


Regulations for Safe- guarding Good Scien- tific Practice at Zeppelin University

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Contents

Preamble 4

Section I: Standards of Good Scientific Practice..... 5

a) General Principles 5

§ 1 Obligation to Uphold the General Principles 5

§ 2 Professional Ethics 6

§ 3 Responsibilities of University Directors and Work Unit Leadership 6

§ 4 Performance and Evaluation Criteria 7

§ 5 Ombudsperson 7

b) Research Process 8

§ 6 Multi-Phase Quality Assurance for Each Stage 8

§ 7 Actors, Responsibilities and Roles 8

§ 8 Research Design 9

§ 9 Legal and Ethical Framework Conditions, Rights of Use, Collaborative Working..... 9

§ 10 Methods and Standards 9

§ 11 Documentation 10

§ 12 Establishing Public Access to the Research Results 10

§ 13 Authorship 11

§ 14 Means of Publication 11

§ 15 Confidentiality and Neutrality in Reviews, Consultations, Assessments and Tests..... 12

§ 16 Archiving 12

Section II: Procedures in Case of Suspected Scientific Misconduct..... 13

§ 17 Scientific Misconduct 13

§ 18 Obligation to Inform and Consequences 13

§ 19 Ethics Commission 13

§ 20 Disclosing and Accused Parties 13

§ 21 Preliminary Examination in Case of Specific Grounds for Suspicion 14

§ 22 Formal Inquiry..... 15

§ 23 Termination of the Formal Inquiry 16

§ 24 Procedures in Case of Change of Institutions 16

§ 25 Supplementary Measures and Storage of Files 16

Section III: Procedures for Protection of Participants in Empirical Studies..... 18

§ 26 Filing a Proposal 18

§ 27 Evaluation Process 18

Section IV: Final Provision 20

§ 28 Effective Date 20

Attachments 21

Attachment 1: Catalog of Behaviors Considered as Scientific Misconduct..... 21

Attachment 2: Catalog of Possible Sanctions and/or Consequences in Case of Scientific Misconduct22

Preamble

Within its legal mandate, Zeppelin University is responsible for the organization of research, teaching and the promotion of young researchers. Teaching and the promotion of young researchers are inextricably linked with research at the university. In recognition of its research responsibilities, Zeppelin University is convinced that scientific work of a high standard presupposes compliance with the principles of good scientific practice. For this reason, compliance with and communication of these principles by all its members and affiliates constitutes a central concern of the university.

Zeppelin University undertakes to create the organizational and employment structures necessary for complying with the principles of good scientific practice and to continually develop them in accordance with scientific progress.

By its very nature, the issue of scientific misconduct plays a significant role within the context of ensuring good scientific practice. At Zeppelin University, scientific misconduct is countered in two ways: Firstly, the emergence of scientific misconduct is countered at an early stage (e.g. by signing of a specific “Compliance Declaration” by all academics § 1(3), through targeted education of young researchers and by the activities of the Ethics Commission § 19 and Ombudsperson § 5) and, secondly, measures have been implemented for detecting and punishing scientific misconduct (see Section II of these regulations). These regulations form the basis for both approaches.

The “Regulations for Safeguarding Good Scientific Practice at Zeppelin University” implement the “Guidelines for Safeguarding Good Scientific Practice” (Code) of the German Research Foundation (DFG) with binding legal effect. The structure of the DFG Code has been extensively adopted in these regulations since it allows researchers to consult these regulations at every stage of their research process in the easiest way possible, thereby ensuring that they always proceed in accordance with the principles of good scientific practice.

Section I: Standards of Good Scientific Practice

a) General Principles

§ 1 Obligation to Uphold the General Principles

- (1) All members and affiliates of Zeppelin University are bound to observe the principles of good scientific practice in accordance with these regulations. They bear the responsibility for ensuring that their own behavior upholds these principles.
- (2) The rules of good scientific practice include in particular the following general principles of scientific work:
 - a) To work reliably, honestly and accountably at every stage in accordance with the recognized rules (*lege artis*),
 - b) to take into account the current state of research when planning projects,
 - c) to use scientifically substantiated and reasonable methods when answering research questions,
 - d) to place special emphasis on quality assurance and establishing standards when developing and using new methods,
 - e) to either demonstrate possession of the specific skills required to implement the methods or to cover them through close scientific cooperation,
 - f) to document all information relevant to achieving a research result in such a comprehensible and transparent manner that it may be reviewed and evaluated,
 - g) to check research results and any research data leading to them in a self-critical manner and present them within the scientific discourse,
 - h) to make a genuine contribution towards their publication as authors in each case, select the means of publication with care, take collective responsibility and rule out so-called “honorary authorships”,
 - i) to protect human rights during projects which include the involvement of human participants, in particular the right to informational self-determination and general personal rights, and to determine whether a vote by the Ethics Commission is required,
 - j) to avoid scientific misconduct, to prevent it and regularly put into practice personal knowledge regarding the standards of good scientific practice,
 - k) to treat colleagues, research participants, society, the cultural legacy, ecosystems and the environment with respect,
 - l) to observe the principles described in these regulations.
- (3) These regulations must be announced to scientific personnel of Zeppelin University by handing it out to them when they are hired or appointed. This includes, first and foremost, the signing of a specific “Compliance Declaration” in which it must be confirmed that these regulations, the “third level” of the DFG Code¹ and any additional subject-specific guidelines have been acknowledged and understood, and are being followed. The departments, academic program managers as well as advisors must familiarize the young researchers and students with the principles of good scientific practice and prevent them from engaging in scientific misconduct. The principles of good scientific practice are incorporated into academic teaching and the training of young researchers.

¹ See: <https://wissenschaftliche-integritaet.de/en/> (Accessed: 06/24/2022).

§ 2 Professional Ethics

- (1) Academics bear responsibility for implementing the fundamental values and standards of scientific work in their own activities and defending them. Communication of the principles of good scientific practice begins at the earliest opportunity during the course of academic teaching and scientific training.
- (2) Academics at all career stages regularly update their knowledge regarding the standards of good scientific practice (e.g. by participating in relevant training) and the state of research. Experienced academics and young researchers provide mutual support in an ongoing learning and training process, and engage in regular dialogue.

§ 3 Responsibilities of University Directors and Work Unit Leadership

- (1) The university directors create the framework conditions for scientific working. Together with the departments they are responsible for compliance with and communication of good scientific practice, and for providing appropriate career support for all academics. The university directors and departments ensure that the preconditions are in place so that the academics are able to comply with the legal and ethical standards. The framework conditions include:
 - a) Clear and transparent process and principles, laid down in writing, for personnel selection and development taking into account equality of opportunity and diversity and avoiding unconscious bias as far as is possible;
 - b) established care plan and structures for young researchers;
 - c) career and further career path guidance as well as further training opportunities and mentoring for the academic and ancillary personnel;
 - d) appropriate organizational measures designed to prevent the misuse of power and exploitation of dependent relationships;
 - e) timely communication of the principles of good scientific practice in academic teaching and the training of young researchers;
 - f) establishment of an appropriate institutional and organizational structure to ensure that the tasks associated with management, supervision, quality assurance and conflict resolution are clearly assigned in relation to the size of the individual scientific work units (see Para. 2), and are appropriately communicated to the individual members and affiliates.
- (2) The leadership of a scientific work unit (e.g. professorship, research project) bears responsibility for the entire unit. Collaboration in scientific working units is designed so that the group as a whole can fulfill its tasks, the necessary cooperation and coordination can take place and every member is aware of his/her roles, rights and responsibilities. Leadership tasks include, in particular, ensuring appropriate individual support for young researchers as well as the career advancement of academic and ancillary academic personnel, taking into account aspects relating to self-reliance, autonomy and participation rights. The misuse of power and exploitation of dependent relationships must be prevented at the work unit level through the adoption of appropriate organizational measures.

§ 4 Performance and Evaluation Criteria

- (1) The performance of academics is evaluated using a multifaceted approach. In addition to scientific performance, which is oriented towards discipline-specific criteria, additional aspects may also be taken into consideration, such as for example, commitment to teaching, academic autonomy, public outreach or knowledge and technology transfer. Insofar as they are freely volunteered, and in addition to the categories of the German Equal Treatment Act (AGG), the individual characteristics presented in resumes are also taken into account when forming a judgement. Absenteeism for personal, family or health reasons or any periods of training or study extended as a result, alternative career paths, or any comparable circumstances, will be appropriately taken into account.
- (2) Performance is evaluated primarily in accordance with qualitative standards, while quantitative indicators may influence the overall assessment in a nuanced and considered manner.

§ 5 Ombudsperson

- (1) At the suggestion of the President, the Senate appoints an academic of integrity with leadership experience as commissioned and independent officer for Self-Regulation in Science (hereinafter referred to as: Ombudsperson) as well as a deputy who takes his/her place if the latter is prejudiced or absent. The Ombudsperson must not simultaneously serve as a member of the Ethics Commission (§ 19) or a central executive committee of the university. The term of office is three years; s/he may be re-appointed once.
- (2) The Ombudsperson receives any necessary content-related support from the Board of Directors and approval in the performance of his/her duties, and is announced to the whole university. In order to increase the efficiency of the ombudsperson scheme, Zeppelin University has implemented measures to ease the burden on the Ombudsperson (due to the size of the university and manageable caseload, usually 0.5 credit hours per semester). Instead of contacting the Ombudsperson for Zeppelin University, members and affiliates may also contact the national board of the “DFG German Research Ombudsman”. The same matter cannot be considered simultaneously both by the Ombudsperson of Zeppelin University and the German Research Ombudsman.
- (3) The Ombudsperson is a neutral, qualified contact person in questions regarding good scientific practice and in questions regarding suspected cases of scientific misconduct. His/her primary task is to clarify and resolve conflicts in questions relating to good scientific practice. As a trusted third party, s/he counsels those persons who have informed him/her about specific suspected scientific misconduct as well as persons who are suspected of scientific misconduct, and contributes, as far as possible, to solution-oriented mediation of the conflict. In addition, on his/her own initiative s/he establishes definite indications of scientific misconduct that s/he becomes aware of by other means.
- (4) The Ombudsperson accepts the enquiries while maintaining confidentiality and checks every suspected instance of scientific misconduct for factual accuracy and significance with regard to plausibility. If s/he considers the suspicion to be plausible based on this check, s/he forwards it to the Ethics Commission of Zeppelin University (§ 19). In doing so, s/he may disclose the information confided to him/her by consultants only when and

insofar as it constitutes a reasonable suspicion of such scientific misconduct which, if not pursued, might cause considerable damage to Zeppelin University, its members or third parties.

b) Research Process

§ 6 Multi-Phase Quality Assurance for Each Stage

- (1) The academics implement each sub-phase in the research process *lege artis*. When scientific knowledge is made public (in the narrower sense of by publication, but also in the broader sense of via other means of communication), the applied mechanisms of quality assurance are always presented. This applies especially if new methods are developed. The academics of Zeppelin University are required to update their personal knowledge in the field of quality assurance on a regular basis (e.g. by applying the third level of the DFG Code (see footnote 1)).
- (2) Continual quality assurance for research in progress refers in particular to compliance with subject-specific standards and established methods, processes such as the calibration of machines, the collection, processing and analysis of research data, the selection and use of research software, its development and programming, and the maintenance of lab books. Research funds and resources should be used properly and conscientiously.
- (3) When academics make their findings public and subsequently notice inconsistencies or errors or the latter are brought to their attention by third parties, they will correct them, for example, in the form of errata in the journals in which the work was originally published. If the inconsistencies or errors present grounds for withdrawal of a publication, the academics will work towards implementing this as quickly as possible.
- (4) The origin of any data, materials and software used during the research process will be identified and subsequent usage documented; the original sources must be cited. The nature and extent of any research data produced by the research process are described. The data is used in accordance with the guidelines applicable to the particular subject concerned. The source code of publicly accessible software must be persistent, citable and documented. An essential component of quality assurance is that results and/or findings should be capable of being replicated and/or confirmed by other academics (e.g. via a detailed description of data and methods).

§ 7 Actors, Responsibilities and Roles

- (1) The roles and responsibilities of academics participating in a research project and ancillary academic personnel must be clear at every stage of the research project.
- (2) The participants in the research project remain in constant dialogue. They define their roles and responsibilities appropriately and adapt them when required. Adaptation is especially necessary if the focus of the work or one of the research project participants changes.

§ 8 Research Design

- (1) When planning a project, academics take the current state of research fully into account and acknowledge it. The identification of relevant and appropriate research questions presupposes careful research into research output that has already been made public. Zeppelin University ensures that the necessary framework conditions for this are in place (e.g. by making databases relevant to the specific subjects available).
- (2) Methods for avoiding (unconscious) bias when interpreting results – the blinding of test series, for example – are used whenever possible. Academics determine whether, and (if that is the case) the extent to which gender and diversity might be significant to the research project (e.g. with regard to methods, work program, objectives, etc.). When interpreting results, the current framework conditions are taken into account.

§ 9 Legal and Ethical Framework Conditions, Rights of Use, Collaborative Working

- (1) The academics take into account rights and obligations, in particular those resulting from legal requirements, but also from contracts made with third parties, and seek approvals and ethics votes whenever necessary and present them. With regard to the research project, a thorough assessment should be made of the effects of the research (e.g. damage, risks) and an assessment of the relevant ethical aspects. In this respect, aspects relevant to security-related research (“dual use”) should, in particular, be taken into account. In order to ensure that the activities undertaken by academics comply with the regulations, one of the appointed tasks of the Zeppelin University Ethics Commission (§ 19) is to evaluate research projects based on the binding principles of research ethics.
- (2) The legal framework conditions for a research project also include documented agreements regarding the right of use of research data and research results emanating from the project. In principle, the academics who collect and generate the data are entitled to use it. In research projects with external partners (e.g. in joint projects) cooperation agreements should be concluded in which the following aspects are included: rights of use, objectives of the joint research, compliance with good scientific practice (e.g. by referring to these regulations or DFG Code mentioned in the Preamble) as well as proper consultation and mutual sharing of information regarding the submission of research results for publication. Academics receive support in this regard from the Research Funding Department, the Transfer Department and Legal Department. Any third parties are granted access to research data that is made available in relevant repositories (see in particular § 12 (2) and § 16 regarding this).

§ 10 Methods and Standards

In order to answer research questions, academics will employ scientifically substantiated and comprehensible methods. When developing and using new methods, they attach particular importance to quality assurance and establishing standards. The use of a method generally requires specific skills which may be covered through appropriate close cooperation where necessary. The establishing of standards for methods, the use of software, the collection of research data and the description of research results is an essential precondition for the reproducibility and transferability of research results.

§ 11 Documentation

Academics must document all information relevant to producing the research result as comprehensibly and appropriately as is required by the subject area so that the result can be reviewed and evaluated. A selection of results should be omitted. Insofar as there are specific technical recommendations for reviewing and evaluation, the academics carry out the documentation process in accordance with the relevant specifications. If the documentation does not meet these requirements, the constraints and the reasons for them are presented in a comprehensible manner. Documentation and research results must not be manipulated and should be protected against tampering as far as is possible.

§ 12 Establishing Public Access to the Research Results

- (1) As a basic principle, all of the results will be presented within the scientific discourse in a timely, open, transparent and accurate manner by the academics while negative results will be considered as valid for publication and dissemination as positive results. In individual cases, there may be grounds for not making results publicly available; this decision may not depend on third parties. The academics assume personal responsibility – while taking into account the practices of the subject area concerned – for deciding whether, how and where their results are made accessible to the public.
- (2) If it is decided that results will be made publicly accessible, they are described by the academics in a thorough and comprehensible manner. As far as is possible and reasonable, this also involves making the research data, materials and information underlying the results available, as well as the methods and software used, and explaining the working processes in extenso. For reasons of transparency, the integrability of research and reusability, whenever possible academics will make the research data and most significant materials underlying the publication available in recognized archives and repositories – in accordance with the FAIR principles (“**F**indable, **A**ccessible, **I**nteroperable, **R**e-Usable”)². Restrictions may arise in the context of patent applications in relation to public accessibility. Self-programmed software is made publicly accessible and the source code is stated.
- (3) Taking into account the motto “Quality before quantity”, academics should avoid inappropriately detailed publications. These limit the replication of the contents of their publications as (co-)authors to the extent required for understanding the context. They cite the results they have previously made publicly accessible, insofar as they are not, by way of exception, allowed to waive publication according to the self-conception of the discipline. Preliminary work by third parties must also be completely and properly substantiated by academics.
- (4) Authors must also disclose any conflicts of interest and financial contributions or other types of support relating to the research work or the publication of their results. Most recognized scientific journals operating a peer-review process already demand information regarding potential conflicts of interest, the financing of the research, support for the research work and the publication of results when the manuscript is first submitted. Academics at Zeppelin University undertake that in the event that the publisher or publi-

² A worldwide directory of research data repositories is offered, for example, by the “Registry of Research Data Repositories” service (see: <https://www.re3data.org/> | Accessed: 06/24/2022).

ation platform concerned does not request any information regarding these four aspects when the manuscript is submitted they will provide a statement regarding these four aspects in the cover letter of their submission. This obligation is also contained within the “Compliance Declaration” mentioned in § 1(3).

§ 13 Authorship

- (1) An author is anyone who makes a genuine, reasonable contribution to the contents of a scientific text, data or software publication. All of the authors approve the final version of the work to be published. They assume collective responsibility for the publication, unless otherwise explicitly stated. As far as possible, authors work towards ensuring that their research contributions are identified in such a way by the publishers or infrastructure providers that they can be correctly cited by users.
- (2) In each individual case, a separate assessment must be made to determine whether a contribution is genuine and comprehensible, which will depend on the subject area concerned. In particular, a contribution is genuine and comprehensible if an academic has contributed in a scientifically significant way to
 - a) the development and design of the research project or
 - b) the development, collection, acquisition, preparation of data, software, sources or
 - c) the analysis/evaluation or interpretation of data, sources and the conclusions resulting from them or to the composition of the manuscript.

If a contribution is not sufficient to justify authorship, support can be acknowledged appropriately in the footnotes, in the preface or in the acknowledgement. Honorary authorship, in which no such contribution has been made, is not permitted. A leadership or management role does not in itself establish grounds for co-authorship.

- (3) Academics agree on who should be considered an author of the research results. The order of authors should be agreed in due time, usually no later than the time when the manuscript is drafted, using transparent criteria taking into account the conventions obtaining in each subject area. Necessary approval for the publication of results may not be refused without sufficient reason.

§ 14 Means of Publication

- (1) Authors carefully select the means of publication, taking into account its quality and visibility in the particular field of discourse. Academics who assume the role of editors check the mediums of publication for which they assume this role carefully. The scientific quality of a contribution does not depend on the means of publication in which it is made publicly accessible. A new or unknown means of publication should be checked for its integrity. An essential criterion when making a selection is whether the means of publication has established its own guidelines for good scientific practice.
- (2) In addition to publications in books and specialist journals, specialist repositories, data and software repositories (see footnote 2) and blogs also come into consideration.

§ 15 Confidentiality and Neutrality in Reviews, Consultations, Assessments and Tests

- (1) Academics take their obligations towards the research community seriously through participation in subject-specific reviews, consultations, assessments and tests. This involves checking and evaluating submissions for publication, funding, appointments, promotion or awards in a transparent and justifiable manner.
- (2) In particular, academics who assess submitted manuscripts, funding applications or individuals' scientific credentials are obliged to maintain strict confidentiality regarding this. They disclose any facts that might give rise to concerns regarding impartiality and refrain from making decisions in the event of any conflicts of interest. The obligation to maintain confidentiality and disclose any facts that might give rise to concerns regarding impartiality also applies to members in scientific advisory and decision-making committees. The confidentiality of third-party content accessed by the reviewer and/or committee member precludes its transfer to third parties and personal use. Academics must reveal any conflicts of interest or prejudice relating to the reviewed research project or the person and/or subject of consultation capable of being substantiated immediately to the competent authority.

§ 16 Archiving

- (1) Academics ensure that the research data and research results made publicly available, as well as the underlying , significant materials and, where applicable, the research software used, is adequately safeguarded measured by the standards of the subject area concerned (generally, accessibly and transparently) and conserve them for an appropriate time period (min. ten years from the date on which public access was granted) on the secure server and/or the institutional repository of Zeppelin University and/or in cross-location repositories. If there are reasonable grounds for not conserving specific data, the academics will explain them. The university leadership ensures that the necessary infrastructure for archiving is in place (especially through the availability of an institutional repository).
- (2) Academics at Zeppelin University are obliged to archive their research data in appropriate research data repositories. A suitable repository is selected in accordance with the practices of the particular specialist discipline or the guidelines provided by funding institutions or publishers (see footnote 2).

Section II: Procedures in Case of Suspected Scientific Misconduct

§ 17 Scientific Misconduct

Scientific misconduct is a behavior in a scientific context that violates legal provisions or such written or unwritten rules whose observance is regarded as essential in general, in a specific scientific subject or in a scientific field. Scientific misconduct is defined as the intentional or grossly negligent statement of falsehoods in a scientific context, the infringement of intellectual property rights or impeding another person's research work in any other way. A catalog of behaviors considered as scientific misconduct is included in attachment 1 of these regulations.

§ 18 Obligation to Inform and Consequences

- (1) Zeppelin University will investigate every definite suspicion of scientific misconduct (§ 17) without distinction of person.
- (2) If the suspicion of scientific misconduct is confirmed after clarification of the case circumstances, measures appropriate for the particular case will be taken within the scope of legal possibilities (cf. attachment 2). Measures must be applied in each case as determined by the severity of the proven misconduct.

§ 19 Ethics Commission

To safeguard self-regulation in science, Zeppelin University has established an Ethics Commission. Its duties, formation and procedures are defined by Rules of Procedure.

§ 20 Disclosing and Accused Parties

- (1) The Ombudsperson (§ 5) and Ethics Commission (§ 19) work in an appropriate manner to protect both the disclosing and accused parties. Accusations of scientific misconduct are formally investigated with due regard to *confidentiality* and the fundamental principle of the *presumption of innocence*.
 - | Confidentiality: If the disclosing party is known by name, the Ombudsperson and Ethics Commission treat the name as confidential and will not reveal it to a third party without appropriate consent. This will not apply only if there is a legal obligation in this regard or if the accused party would be otherwise unable to defend him/herself properly because, exceptionally, the identity of the disclosing party is involved. Before the name of the disclosing party is revealed, s/he is immediately informed of this; the disclosing party may decide whether s/he wishes to withdraw the notification – for anticipated disclosure of the name. The confidentiality of the proceedings is impaired if the disclosing party communicates the suspicion to the public. The Ethics Commission determines how it will deal with the violation of confidentiality by the disclosing party in the particular case. The disclosing party must also be protected in the event that scientific misconduct has not been proven insofar as the notification of accusations has not demonstrably been made against the party's better judgement. Furthermore, confidentiality also applies to the disclosing parties themselves; in particular, they should keep their request to the Ombudsperson confidential to the extent that they refrain from sending copies to other persons.

- | Presumption of innocence: The Ombudsperson and Ethics Commission take into account the fundamental principle of the presumption of innocence vis-à-vis the concerned party at every stage of the proceedings within the context of their case-by-case assessments. As a matter of principle, during that time the accused party must not suffer any disadvantage from the review of the suspicion until it has been formerly established that scientific misconduct has occurred.
- (2) Neither the disclosing party nor the accused party should suffer any disadvantage in his/her own scientific or professional advancement as a result of the notification. With regard to the accused party see Para. 1 regarding the presumption of innocence. In relation to the disclosing party, the notification should not, where possible, lead to delays during qualification, the compilation of theses and doctorates should not in any way be disadvantaged; this also applies to working conditions and any possible contract renewals.
 - (3) Notification must be made in good faith by the disclosing party. Accusations that are known to be false or made maliciously may themselves constitute scientific misconduct. The disclosing party must have objective evidence that the standards of good scientific practice may have been violated. If the disclosing party is unable to check the facts him/herself or if there are uncertainties relating to an observed process when interpreting the principles of good scientific practice, the disclosing party should contact the Ombudsperson in order to clarify the suspicion.
 - (4) As a rule, a proper inquiry demands the naming of the disclosing party. Notifications in which the disclosing party does not reveal his/her name (anonymous notification) are only reviewed in exceptional cases. A notification provided anonymously can therefore only be subject to review proceedings if the disclosing party presents the authority reviewing the suspicion with facts of a credible and sufficiently specific nature.

§ 21 Preliminary Examination in Case of Specific Grounds for Suspicion

- (1) In the event of a specific and objectively reasonable suspicion of scientific misconduct, the Ombudsperson must be informed. The notification of suspected scientific misconduct should be made in writing; if notification is given orally, a written note must be made by the Ombudsperson. The processes and results of individual phases of the procedure must also be recorded in writing and in an easily comprehensible manner. In case of a lack of impartiality on the part of the Ombudsperson, s/he must assign the preliminary inquiry to his/her deputy.
- (2) The person suspected of misconduct will be given the opportunity by the Ombudsperson to make representations including details of the allegation(s), incriminating facts and evidence; Para. 1 Clause 2 will apply accordingly. The period for this is two weeks. The disclosing party's name will not be revealed to the person concerned without his/her consent. The person suspected of misconduct may bring a complaint to the Ethics Commission against the Ombudsperson for lack of impartiality. If the Commission considers the concern regarding lack of impartiality to be objectively justified, the preliminary inquiry will be conducted by the Deputy Ombudsperson.
- (3) After receipt of the representations of the party concerned and/or expiry of the period, the Ombudsperson will come to a decision, if possible within a period of two weeks,

- a) whether the preliminary inquiry procedures should be suspended because the suspicion is not sufficiently confirmed or the suspicion proves to be completely unfounded; the person concerned as well as the disclosing party must be advised of the reasons; the disclosing party must be advised of his/her right of complaint in accordance with Para. 4; the procedure is also terminated if the Ombudsperson succeeds in resolving the reported conflict (e.g. through mediation and reconciliation of interests);
- b) whether the institution of a formal inquiry (§ 22) should take place; the Ombudsperson will forward the documents together with a comment to the chairperson of the Ethics Commission.

The Board must be informed of the decision; in the event of termination of the procedures, which must be noted in writing, this is not required.

Apart from that, the Ombudsperson should also hand a case over to the Ethics Commission if s/he is unable to form a clear verdict regarding the technical question of whether the suspicion of misconduct can be substantiated.

- (4) If the disclosing party disagrees with the suspension of the preliminary examination procedures, s/he can lodge a complaint in writing, stating the reasons, with the chairman of the Ethics Commission within two weeks after notification of the reasons in accordance with Para. 3 Clause 1, a). The Ethics Commission will decide whether the suspension of the preliminary examination procedures is final or whether a formal inquiry will be instituted; the procedure described in Sec. 2 and 3 will apply to the Ethics Commission accordingly. No further complaint procedures against the decision made by the Ethics Commission to suspend the above-mentioned procedures will take place.

§ 22 Formal Inquiry

- (1) The Ethics Commission, which will review the accusation with free consideration of evidence and within a period appropriate to the particular case, is responsible for the formal inquiry. It is entitled to take whatever steps are necessary to clarify the case circumstances. For this purpose, it may obtain all necessary information and representations and may in individual cases, and by majority decision, consult experts specializing in the field of the scientific case circumstances to be judged as well as experts experienced in handling such cases as additional members in an advisory capacity. If a lack of impartiality is identified by one of the members, by the person concerned or the disclosing party, the corresponding deputy members of the Ethics Commission will conduct the formal inquiry. As a matter of principle, all persons involved in the procedure report any conflicts of interest arising during the inquiry.
- (2) The person concerned must be informed of the details of the accusation, and of the incriminating facts and evidence, where applicable. Both the person concerned and the disclosing party must be given the opportunity to make oral representations; s/he may also consult a trusted person as an advisor.
- (3) The processes and results of individual phases of the procedure must be recorded in writing and in an easily comprehensible manner.

§ 23 Termination of the Formal Inquiry

- (1) If the Ethics Commission considers that scientific misconduct has not been proven, the procedure is discontinued and appropriate compensatory measures are taken vis-à-vis the absolved person (e.g. additional research funding in order to compensate for time lost as a result of the procedure, or, if required by the absolved person, public rehabilitation). If the Ethics Commission regards scientific misconduct to be sufficiently proven, it will consider the further procedural options, particularly the possible consequences (attachment 2), and will submit a final report to the Board and recommend further procedures to be implemented.
- (2) The chairman of the Ethics Commission must immediately give written notice of the primary reasons which led to the suspension of the procedures or redirection to the Board to the person concerned and the disclosing party. An internal complaints procedure against the Commission's ruling will not take place.
- (3) If scientific misconduct has been established, the Board will consider which measures should be taken in order to maintain the university's scientific standards as well as the rights of all persons concerned directly or indirectly based on the final report and recommendation of the Ethics Commission. Measures must be applied in each case as determined by the severity of the proven misconduct. In serious cases, the measures may also lead to the termination of the employment contract of the academic concerned. As far as would appear necessary to protect third parties, preserve trust in scientific integrity, redeem its scientific reputation, prevent consequential damage or otherwise in the special public interest, affected third parties and the press may be informed in an appropriate manner regarding the result of the formal inquiry and the additional measures to be taken.
- (4) The respective responsible institutions will initiate measures pertaining to service law, labor law, civil law, criminal or regulatory law with the corresponding procedures taking into account the circumstances of the particular case.
- (5) The Board of Directors provides the Ombudsperson and the Senate with written notice of the termination of the formal inquiry and of the measures taken.

§ 24 Procedures in Case of Change of Institutions

- (1) If the person suspected of scientific misconduct was a member of Zeppelin University at the relevant time, the provisions of these regulations will apply even if s/he is no longer a member of the university.
- (2) If the person suspected of scientific misconduct was still a member of another institution at the relevant time, Zeppelin University will issue regular requests for this institution to take over the inquiry.

§ 25 Supplementary Measures and Storage of Files

- (1) After termination of the formal inquiry, the Ombudsperson will determine which university members have had their justified interests affected by the established scientific misconduct. S/he will advise those university members, particularly young researchers and stu-

dents who were involved in scientific misconduct through no fault of their own, regarding the safeguarding their personal and scientific integrity.

- (2) The formal inquiry files will be stored for 10 years. University members named in connection with a case of proven scientific misconduct will receive, at the Ombudsperson's request, certification of the duration of the storage period according to Clause 1 on their exoneration.

Section III: Procedures for Protection of Participants in Empirical Studies

To protect participants in empirical studies, Zeppelin University has developed ethical guidelines based on international standards. These guidelines must be carefully considered and adhered to by the academics responsible for the project.

All studies conducted by academics at Zeppelin University involving participants require the approval of the Ethics Commission. This approval must have been given before the start of data collection.

The approval procedure is briefly described below.

§ 26 Filing a Proposal

- (1) All documents and information necessary for the approval of a study by the Ethics Commission can be found in the Ethics Commission document “Empirical Studies Involving Human Subjects - Guidelines and How to get Research Approval”.
- (2) It is the task of the responsible project leader to initiate the process of evaluating a study with the involvement of participants at the Ethics Commission. As an initial stage, this includes filling out a checklist for ethical compliance. All further information on the procedure can be found in the document “Empirical Studies Involving Human Subjects. Guidelines and How to get Research Approval”.

§ 27 Evaluation Process

- (1) The Ethics Commission, which examines the documents submitted by the responsible project manager in view of the ethical aspects of planned research projects involving human participants, is responsible for the evaluation. The responsibility of the responsible academic remains unaffected.
- (2) The Ethics Commission will in particular examine
 - | the provisions for minimizing risk for the participants,
 - | the appropriateness of the risk/benefit ratio of a research project,
 - | the provisions for informing the participants sufficiently about the methods, aims and risks of the research project,
 - | the compliance of the project with relevant statutory regulations, in particular data protection laws.
- (3) Members contributing to the study or whose interests are affected in such a manner that there is reason to doubt their impartiality are barred from the discussion of the resolution.
- (4) The Ethics Commission may reject or approve the proposed study or approve it with restrictions based on the submitted documents and, where necessary, its own investigations. In doubtful cases, it can determine that further evaluation is necessary and remit the proposal to a recognized external, independent ethics commission (usually a specialist association within whose specialist responsibility the particular research falls). The referral to and voting undertaken by the external ethics commission are binding on members of Zeppelin University.

- (5) The proposer must be given written notice of the Ethics Commission's decision. Reasons for adverse decisions and restrictions must be given in writing.
- (6) The evaluation process documents including the Commission decisions will be stored for 10 years.

Section IV: Final Provision

§ 28 Effective Date

These regulations come into force on the day after their publication.

Notice of Publication

These regulations were approved, issued and published by the President of Zeppelin University on 06/24/2022. The effective date is therefore 06/25/2022.

Prof. Dr. Klaus Mühlhahn, President

Attachments

Attachment 1: Catalog of Behaviors Considered as Scientific Misconduct

I. Scientific Misconduct

Scientific misconduct is defined as the intentional and grossly negligent statement of falsehoods in a scientific context, the infringement of intellectual property rights or impeding another person's research work in another way. The specific circumstances of the particular case are ultimately decisive.

In particular, the following may be considered as scientific misconduct:

1. Misrepresentation by:

- a. fabrication of data;
- b. falsification of data, e.g.
 - aa. selecting and rejecting unwanted findings without disclosing such action,
 - bb. manipulating representations or images;
- c. providing incorrect information in an application for employment or funding (including misrepresentation concerning the means of publication and forthcoming publications);

2. Infringement of intellectual property rights:

- a. in relation to any copyrighted work or any substantial scientific finding, hypothesis, teaching or research approach:
 - aa. unauthorized use claiming authorship (plagiarism),
 - bb. exploitation of research approaches and ideas, in particular as an expert (theft of ideas),
 - cc. undue or unjustified claim to scientific authorship or co-authorship,
 - dd. falsifying content or
 - ee. unauthorized publication and unauthorized access to third parties as long as the work, the findings, the hypothesis, the contents of the teaching or the research approach have not yet been published;
- b. by using the (co-)authorship of another person without their consent;
- c. additionally, where applicable, even if intellectual property has not been violated by the above: the use of personal, previously published scientific texts (in other languages, where applicable) without indicating this accordingly ("self-plagiarism").

3. Impeding another person's research work by:

- a. the sabotage of research activities (including the damaging, destruction or manipulation of experimental set-ups, equipment, documents, hardware, software, chemicals or other items required by another or another to carry out an experiment),
- b. elimination of primary data, insofar as this violates statutory regulations or discipline-related, accepted principles of scientific methods.

II. Joint responsibility may, among other things, arise from

1. active involvement in the misconduct of others,
2. knowing about falsifications committed by others,
3. co-authorship of falsified publications,

4. gross negligence of duty of supervision.

Attachment 2: Catalog of Possible Sanctions and/or Consequences in Case of Scientific Misconduct

The following catalog of possible sanctions and/or consequences of scientific misconduct should be viewed as an initial orientation aid and is not intended to be exhaustive. Given that every case is different and diverse aspects of the established scientific misconduct play a role, there are no standard guidelines for adequate reactions; they depend, on the contrary, on the circumstances of the particular case. Measures must be applied in each case as determined by the severity of the proven misconduct.

I. Service and Labor Law-Related Consequences

Given the strong probability that the person concerned in cases of scientific misconduct at Zeppelin University is also a university employee, service and/or labor law-related consequences should always be examined first:

a. Warning

The warning is a preliminary stage to dismissal, and can therefore only be considered in cases of minor scientific misconduct in which dismissal is not yet to take place. The Personnel Department should be involved in the process from an early stage.

b. Dismissal

A dismissal presupposes that the continuation of the employment relationship cannot be reasonably expected under the circumstances of the individual case and after weighing the interests of both contractual parties. In serious cases of scientific misconduct, this should apply as a rule. In such a case, the personnel department must be contacted without delay.

c. Contract Termination

In addition to termination of the employment relationship by means of dismissal, an attempt should be made to terminate the employment relationship by means of mutually agreed contract termination.

II. Academic Consequences

Academic consequences in the form of a withdrawal of academic degrees can be taken by Zeppelin University itself only if it conferred the academic degree on the person concerned. If the academic degree was conferred by another university, it must be informed of serious scientific misconduct if this was connected with the acquisition of an academic qualification.

Possible consequences include in particular withdrawal of academic degrees (bachelor, master, doctoral) or withdrawal of teaching licenses (*Venia Legendi*).

III. Civil Law-Related Consequences

The following civil law-related consequences may be considered:

1. Banning from the university;
2. Claims for surrender against the concerned person, e.g. to surrender stolen scientific material;
3. Claims for removal and injunctive relief from copyright law, personal rights, patent law and competition law;
4. Claims for restitution, e.g. of scholarships, third-party funds or the like;

5. Damage claims made by Zeppelin University or third parties for personal damage, material damage or the like

IV. Criminal Consequences

Criminal consequences are possible whenever it is suspected that a case of scientific misconduct simultaneously constitutes an element of offense under the German Penal Code (StGB) and/or other penal provisions or regulatory offences. Recourse to investigative authorities is always a matter for the Board.

Possible elements of offense include:

1. Infringement of personal and private spheres

§ 202a StGB: Data espionage

§ 204 StGB: Use of other persons' secrets

2. Crimes against life and physical integrity

§ 222 StGB: Negligent homicide

§§ 223, 229 StGB: Malicious injury or physical injury resulting from negligence

3. Offenses against property

§ 242 StGB: Theft

§ 246 StGB: Misappropriation

§ 263 StGB: Fraud

§ 264 StGB: Subsidy fraud

§ 266 StGB: Embezzlement

4. Falsification of documents

§ 267 StGB: Falsification of documents

§ 268 StGB: Falsification of technical records

5. Damage to other people's property

§ 303 StGB: Damage to other people's property

§ 303a StGB: Alteration of data

6. Copyright infringement

§ 106 Copyright Law: Unauthorized use of copyrighted work.

V. Revocation of Scientific Publications / Public Information / Press

Scientific publications which contain errors due to scientific misconduct must be withdrawn, if they are still unpublished, and corrected if they are published (revocation); cooperation partners must be informed in a suitable form, if necessary. The authors and participating publishers are generally bound to this; if they do not take action, Zeppelin University will initiate any possible suitable measures it is capable of. In cases of serious scientific misconduct, Zeppelin University will inform other affected research institutions and/or research communities. In justified cases, it may also be advisable to inform professional associations.

Zeppelin University may be bound, in order to protect third parties, preserve trust in scientific integrity, redeem its scientific reputation, prevent consequential damage, as well as in the special public interest, to inform affected third parties and the public.