

**Statutes on good scientific
practice of the
University of Technology
Nuremberg
(Good scientific practice –
GSP statutes)**

Last amended March 22, 2023

In accordance with Art. 21, Sec. 2 of the Bavarian Higher Education Innovation Act (BayHIG) dated August 5, 2022 (Bavarian Law and Ordinance Gazette (GVBl. p. 414, BayRS 2210-1-3-WK), in conjunction with Art. 2, Para. 1, sentence 2 of the Act Establishing TU Nuremberg (TNG) of December 9, 2020 (GVBl. p. 638, BayRS 2210-2-1-WK), which was amended by Art. 130f, Para. 4 of the Act dated August 5, 2022 (GVBl. p. 414), and the DFG's Code of Conduct "Guidelines for Safeguarding Good Scientific Practice" (2019), the University of Technology Nuremberg (UTN) issues the following statutes.

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Preamble

Scientific integrity is the foundation of honest, resilient, and sustainable science. It is also of particular importance in the dialogue with business and society, in that it legitimizes scientific work and the knowledge gained from it and thus lends the latter credibility. For researchers, the quality of scientific integrity is a basic prerequisite for their work; it cannot be replaced by any set of rules, but is rather lived and taught. Embedding good scientific practice at a university as part of its identity, such that its lasting effectiveness against manipulation and abuse in research can take full effect, calls for appropriate role models and frameworks. This may not prevent misconduct in scientific work in principle, but it can curb it and make it more difficult. Based on this identity, the following rules implement the “Guidelines for Safeguarding Good Scientific Practice” of the Deutsche Forschungsgemeinschaft (German Research Foundation, DFG), in the version dated August 2019, for the University of Technology Nuremberg (hereafter “UTN”).

I. Rules for good scientific practice

§ 1 Scope of application at a personal level

(1) ¹All researchers working at the UTN are obligated to comply with the following statutes to ensure good scientific practice. ²This obligation also applies to all members and affiliates of the UTN who are entrusted with scientific and science-related tasks, including students. ³In addition, these statutes also apply to persons who are supervised by a member of the UTN in a scientific qualification project, even if they are not members of the UTN themselves.

(2) These statutes also apply to former members and former doctoral researchers of the UTN should they be affected by an allegation of scientific misconduct relating to their activities at the UTN.

(3) ¹The rules of good scientific practice to be observed in accordance with these statutes shall be made known to the members and affiliates of the UTN on its website. ²In addition, all scientific staff or civil servants under labor law shall be notified separately of the entry into force of these statutes.

(4) Rights and obligations under labor and civil-service law are not affected by these statutes.

§ 2 Individual rules of good scientific practice

(1) ¹The members of the UTN shall commit themselves to the general rules of good scientific practice recognized in their disciplines. ²These include in particular:

1. Working *lege artis* (i.e., in accordance with the state of the art and the recognized rules of science)
2. Maintaining strict honesty with regard to their own contributions and those of third parties
3. Documenting the research process and its results correctly and comprehensively
4. Engaging critically and open-mindedly with their research and questioning it rigorously and in a spirit of reflection
5. Dealing responsibly with authorship and editorship and dispensing with honorary authorships
6. Allowing and promoting critical discourse in the scientific community

(2) ¹Each member of the UTN shall make a genuine contribution to the joint establishment of a culture of scientific integrity at the university. ²In addition to compliance with the rules of good scientific practice, this also includes teaching those rules as part of the scientific training of students and researchers in early career stages.

§ 3 Professional ethics of scientific staff members

(1) Teaching the basics of good scientific work shall begin at the earliest possible stage of scientific training.

(2) ¹Researchers at the UTN stand for the fundamental values of scientific work. ²They shall pursue their work with an open mind, display a willingness to take risks, and embrace scientific experimentation.

(3) ¹At the UTN, researchers at all career levels regularly update their knowledge of the standards of good scientific practice and the state of research in their fields. ²Experienced researchers and early career researchers support each other in the continuous education process and are in regular contact with each other.

§ 4 Organizational responsibility of university management

(1) ¹University management shall be responsible for and hold organizational

responsibility for compliance with and communication of good scientific practice at the UTN. ²It is supported in this by the departments, the scientific institutions, and the organs of scientific self-regulation.

(2) ¹University management creates the framework for compliant scientific work at the university by establishing an appropriate institutional organizational structure. ²In this way, it creates the conditions for scientific staff to comply with legal and ethical standards.

(3) ¹Transparent processes and principles for personnel selection and development are laid down in writing at the UTN, one reason for which is to avoid unconscious bias as far as possible. ²Equal opportunity, gender equality, and diversity are of particular importance.

(4) Adequate support structures and concepts have been established for the promotion of early career researchers.

§ 5 Responsibility of the heads of work units

(1) The size, organization, and cooperation of the scientific work units is such that the unit as a whole can carry out its tasks, the necessary cooperation and coordination can take place, and all members are aware of their roles, rights, and duties.

(2) ¹The head of a scientific work unit is responsible for their entire unit. ²They shall take appropriate organizational measures to ensure that the tasks of management, supervision, and quality assurance, including the clarification of the relevant standards of good scientific practice, are clearly assigned within the work unit, that all members are aware of their roles, rights, and duties, and that these are indeed performed by those responsible for them.

(3) Abuse of power and the exploitation of dependent relationships are counteracted by suitable organizational measures, both at the level of the individual work units and at the level of university management.

(4) The responsibilities of the head of a scientific work unit include, in particular, the obligation to foster the careers of scientific and scientific support staff on an individual basis, embedded in the university's overall concept, and to communicate the principles of scientific integrity.

§ 6 Early career researchers¹

(1) ¹Early career researchers enjoy a balance of support and personal responsibility appropriate to their career stage, and are thus empowered to increasingly shape their careers independently as part of the scientific community. ²To this end, all researchers with a management or supervisory function shall endeavor to

1. actively support the individual professional and interdisciplinary further qualification of early career researchers;
2. enable the completion of qualification work within a reasonable timeframe;
3. grant early career researchers a status appropriate to their career stage with corresponding rights of development, participation, and organization; and
4. provide early career researchers with the necessary material and spatial resources.

(2) ¹The early career researchers involved in research projects are obligated to work together in a responsible, trusting, and respectful manner. ²The respective share of those involved in the overall scientific project should be documented according to the practice of the respective discipline.

(3) To define the individual framework as well as the rights and obligations of supervisors on the one hand and early career researchers on the other, it is recommended that appropriate agreements be concluded, regular professional development meetings be held, and other suitable quality assurance measures be introduced.

§ 7 Evaluation of scientific performance

(1) ¹Evaluating the performance of researchers requires a multidimensional approach. ²In addition to purely scientific performance, other relevant aspects—such as commitment to teaching and academic self-administration, science communication, or knowledge and technology transfer—can be taken into account. Periods of absence

¹ The term “early career researchers” (or, often, “early stage researchers”) is not clearly defined. In line with the [European Commission’s division of science and academia into four career stages](#), the term essentially refers to researchers in career stages R1 (up to completion of the doctorate) and R2 (doctoral graduates in the first few years after completing the doctorate), but in certain cases also appears to apply to researchers in career stage R3 (doctoral graduates who have already achieved a certain degree of independence).

due to personal, family, or health concerns or extended periods of training and qualification, alternative career paths, or comparable circumstances are taken into account as appropriate and following careful consideration.

(2) ¹The assessment of performance is primarily based on qualitative standards, which also take into account discipline-specific criteria. ²Quantitative indicators can be included in the overall assessment only in a nuanced and reflective manner.

(3) This applies in particular to target agreements and evaluations as part of career advancement procedures, as set out in the tenure track statutes governing career advancement procedures between the professorial career levels at the University of Technology Nuremberg.

§ 8 Cross-stage quality assurance

(1) ¹Researchers shall carry out each step of the research process *lege artis*, i.e., in accordance with the state of the art. ²Continuous quality assurance shall take place across all stages.

(2) ¹When planning a project, UTN researchers shall comprehensively consider and recognize the current state of research. ²The development of new research questions therefore generally requires a thorough search for publicly available research. ³University management shall ensure it provides the structures required for this research within the scope of its budgetary options.

(3) ¹The origin of data, organisms, materials, and software used in the research process shall be identified, citing the original sources, and evidence shall be provided as to which guidelines apply to subsequent use. ²If publicly accessible software is used, it must be documented in a persistent and citable manner, citing the source code, insofar as this is possible and reasonable.

(4) ¹The type and scope of research data generated in the research process shall be described. ²When research software is developed, its source code shall be documented insofar as this is possible and reasonable.

(5) ¹Researchers at the UTN shall use scientifically sound and understandable methods to answer research questions. ²They shall take into account that the application of a method usually requires specialist knowledge and specific skills. ³When developing and applying new methods, scientific staff shall attach particular importance to quality

assurance and efforts to establish standards.

(6) Researchers at the UTN shall apply methods to avoid (even unconscious) bias in the interpretation of findings, insofar as this is possible and reasonable.

(7) ¹Reflection regarding gender and diversity dimensions refers to the researcher, the persons studied, the persons affected by the implementation of the research results, the animals studied, and the material taken from humans or animals. ²Proceeding in this way serves to avoid “blind spots” and increase the scientific quality of the results.

(8) ¹An essential component of quality assurance is the presentation of publicly accessible results or findings in a form that enables other researchers to examine these results and, if necessary, to reproduce or confirm or falsify them or to understand them by means of a description of materials, methods, and interpretation path. ²This applies in particular when new methods are developed.

§ 9 Stakeholders and their responsibilities and roles

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

(9) The parties involved shall define their roles and responsibilities in an appropriate manner and adjust them where necessary.

§ 10 Legal and ethical framework for research, rights of use

(1) ¹Researchers at the UTN shall treat the freedom of research granted to them under German constitutional law responsibly. ²They shall take into account the rights and obligations resulting from legal requirements and from contracts with third parties. ³If necessary, votes from ethics committees and approvals are to be obtained before the start of the research project. ⁴The legal framework of a research project also includes documented agreements on rights of use for the data and results arising from the project.

(2) ¹University management shall be responsible for ensuring that the actions of the university’s members and affiliates comply with the rules and it shall promote compliance with the rules through suitable organizational structures. ²University management shall develop binding principles for research ethics.

(3) ¹Researchers at the UTN shall be constantly aware of the risk of misuse of research

results, particularly in the case of security-relevant research (“dual use”).²Research consequences and risks are to be thoroughly identified, assessed, and evaluated, and the ethical implications of research are to be reviewed.

(10) ¹At the earliest possible date, researchers at the UTN enter into documented agreements on the rights of use of the data and results arising from the research project. ²This applies in particular if several institutions are involved or if it is foreseeable that participating researchers will change institutions and wish to use the generated data for research purposes. ³The researcher responsible for collecting the data shall be primarily entitled to use it, provided that no statutory or existing contractual provisions preclude such a right of use. ⁴Researchers who are no longer employed at the UTN shall be given access to research data and materials that they were involved in developing, insofar as the UTN has these available. ⁵In the case of ongoing research projects, the authorized users shall decide by mutual agreement and in particular in accordance with data protection regulations whether and how third parties are to be granted access to the data.

§ 11 Documentation

(1) ¹Researchers shall document all information relevant to the production of a research result in such an understandable manner as is necessary and appropriate to the subject area concerned, so as to be able to review and evaluate the result and enable replication. ²Insofar as specific professional recommendations exist for review and assessment, the scientific staff shall carry out the documentation in accordance with the respective specifications.

(2) ¹Individual results that do not support the hypothesis are also to be documented. ²Selecting certain results is not permitted.

(3) If the documentation does not meet the requirements according to Para. 1 and 2 and Sec. 8, Para. 4 and 8, the restrictions and reasons for this shall be explained in an understandable manner.

(4) ¹Documentation and research results must not be manipulated. ²They must be protected against manipulation as far as possible.

§ 12 Creating public access to research results

(1) ¹As a matter of principle, UTN researchers contribute all their findings to the scientific discourse. ²Taking into account the practices of the respective subject area, they examine and decide on their own responsibility whether, how, and where they make their results publicly accessible. ³The decision to make scientific results publicly available must not depend on third parties – provided that this does not conflict with the rights of third parties (in particular data protection, copyright, know-how) – on whether patent applications are pending, or on whether the research in question is contract research or security-related research.

(2) ¹The researchers carefully select the publication medium, taking into account its quality and visibility in the respective field of discourse. ²Any new publication medium is to be checked for its respectability. ³In addition to publications in books and articles in specialist journals, this also includes scientific articles in preprint repositories, data and software repositories, and blogs. ⁴The quality of a scientific contribution does not depend on the publication medium.

(3) ¹Results that are made publicly accessible shall be described completely and understandably. ²This also includes making available the research data, materials, and information on which the results are based, as well as the methods applied and the software used, insofar as this is possible and reasonable. ³This is done according to the FAIR principles: findability, accessibility, interoperability, reusability. Exceptions are permitted in the context of patent applications. ⁵Self-programmed software shall be made accessible, stating its source code, insofar as this is possible and reasonable. If necessary, a license will be issued. ⁷Workflows shall also be described in detail and the methods described precisely.

(4) ¹The following guidelines shall be observed when writing scientific publications, taking into account recognized subject-specific standards:

1. ¹Relevant publications by other authors and ideas by other researchers must be cited. ²Exceptions to the citation obligation exist for the authors' own results that have already been made publicly accessible, if this can be waived for discipline-specific reasons. ³Self-citations are to be kept to a minimum.
2. ¹The designation "original publication" can be given only to the first communication of new scientific findings. ²It follows that the multiple publication

of the same results, apart from preliminary short communications, e.g., in congress documents, is permitted only if the publication of the original work is disclosed.

3. ¹Repetition of the contents of the authors' own publications is limited to the extent necessary for understanding. ²Inappropriately small publications should be avoided.
 4. ¹Results that support the authors' hypotheses and opinions, as well as results that contradict the authors' hypotheses and opinions, should be reported equally, taking into account the manner of publication. ²Discrepancies or errors subsequently discovered in publications shall be corrected. ³If the discrepancies or errors give rise to the retraction of a published article, the researchers shall work with the relevant publisher, infrastructure provider, etc. as quickly as possible to ensure that the correction or retraction is made and marked accordingly. The same applies if such discrepancies or errors are pointed out to the researchers by third parties.
- (5) ¹The publication of results from third-party funded projects is governed by the provisions of the underlying contract or funding regulations. ²UTN researchers are responsible for complying with these provisions.

§ 13 Authorship and editorship

(1) ¹(Co-)authors are only those who have made a genuine, verifiable contribution to the content of a scientific text, data, or software publication in their subject area. ²A verifiable, genuine contribution exists in particular if a UTN researcher contributes in a scientifically relevant way to

1. the development and conception of the research project;
2. the preparation, collection, procurement, or provision of the data, software, or sources;
3. the analysis/evaluation or interpretation of the data or sources and of the conclusions drawn from them; or
4. the drafting or critical revision of the manuscript's content.

(2) ¹Neither the position as current or former scientific director nor the position as supervisor alone can be used to derive (co-)authorship. ²The granting of honorary

authorship is not permitted. ³The following contributions are not sufficient to establish (co-)authorship:

1. Purely organizational responsibility for the acquisition of funding
2. Provision of standard materials for conducting tests
3. Instruction of staff in standard methods
4. Providing only technical assistance with data collection
5. Providing only technical support; for example, the mere provision of equipment or laboratory animals
6. Reading the publication template alone without any substantial contribution to the content

²If a person's contribution is not sufficient to establish authorship, their support can be appropriately acknowledged in footnotes, the preface, or the acknowledgements.

(3) Joint agreement on the order of the authors shall be reached in good time, usually at the latest when the manuscript is formulated, on the basis of understandable criteria and taking into account the conventions of the respective subject area.

(4) Anyone who takes on an editorship should carefully check for which publication media this is being done.

§ 14 Confidentiality and neutrality in assessments and consultations

(1) Behaving with integrity is the basis of the legitimacy of a process for forming an opinion.

(2) ¹In particular, UTN researchers who assess manuscripts, funding applications, or an individual's credentials are obligated to maintain strict confidentiality in this regard. ²They shall immediately disclose to the competent body all facts that could give rise to concerns of bias.

(3) Confidentiality includes the fact that content to which access is gained as part of carrying out the function may not be passed on to third parties and may not be used for personal purposes.

(4) Para. 1 and 2 shall apply to members of scientific advisory and decision-making bodies.

II. Ombudsperson system

§ 15 Ombudspersons

(1) ¹There is one ombudsperson and one deputy ombudsperson at the UTN. ²The deputy is provided for in the event that there are concerns of bias with regard to the ombudsperson actually responsible or the ombudsperson is prevented from performing his or her function. ³In the event of concerns about bias, Art. 21 of the Administrative Procedures Act (VwVfG) of the State of Bavaria shall apply. ⁴If there is doubt as to the course of action, the investigating committee shall decide in accordance with Part III.

(2) ¹Researchers with integrity and a background in management who have extensive experience in the implementation of research projects and in the supervision of early career researchers can be appointed as ombudspersons or deputies. ²The cultures of the various subject areas represented at the university should also be taken into account in the appointment. ³The ombudsperson and their deputy may not be members of the investigating committee or UTN management during their term of office. ⁴Only a person who is not themselves compelled to act in this regard (for example, as a department chair or supervisor) on the basis of the information they may receive may be appointed.

(3) ¹The ombudsperson and their deputy are elected by the Founding Steering Board. ²The election should be preceded by a proposal from the Executive Board.

(4) ¹The term of office of an ombudsperson and their deputy is three years. ²A one-time reelection is permissible.

(5) ¹The ombudsperson and their deputy shall receive the necessary support and acceptance from UTN management in the execution of their duties. ²To increase the functionality of the ombudsperson system, measures shall be taken to relieve the workload of the ombudsperson and their deputy in other ways.

§ 16 Work of the ombudsperson

(1) ¹The ombudsperson and their deputy shall carry out the ombudsperson's activities in accordance with Sec. 19 independently, in particular independently of instructions or informal case-related influence by university management or other university bodies. ²The ombudsperson receives no remuneration for their work and is obligated to

maintain strict confidentiality regarding that work.

(2) ¹Anyone can reach out to the ombudsperson to report suspected scientific misconduct at the UTN (whistleblower). ²This right also applies to those who believe they are suspected of scientific misconduct. ³Information about suspected scientific misconduct should be provided in writing; in the case of verbal information, the ombudsperson must prepare a written note about the suspicion and the evidence on which it is based. ⁴Alternatively, members and affiliates of the university have the option of contacting the national Ombuds Committee for Research Integrity in Germany.

(3) ¹University management shall ensure that the local ombudsperson and their deputy are known at the UTN. ²The name and contact details of the person holding each office will be published on the UTN website and at relevant information events.

(4) ¹The ombudsperson advises as a neutral and qualified point of contact on questions of good scientific practice and in cases of suspected scientific misconduct. ²They contribute, as far as possible, to solution-oriented conflict mediation.

(5) ¹The ombudsperson handles inquiries confidentially. ²In addition, on their own initiative they take up relevant information, of which they may also become aware via third parties. ³In the case of what German law calls an “initial suspicion,” the ombudsperson forwards the relevant cases to the investigating person at the UTN in accordance with Part III.

III. Procedures for handling scientific misconduct

§ 17 General rules for handling suspected cases of scientific misconduct

(1) ¹The UTN investigates any substantiated report of scientific misconduct by its current or former members if the work or achievements in question originated at the UTN. ²An investigation of scientific misconduct in the context of the provision of coursework and examinations that are part of degree programs or other studies within the meaning of Art. 77 BayHIG is the sole responsibility of the StaRs Steering Committee. ³Prior to the conclusion of the doctoral process, the UTN doctoral degree regulations apply to the investigation of scientific misconduct.

(2) ¹The investigation of allegations of scientific misconduct shall be conducted at all

times fairly, transparently, in accordance with the principles of the rule of law, and with the presumption of innocence. ²In addition, the investigation is confidential. ³Investigations are conducted irrespective of the person involved; decisions are made irrespective of the person involved.

(3) ¹Reports by whistleblowers must be made in good faith. ²Whistleblowers must have objective evidence that standards of good scientific practice may have been violated. ³If the whistleblower themselves is unable to verify the facts on which the suspicion is based, or if there are uncertainties regarding the interpretation of the guidelines on good scientific practice as laid out in Part I with regard to an observed process, the whistleblower should contact the persons in question to clarify the circumstances in accordance with Sec. 15, Para. 1 and 2. ⁴A report of suspicious activity in which the whistleblower does not disclose their identity (anonymous report) will be reviewed only if the whistleblower provides reliable and sufficiently concrete facts that enable a review with reasonable effort.

(4) ¹Neither the whistleblower nor the accused person shall suffer any disadvantages in their own academic or professional advancement as a result of the whistleblowing. ²This shall apply to the accused person until misconduct has been proven and established. ³In the case of early career researchers, the report shall not lead to delays in their qualification. ⁴Work on theses and doctoral dissertations shall not be impeded. ⁵The same applies to working conditions and possible contract extensions. ⁶The responsibility for ensuring this lies with the management of the scientific institution concerned.

(5) Deliberately false or malicious accusations can themselves constitute scientific misconduct.

(6) ¹All bodies involved in the proceedings shall commit to carrying out the entire process as quickly as possible. ²They shall take the necessary steps to complete each stage of the process within a reasonable period of time.

(7) ¹If the identity of the whistleblower is known to the competent body, the body shall treat that identity confidentially and shall not disclose it to third parties without the whistleblower's written consent. ²The identity may be disclosed without consent if there is a corresponding legal obligation. ³Exceptions may also be made regarding disclosure of the whistleblower's identity if keeping the identity a secret would harm the accused person's ability to mount a proper defense. ⁴Before the identity of the

whistleblower is disclosed, they shall be informed of the intended disclosure.⁵They may then decide whether to withdraw their report of suspicious activity.⁶In the event of such a withdrawal, disclosure will not be made unless there is a legal obligation to do so.⁷The investigation process may nevertheless be continued if weighing the various interests shows that this is necessary in the interest of scientific integrity in Germany or in the legitimate interest of the UTN.

(8) ¹The confidentiality of the proceedings is limited if the whistleblower makes their suspicions public. ²The body responsible for the investigation shall decide on a case-by-case basis at its due discretion how to deal with the breach of confidentiality by the whistleblower.

(9) These processes require sufficient written documentation.

§ 18 Instances of scientific misconduct

(1) In a scientifically relevant context, scientific misconduct occurs when a researcher at the UTN, either intentionally or with gross negligence, makes false statements, appropriates the scientific achievements of others without authorization, or unlawfully impairs the research activities of others.

(2) False statements are in particular:

1. Fabricating scientifically relevant data or research results
2. Falsifying scientifically relevant data or research results, especially by modifying, omitting, or eliminating data or results obtained in the research process without disclosing this, or by falsifying a representation or illustration
3. Submitting incorrect science-related information in a funding application, in application documents, in a publication (including incorrect information on the publication organ and on publications in print, cooperation, etc.) or in the context of the reporting obligation, if the information is likely to create a misconception that affects the assessment; i.e., if the incorrect information creates the risk that the application or the applicant will be assessed with a different quality in the review and evaluation processes than would be the case without the incorrect information
4. Claiming authorship or co-authorship of another person without their consent

(3) The following cases in particular constitute unauthorized misappropriation of

third-party scientific work:

1. Unmarked adoption of third-party content without the required source citation (“plagiarism”)
2. Unauthorized use of research approaches, research results, and scientific ideas (“theft of ideas”). This also applies to persons in their function as supervisors and mentors
3. Unauthorized use of data by falsifying the content (“obfuscation”)
4. Unauthorized disclosure of scientific data, theories, and findings to third parties
5. Presumption or unfounded assumption of authorship or coauthorship of a scientific publication, especially if no genuine, verifiable contribution was made to the scientific content of the publication
6. Falsification of the scientific content
7. Unauthorized publication or unauthorized provision to third parties as long as the scientific work, finding, hypothesis, principle, or research approach has not yet been published

(4) Unauthorized interference with the research activities of others exists in the following cases in particular:

1. Sabotage of research activities (including damaging, destroying, or tampering with experimental setups, equipment, documents, hardware, software, chemicals, or other items required by others for research purposes)
2. Falsification or unauthorized removal of research data or research documentation, insofar as this violates legal provisions or discipline-related recognized principles of scientific work
3. Dissemination of knowingly untrue and defamatory allegations or the use of irrelevant considerations with the aim of disparaging the scientific reputation of another person (“character assassination”)

(5) Scientific misconduct also exists if the person has intentionally or with gross negligence neglected their coauthorship, supervisory, or control duties, incited another person to commit scientific misconduct, or aided and abetted such misconduct.

(6) A case of scientific misconduct also exists if persons deliberately fail to disclose facts or circumstances that could give rise to concerns of bias to the competent body in the course of their work as an expert or committee member.

(10) ¹Scientific misconduct pursuant to Sec. 18, Para. 2 to 6 may occur to varying degrees. ²Factors that are decisive in the assessment are, in particular, the degree of fault (intent, gross negligence), the manner in which the misconduct was committed, the intended result, and the severity of the consequences for the persons or institutions affected by the misconduct and for science as a whole.

§ 19 Consultation with the ombudsperson

(1) To report suspicious activity, whistleblowers should contact an ombudsperson or a deputy in accordance with Sec. 15. ²If whistleblowers report their suspicions directly to a member of the investigating committee, that member shall forward the report to the ombudsperson responsible.

(2) The ombudsperson shall disclose any possible bias and refer the case to their deputy.

(3) The ombudsperson or deputy responsible shall confidentially examine whether there are sufficiently substantiated indications that a person has committed an offense pursuant to Sec. 18 in a prosecutable manner.

(4) If the ombudsperson concludes that the suspicious circumstances have been sufficiently substantiated in accordance with Para. 3 (initial suspicion), they shall entrust a university-internal person (investigator) with the preliminary investigation.

§ 20 Preliminary investigation

(1) ¹The investigator shall examine whether and to what extent the suspicious circumstances presented qualify as misconduct. ²If the accusation lacks plausibility, the whistleblower shall be given the opportunity to substantiate the accusation within a period of two weeks.

(2) If no initial suspicion can be established even after the deadline has expired, the investigator shall inform the whistleblower that no formal investigation will be conducted, stating the reasons.

(3) ¹If there is an initial suspicion, the investigator shall give the accused person the opportunity to respond to the allegations in writing within a period of two weeks. ²In addition, the whistleblower and the accused person may make a statement at any stage of the proceedings. Accused persons are not obligated to incriminate themselves. ⁴The

investigator may obtain information from any other parties involved while maintaining confidentiality. ⁵The files should show what steps have been taken to clarify the facts. ⁶If the statement by the accused person or a third person invalidates the allegations made, the investigator shall discontinue the proceedings.

(4) ¹If the proceedings are not discontinued in accordance with Para. 2 and 3, the investigator shall promptly initiate a formal investigation by the Research Integrity Committee. ²If the proceedings move into a formal investigation, this decision shall be communicated in writing to the whistleblower and the accused person. ³If the accused person has refuted the accusation, it should be briefly outlined why the accusation could not be invalidated.

(5) The decision on initiating a formal investigation depends on whether, based on the facts of the case, a finding of scientific misconduct by the investigating committee appears more likely than a discontinuation of proceedings (sufficient suspicion).

§ 21 Research Integrity Committee

(1) ¹To conduct the formal investigation, the UTN has a permanent investigating committee, the Research Integrity Committee, which meets on a case-by-case basis. ²The Research Integrity Committee consists of five members including the chairperson: two professors, one member of the scientific staff, and a representative from the legal team in an advisory capacity. ²The cultures of the various subject areas represented at the university should be taken into account in the appointment. ⁴There is also a deputy for each member of the Committee, with the exception of the chairperson. ⁵The Committee is chaired by the Founding Vice President for Research. ⁶The chairperson conducts the business of the Research Integrity Committee and ensures its meetings are orderly and abide by the rules. ⁷The Research Integrity Committee shall elect a person from its ranks to serve as deputy chair.

(2) ¹The voting members of the Committee and their deputies are appointed by university management based on recommendations from the departments. ²The term of office is four years; reelection is possible. ³In individual cases, the Research Integrity Committee may include up to two nonvoting experts from the subject area of the scientific issue to be assessed as additional members for consultation.

(3) ¹In the event of concerns about bias or if a member of the Committee is unable to

attend for a longer period of time, their deputy shall take their place.²Concerns of bias may be raised by any voting member of the Committee, by ombudspersons of the university, or by accused persons.³The person who has been challenged for bias shall not participate in the Committee's decision-making regarding their recusal.⁴Procedural acts that cannot be postponed may still be carried out.

(4) ¹Every voting member of the Research Integrity Committee has an equal vote; the chairperson also has the right to cast a vote. Resolutions are passed by a simple majority; in the event of a tie, the chairperson has the deciding vote. ³The Committee has a quorum only if at least four voting persons are present.

(5) ¹The members of the Research Integrity Committee and their deputies shall carry out Committee activities independently, in particular independently of instructions or informal case-related influence by the university management or other university bodies. ²The Committee is obligated to maintain strict confidentiality regarding its proceedings.

(6) The Research Integrity Committee works and meets confidentially and in private.

(7) The current composition of the Research Integrity Committee can be viewed on the UTN website.

§ 22 Procedure of the formal investigation

(1) ¹The Research Integrity Committee shall schedule a meeting as soon as possible. ²The accused person shall be given the opportunity in good time before the meeting to make an oral statement to the Committee (hearing) or to make a written statement in response to the accusation. ³The whistleblower shall also be given another opportunity to make a statement. If the accused person refrains from making a further statement, this alone may not be taken into account to their disadvantage. ⁵A decision shall then be made on the basis of the file.

(2) The Committee may at its own discretion hear oral statements from other persons whose opinion it deems useful for the proceedings.

(3) Any person who is heard by the Committee may be accompanied by a person they trust as support. ²The Committee must be informed in good time.

(4) ¹The Research Integrity Committee independently examines whether scientific misconduct has been proven to its satisfaction in accordance with the traditional rules

of free evaluation of evidence. ²In its examination, the Research Integrity Committee may draw on its own perceptions (inspection, documents, expert opinions), the perceptions of others (the accused person, witnesses), or the expertise of others (experts) to establish the facts.

(5) ¹Scientific misconduct can be established only if a majority decision has been made by secret ballot within the Committee. ²The Committee's authority to discontinue the proceedings for lack of sufficient suspicion or, in the case of minor misconduct, due to insignificance shall remain unaffected. ³If the proceedings are discontinued, there shall be no formal protest by the whistleblower.

(6) As a rule, the examination proceedings should take no longer than six months.

(7) Sec. 17, Para. 7 and 8 shall apply to any disclosure of the identity of the whistleblower.

(8) In the event of suspected breaches of the disciplinary code or labor law, the proceedings may be suspended.

(9) ¹The Research Integrity Committee shall promptly submit a final written investigation report to university management, which shall also contain the Committee's proposed sanctions. ²In particular, the following bases of the Committee's decision must be communicated:

1. Essential content of the decision
2. A description of the facts
3. How the actions of the person concerned meet the definition of the offense
4. A statement of the evidence on which the finding is based

(10) The documents of the formal investigation shall be kept at the university for 30 years.

§ 23 Conclusion of the proceedings

(1) ¹If, after clarification of the facts, the suspicion of academic misconduct has been confirmed, the president shall initiate the necessary measures under service, labor, university, civil, or criminal law in the individual case within the scope of the legal possibilities. ²When assessing whether and how violations within the meaning of Sec. 18 are to be sanctioned as scientific misconduct, it must also be taken into account

whether and to what extent the person committing the misconduct has taken steps to reconstruct, clarify, and rectify any violations or has contributed to such steps. ³This also applies in particular if such steps were taken immediately and appropriately in response to information from third parties.

(2) ¹Depending on the circumstances of the individual case, in particular taking into account the seriousness of the misconduct found, university management decides on sanctions to punish academic misconduct and on the initiation of corresponding proceedings within the framework of the legal possibilities from the various areas of law. ²If the withdrawal of an academic degree is considered as a measure, the competent bodies shall be involved.

(3) If the person who committed the misconduct is a member of university management, the decision shall be made excluding this member.

(4) The decision and its main reasons shall be communicated in writing to the whistleblower and the accused person after the meeting.

(5) ¹The decision shall also be communicated to the scientific organizations concerned and to third parties who have a justified interest in the decision. ²Whether and in what way this is the case shall be decided by university management at its own discretion. ³University management shall also decide whether and how the public is to be informed. Communications made in accordance with this paragraph may be accompanied by a statement of reasons.

§ 24 Possible sanctions and measures

(1) ¹If university management considers academic misconduct to have been proven, it may impose the following sanctions and/or take the following measures, alternatively or cumulatively, within the framework of proportionality:

1. Written reprimand (warning)
2. Request to the person who committed the misconduct to retract or correct incriminated publications or to refrain from publishing incriminated manuscripts
3. Withdrawal of funding decisions or revocation of funding agreements, insofar as the decision was made by the university or the agreement was concluded by the university, including reclaiming funds if necessary
4. Exclusion from working as a reviewer or committee member of the university for a

definite or indefinite period of time

5. Against employees of the university: warning under labor law, ordinary termination, termination of contract, extraordinary termination
6. Against university staff who are civil servants: initiation of disciplinary proceedings under civil service law with the measures provided for therein, including interim measures
7. Filing of a criminal complaint with the police or the public prosecutor's office
8. Reporting of the offense to the competent authority
9. Assertion of civil law claims — also by way of interlegal protection — in particular for damages, restitution, removal, or omission
10. Assertion of any claims under public law, including by way of interim legal protection
11. Initiation of proceedings for the withdrawal of an academic degree or proposal to initiate such proceedings

²Sanctions and measures other than those referred to in sentence 1 may be imposed only if they are proportionate in view of the legal interests and legitimate interests of the person who committed the misconduct.

(2) Measures pursuant to Para. 1 shall not be deemed unlawful if they were not stated in the letter pursuant to Sec. 23, Para. 4.

Where necessary, cooperation partners are to be informed in an appropriate manner.²In principle, the authors and editors involved are obligated to do so.³If they do not take action within a reasonable period of time, the UTN shall initiate the appropriate measures available to it.

§ 25 Transitional provisions / application when leaving the university

An offense can also be prosecuted if the accused person is no longer scientifically active at the UTN, but was scientifically active there at the time of the offense.

IV. Entry into force of these statutes**§ 26 Entry into force**

These statutes enter into force on April 1, 2023.

Nuremberg, March 22, 2023

Founding president

Professor Hans Jürgen Prömel

In force since April 1, 2023