The Senate:

The Senate of the Georg-August-Universität Göttingen announced on December 14, 2005 the following (§§ 15, Article 2, 41 Section 1, Article 1 of the Lower Saxony Higher Education Law (NHG) in the published version of June 24, 2002 (Lower Saxony GVBl., page 286), most recently amended through Article 8 of the Supplementary Budget Act 2005 of December 17, 2004 (Lower Saxony GVBl., page 664)):

Article 1

On December 14, 2005, the Senate of the Georg-August-Universität Göttingen adopted the revised version of the Guidelines of the Georg-August-Universität Göttingen to Ensure Good Scientific Practice (§§ 15 Article 2, 41 Section 1, Article 1 NHG).

Guidelines of the Georg-August-Universität Göttingen
to Ensure Good Scientific Practice

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Preamble

(1) [1]The Georg-August-Universität (hereinafter referred to as “the University”) bears within the scope of its legal obligations responsibility for the organization of research, teaching, and training of young academics. [2]The teaching and advancement of young academics is inseparably connected with research. [3]The University thus has a special interest in maintaining and promoting an atmosphere of openness, creativity and willingness to perform. [4]The conducting of active scientific research within corresponding working groups is an important factor in the prevention of scientific misconduct. [5]In assuming its responsibility the University takes precautions against scientific misconduct.

(2) [1]The University will therefore pursue every concrete instance of suspicion of scientific misconduct. [2]Should, following clarification of the facts, the suspicion of misconduct be confirmed, the steps necessary in each individual case will be taken within the scope of the given legal framework.

Section I
General Principles

§ 1 Rules of Good Scientific Practice

(1) [1]In their scientific work at the University, members and staff of the University engaged in research are to observe the regulations of good scientific practice. [2]These comprise

1. the general principles of scientific work, such as
   a. work according to rules of the profession including their ethical and legal prerequisites,
   b. documentation of results,
   c. consistent examination of all findings also taking a self-critical view and, wherever applicable, regular discussion about them in the corresponding working

group

d. maintaining strict integrity with regard to the contributions of other individuals, as well as

2. the observance of specific regulations for individual subject areas.

(2) Primary data serving as the basis for publications must be stored in the scientific facility in which they have been produced (departments, institutes, medical clinics) for 10 years, on safe and reliable data carriers, as far as this is necessary for purposes of verifiability.

(3) Irrespective of the responsibility of directors of the University, each department and institute is responsible in their respective areas for appropriate organization which ensures that

1. the tasks of the directors, control, quality assurance and conflict settlement are
   a. clearly assigned, and
   b. actually carried out,
2. young researchers will be granted guidance and supervision in accordance with their career stage.

(4) As a rule, originality and quality have priority over quantity as achievement and evaluation criteria in scrutiny for the awarding of academic degrees, promotions, appointments, offers of professorial positions and allocation of funds.

§ 2 Responsibility of Academic Personnel to Respect the Rules of Good Scientific Practice

[1]These guidelines are binding for all staff involved in academic activity at the University. [2]The guidelines will be published in the university course catalogue and given to every new employee for scientific research with the indication that all cases of scientific misconduct will be pursued consistently.

§3 Preventive Measures

(1) To ensure good scientific practice at the University, it is necessary to introduce measures suited to preventing the occurrence of cases of scientific misconduct.

(2) [1]The University assumes such responsibility vis-à-vis its graduates by teaching the principles of good scientific work and good scientific practice to students in the introductory classes of the curriculum, making reference to these guidelines, and urges them to respect honesty and responsibility in science. [2]The faculties are required to address the principles of scientific work,

good scientific practice and the possible occurrence of scientific misconduct in courses that take place regularly.

(3) [1]Graduates to be admitted for habilitation (postdoctoral university lecturing qualification) must, as a requirement, submit a written statement in which they pledge to follow these guidelines; junior professors must do the same before they can be appointed. [2]For habilitation candidates, a provision to this effect is to be included in the habilitation regulations applicable. [3]Section 3, Sentence 1 applies to PhD candidates analogously. [4]A provision to this effect is to be included in the doctoral degree regulations.

(4) [1]The University assumes its responsibility vis-à-vis academic and technical staff by instructing this group of faculty personnel in the principles of scientific work and good scientific practice at regular intervals with reference to the Guidelines of Good Scientific Practice. [2]The instruction must be recorded and those receiving the instruction must confirm this with their signature.

§ 4 Scientific Misconduct

(1) Scientific misconduct occurs when in an academically relevant context and wilfully or in a grossly negligent manner a person

a. gives false representation,

b. violates the intellectual property of others,

c. interferes with the research activity of others,

d. violates generally accepted authorship rules.

(2) Particularly the points listed in the Annex are to be regarded as scientific misconduct.

(3) The particular circumstances of each individual case are decisive.

(4) If several persons are involved in a case of scientific misconduct, each of them is responsible for the misconduct individually.

§ 5 Contact Persons in Cases of Suspected Scientific Misconduct or other Cases of Conflict

The members and staff of the University can:

1. in case of suspected scientific misconduct:
   a. contact the ombuds person for internal regulation in scientific practice or
   b. contact the responsible member of the presidential board directly.
2. in other conflicts arising in connection with the implementation of research projects or in connection with academic publications, contact the responsible member of the presidential board.

Section II
Procedure in Cases of Suspected Scientific Misconduct

§ 6 Duty to Investigate, Consequences

(1) The University will pursue every concrete instance of suspicion of scientific misconduct.

(2) Should the facts of the case confirm the suspicion of scientific misconduct, the requisite steps will be taken by the President in the scope of the legal provisions applying under public sector employment law, labour law, law pertaining to higher education, civil law or criminal law.

(3) The name of the informer will only be disclosed – even to the concerned persons – with the informer's consent.

(4) The facts must be amply recorded in written form.

§ 7 Ombuds Persons for Internal Regulation in Scientific Practice (Faculty Level)

(1) [1]Every faculty appoints a member of the academic staff as an ombuds person, who may not simultaneously be a member of the investigating committee. [2]If required, several ombuds persons may be appointed (faculty ombuds committee). [3]In order to provide for the event of partiality, each faculty appoints a deputy for its ombuds person or for each member of the faculty ombuds committee.

(2) In her or his capacity as a person of trust, the ombuds person advises those who inform her or him about a concrete case of suspected scientific misconduct and on her or his own initiative takes up any pertinent concrete evidence of which she or he may be informed by third parties.

(3) [1]The ombuds person examines the plausibility of the accusations with regard to their concreteness and significance, possible motives and possible ways to clear up the accusations. [2]If no agreement is reached and/or if there is in fact a concrete case of suspicion of scientific misconduct, the ombuds person informs the ombuds committee.

(4) The informer has the right to inform the ombuds committee as per § 8 concerning the suspected scientific misconduct should the ombuds person consider it unnecessary to pass on the suspicion of scientific misconduct to the ombuds committee, or can directly inform the ombuds committee without prior involvement of the ombuds person.

§ 8 Preliminary Investigation by an Ombuds Committee (University Level)

(1) [1]The University sets up an ombuds committee comprising three members of the academic staff elected by the Senate for a period of four years. [2]For the event of cases of personal interest, the Senate chooses a personal deputy for each member. [3]Reelection is permitted. [4]The work of the ombuds committees is defined by the aim of mediating between those concerned, should this be possible and justified by the facts of the case.

(2) [1]The informing person and the person suspected of scientific misconduct are given the opportunity by the ombuds committee, which cites the incriminating facts and evidence, to present a written statement within an appropriate period of time set by the ombuds committee. [2]Alternatively or in addition to the statements, the ombuds committee can question the persons in accordance with Sentence 1.

(3) [1]After receipt of the statements or on completion of the hearings or in the case of a refusal to present a statement after a period of four weeks, the ombuds committee questions the director of the department in which the person according to Section 2 works and the responsible dean. [2]The persons to be questioned are to be provided with any existing statements and the minutes of any hearings along with the invitation. [3]Should the director of the department or the responsible dean be identical with a person according to Section 2, the ombuds committee may dispense with a special hearing. [4]The ombuds committee can hear additional witnesses.

(4) [1] As soon as possible after completion of the hearings according to Section 3, the ombuds committee pronounces one of the following decisions and passes it to the persons according to Sections 2 and 3, except those who were heard as witnesses, as well as to the president:

1. [2]The preliminary investigation is terminated because the suspicion has not been adequately confirmed or has been proved untenable. [3]Grounds must be given for this decision.
2. [4]The preliminary investigation is terminated because the case of scientific misconduct is of a less serious nature. [5]The ombuds committee can make the termination dependent on the fulfilling of certain conditions. [6]Grounds must be given for this decision. [7]The decision should in particular specify the kind and seriousness of the case of scientific misconduct in question.
3. [8]The case is passed on to the investigating committee according to § 9. [9]In this case the documents are passed on to the chairperson of the investigating committee along with a statement.

(5) [1]Should the informer not be in agreement with the termination of the preliminary investigation, she or he may file an objection in writing to the chairperson of the investigating

committee within two weeks after she or he has received notice of the grounds according to Section 4, No. 1 or 2, giving grounds for her/his objection. [2]The investigating committee decides whether the termination of the preliminary investigation should stand or a formal investigation be carried out; Sections 2 and 3 apply respectively.

§ 9 Formal Investigation by an Investigating Committee

(1) [1]The formal investigation is carried out by an investigating committee appointed by the Senate for a period of four years at the suggestion of the president. [2]The committee comprises five suitable persons including the chairperson. One of these persons must be qualified to exercise the functions of a judge and at least two must come from outside the University. [3]The chairperson must be qualified to exercise the functions of a judge. [4]For the event of personal interest, the senate chooses a personal deputy for each member. [5]After a member's period of office has ended, reappointment is possible. [6]The investigating committee may call upon experts as members with advisory function.

(2) [1]The committee's deliberations take place orally and behind closed doors. [2]With full access to the evidence presented, it examines whether there is a case of scientific misconduct at hand. [3]The department in which scientific misconduct is suspected to have taken place is to be given the opportunity to make a statement in appropriate manner. [4]The person concerned and also the informer may be questioned orally, if desired; for this, they have the right to the support of a person they trust. [5]This person has, if the investigating committee so decides, the right to unlimited access to the documents, within the scope of what is legally possible.

(3) [1]If the committee considers the case for misconduct not proven, the proceedings are terminated. Grounds for the decision must be given and conveyed to the president. [3]If it considers the case proven, the committee presents the results of its investigation with a suggested decision to the president, who will then take the necessary steps. [4]The grounds for the suggested decision must be given. [5]The committee should in particular specify the kind and seriousness of the case of scientific misconduct concerned.

(4) [1]The main decision leading to the termination of the proceedings or their findings being presented to the president are to be conveyed in writing to the person concerned and to the informer. An internal complaints procedure appealing the decision of the committee is not carried out.

§ 10 Further Measures; Publication; Document Storage

(1) [1]After completion of the formal investigation, the responsible ombuds person identifies all the members and staff of the University whose legitimate interests are affected by the scientific misconduct that has been determined. [2]She or he advises members and staff of the University, particularly young academics and students who, through no fault of their own, have become involved in scientific misconduct, on how to protect their personal and academic integrity.

(2) [1]After completion of proceedings, the reports from an ombuds body are conveyed to the president, the responsible dean and the ombuds bodies previously active in a case. [2]The president instructs the Senate and the dean instructs the appropriate faculty council at regular intervals regarding the status and the result of an ombuds body's investigation.

(3) [1]The records of the formal proceedings will be kept for 30 years. [2]The members and those affiliated with the University who are named in connection with a case of proven scientific misconduct will receive, upon request, an attestation to their exoneration for the duration of the safe keeping period from the appropriate ombuds person according to Sentence 1.

(4) Every ombuds body shall pass a resolution on rules of procedure.

Section III
Concluding Provision

§ 11 Effective Date

(1) These guidelines will be in force the day after publication in the University's official bulletin.

(2) Notwithstanding Section (1), § 3 will come into effect on the day the Guidelines for Good Scientific Practice as described in the sense of § 3, Section 4, Sentence 1, are officially announced.

Annex

I. CATALOGUE OF CONDUCT TO BE REGARDED AS SCIENTIFIC MISCONDUCT

[1]To be considered as constituting scientific misconduct are, in particular:

1. False statements
   a. Making up data;
   b. Falsifying data, for example
   ba. through selection or through deletion of undesired results without disclosure of such;
   bb. through manipulation of a representation or figure;
   c. Incorrect statements in a letter of application or a grant application (including false statements regarding publishers and publications in print);

2. Infringement of intellectual property:
   a. In connection with someone else's work protected by copyright laws or someone else's significant scientific findings, hypotheses, teachings or research approaches:
   aa. The unauthorized claim of assumed authorship (plagiarism),
   ab. The exploitation of research approaches and ideas, in particular as a reviewer (theft of ideas),
   ac. The assumption or unfounded claim of scientific authorship or co-authorship,
   ad. Falsification of content or
   ae. The unauthorized publication and the provision of unauthorized access to a third party as long as the work, result, hypothesis, teaching or research approach has not yet been made public;
   b. The claim of (co-) authorship without the author's approval;

3. Adversely affecting the research activities of others:
   a. The sabotaging of research activities (including damaging, destroying or manipulating research arrangements, instruments, documents, hardware, software, chemicals or other items which are needed by another to conduct an experiment),
   b. The elimination of primary data to the extent that this violates legal regulations or accepted principles of scholarly activity in the discipline concerned.

4. Violation of generally accepted authorship rules (below as II.)

II. Recognized Rules of Authorship (Grounds, Duties)

[1]All persons designated as authors must be entitled to authorship, and all those who are entitled must be named. [2]Each author must have participated sufficiently in the work in order to be able to assume in public responsibility for the portion of the content assigned to him or her. [3]If there is an authors' collective, its prominent members (e.g. first authors, corresponding or senior authors) must take responsibility that good scientific practice is adhered to in the work as a whole, from inception to publication.

[4]Grounds for authorship exist only in the event of:

a) A substantial contribution to conception and design, as well as acquisition of data, analysis and interpretation of data;
b) Drafting or critical revision of the article to an extent going beyond the immaterial; and
c) Provision of final approval of the article in the version to be submitted for publishing

[5]Each of the conditions in a), b) and c) must be fulfilled by the author. [6]The solicitation or allocation of funds, the collection of data, or the general leadership of a research facility or group do not in themselves give grounds for authorship.

[7]In so far as research work has been conducted collaboratively by several research groups, the authorship is due to the groups as a common group. [8]All the members of this latter group who are named as authors must fulfil the above mentioned conditions a), b) and c). [9]The order in which the authors are listed must be a communal decision by all the co-authors. The reasons for the order of the listed authors must be objectively discernable.

Article 2

At the same time, the Georg-August-University of Göttingen's Guidelines to Ensure Good Scientific Practice in the version of their official announcement of June 7, 2002 (Official Bulletin No. 9/2002, page 200), last amended upon the resolution of the Academic Senate of January 7, 2004 (Official Bulletin No. 1/2004, page 3) cease to be in effect.