Inquiry decides whether the procedure is to be discontinued without formal investigation in a written procedure, or whether to open a formal investigation procedure. The Committee informs the Rectorate in writing of the initiation of the formal investigation procedure.

(2) The Committee of Inquiry further clarifies the facts of the reported allegations and examines in free consideration of the evidence, whether there is evidence of academic misconduct. The person who has provided the information must be given the chance to pass comment at every stage of the procedure. If appropriate, the Committee of Inquiry can combine and also separate several cases it is dealing with concerning the same issue. If further suspicion of academic misconduct in the same group of persons becomes evident during the investigation procedure, following consultation with the Board of Ombudspersons, the Committee of Inquiry may extend the subject of the procedure or hand the procedure over to the responsible ombudsperson in order for them to perform a new preliminary investigation procedure. The Rectorate and the persons affected must be informed immediately.

(3) The person affected by the suspicion must be given due opportunity to comment within an appropriate period of time. The person must be informed that they are free to comment on the suspicion and to call in a legal advisor at any time. Upon request from the person affected, they will also be given the opportunity to pass comment in a verbal form. If other persons are being heard, they are also entitled to be heard in a verbal manner and to call on legal advice.

(4) Without their consent, the identity of the person who provided the information may not be disclosed to the person suspected of academic misconduct. However, if the person affected by the suspicion needs to know the name of the person who has provided the information to be able to defend themselves properly and the interest of maintaining confidentiality does not outweigh all other interests, the name of the person will be disclosed to them. The decision on this as well as on the scope of a requested inspection of the files will be made by the Committee of Inquiry at its own discretion. Before the identity of the person who reported the information is disclosed, they shall be

given the opportunity to withdraw their allegations in order to protect their own identity.

(5) The Committee of Inquiry must provide a progress report on the investigation and its results to the Rectorate and informs the ombudspersons. The report contains a judgement on the presence of academic misconduct and can provide recommendations for further steps to be taken by the Rectorate.

(6) The Rectorate examines the progress report; the results of the progress report are legally binding if it contains no legal errors. The Rectorate bases its decision on the discontinuation of the procedure or the confirmed presence of academic misconduct on the progress report. The Rectorate informs the person suspected of academic misconduct and the person who brought forward the allegations of the main reasons for their decision. No more than three weeks shall elapse between the Rectorate's receipt of the report and the notification of the parties.

(7) If the Rector of the University of Rostock is suspected of academic misconduct, the progress report will be handed over to the Presidium of the Council.

(8) The University's internal investigation process ends with the progress report from the Committee of Inquiry and the ensuing decision of the Rectorate. There are no internal legal means that are effective against the progress report. The entire procedure shall take no longer than 12 months. After completion of the formal investigation procedure, the Committee of Inquiry identifies all of the persons who were and are involved in the case. It advises persons who provided information and other persons who were involved in, but not culpable for activities related to academic misconduct on measures to ensure their personal and academic integrity. In particular, in the progress report, it makes recommendations to the Rectorate regarding the compensation of damages suffered.

(9) The files related to the formal investigation will be stored by the University of Rostock for 30 years. The rights of the persons involved in the procedure to inspect the files are governed by the statutory provisions.

§ 16

Procedure Following Establishment of Academic Misconduct

(1) The decision regarding the measures to be taken on the basis of the Committee of Inquiry's progress report shall be made by the Rectorate following examination of the report. The Committee of Inquiry and the Board of Ombudspersons shall be informed about the further steps. The Rectorate decides whether access will be provided to the progress report and to whom.

(2) If academic misconduct has been established, the Rectorate and the university's other competent committees and bodies, who have been provided access to the progress report by the Rectorate, shall, following due assessment of the circumstances and at their own discretion, examine whether and which measures can be taken in each individual case to punish and correct academic misconduct, and avoid similar misconduct in the future. To achieve this, the following measures, in particular, can be taken:

1. In cases of culpable academic misconduct, a reprimand may be issued and recommendations may be given for the withdrawal or revocation of papers submitted for the attainment of university degrees, completion of monographies and other publications. The publisher of the corresponding publication shall decide whether the papers can be resubmitted once they have been corrected.
2. If the underlying original data goes missing within the retention period of ten years as stipulated in § 6(3), falsification cannot be ruled out, which is why a culpable breach of the documentation and storage obligation shall result in a request to withdraw or revoke the corresponding publication.
3. If it has been proven that data has been falsified, manipulated or invented deliberately, the withdrawal or revocation of the corresponding publication shall be requested and it can lead to a revocation of the university degree that was awarded in connection with the falsified data.
4. The public must be informed of any false results that were published.

5. Those affected by academic misconduct, for example other researchers, academic institutions, journals, publishing houses or other publication media, funding institutions and scientific organisations, professional organisations, or ministries must be informed.
- (3) The possibility of further legal measures, for example pursuant to disciplinary law, employment law, criminal law, civil law, or academic examination regulations remains unaffected.

§ 17 Reporting

Once a year, the Board of Ombudspersons sends the Committee of Inquiry a report of the cases of suspected misconduct it has dealt with in the past year of office. The Chairperson of the Committee of Inquiry reports once a year to the Academic Senate on the status of the procedures it has dealt with and the procedures reported by the ombudspersons. The reports must not contain any personal data.

§ 18 Entry into Force, Expiry

(1) These statutes enter into force on the day after their publication in the University of Rostock's official bulletin. At the same time, the Rules to Secure Good Research Practice and Avoid Academic Misconduct at the University of Rostock of 15 January 2019 (official bulletin No. 2/2019) cease to apply.

(2) If preliminary investigations or formal investigations are in progress at the time of the entry into force of these statutes, these procedures shall be carried out in accordance with the provisions of the Rules to Secure Good Research Practice and Avoid Academic Misconduct at the University of Rostock of 15 January 2019.

Drawn up following the decision made by the Academic Senate of the University of Rostock of 3 May 2023.

Rostock, 5 May 2023

The Rector
of the University of Rostock
University Professor Dr. Elizabeth Prommer