

No. 524

**Regulations  
on Academic Integrity and Good Academic Practice  
at the Lucerne University of Applied Sciences and Arts,  
FH Zentralschweiz**

of 13 June 2014\* (as at 1 September 2015)

(This is a translation of the *Reglement zur wissenschaftlichen Integrität und zur guten wissenschaftlichen Praxis der Hochschule Luzern, FH Zentralschweiz vom 13. Juni 2014*. The German text shall be authoritative.)

*The Governing Council of the Lucerne University of Applied Sciences and Arts,*  
pursuant to Article 22 subpara. k of the Lucerne University of Applied Sciences and Arts  
Agreement (Lucerne UASA Agreement) of 15 September 2011<sup>1</sup>,

*hereby enacts the following:*

**I. General**

**Art. 1 Scope**

<sup>1</sup> These Regulations, which are based on the recommendations of the Swiss Academies of Arts and Sciences, govern the principles of academic integrity and good academic practice at the Lucerne University of Applied Sciences and Arts. They apply for all members of the Lucerne University of Applied Sciences and Arts involved in teaching and research, unless the Lucerne University of Applied Sciences and Arts has adopted special provisions.

<sup>2</sup> These Regulations apply in principle to any work that can be described as academic, in particular

- a. for teaching work that is assessed with a grade, related to a degree or is important for an accolade and
- b. for all teaching and research work that can be described as works within the meaning of copyright law.

<sup>3</sup> These Regulations are considered a minimum standard. The individual schools may issue more far-reaching, subject-specific regulations.

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\* G 2014 289

<sup>1</sup> SRL no. 520

**Art. 2** *Interpreting the Regulations*

When applying and interpreting these provisions, due account must be taken of the special aspects of applied research and development as well as basic research in the university's academic environment.

## **II. Academic integrity**

**Art. 3** *Teaching and research quality*

<sup>1</sup> The quality of teaching and research shall take priority over quantitative aspects. The originality of questions asked, significance of conclusions reached, accuracy of primary data and reliability of findings shall always be judged more highly than swift results and the number of publications.

<sup>2</sup> Academic work in teaching and research must be meticulously planned and carried out:

- a. Primary data must be documented clearly and precisely in every respect. Easy access must be ensured for all authorised persons for the duration of the project.
- b. The curriculum or research plan and any subsequent changes must be set down in writing in such a way that they are clearly understandable to any third parties who assess the results. The methodology must be documented clearly and precisely in every respect.
- c. The curriculum and/or research plan must also provide information about the persons responsible for the project, its funding, the sources of this funding and about how primary data are handled as well as whether a sponsor is involved.
- d. Providers of research funding, sponsors and external clients must also respect the freedom of teachers and researchers. Conflicts of interest must be disclosed.

**Art. 4** *Publication and authorship*

<sup>1</sup> Publication is the primary means by which academics give account of their work. The type of publication depends on the specific academic assignment.

<sup>2</sup> Authorship is held by those persons who, through their own academic work, have made a significant contribution to the planning, performance, evaluation or review of the work. A leading function, financial support or organisational support alone shall not confer any entitlement to authorship (so-called honorary authorship). The same applies to physical results in artistic/art-related or technical areas of specialisation and with respect to both research and product development.

<sup>3</sup> All main contributors shall be named as authors.

<sup>4</sup> Unless otherwise specified, the authors named shall take joint responsibility for the content as a whole.

### **III. Dishonesty in academic work**

#### **Art. 5** *Academic misconduct*

The following practices, in particular, are deemed to constitute academic misconduct:

- a. the fabrication of results and findings stemming from work and research;
- b. the deliberate falsification of primary data, the false representation and deliberately misleading manipulation of work and research results, and the exclusion of primary data without disclosing this fact and the reasons for it;
- c. the failure to observe requirements regarding the correct handling of primary data;
- d. the disposal of stored primary data before the end of the prescribed storage period according to the relevant legal basis, after notice of a request from a third party or parties to inspect the data or during ongoing investigation proceedings;
- e. the refusal to allow properly authorised third parties to access the primary data;
- f. the non-disclosure of data sources;
- g. the failure to disclose vested interests;
- h. the copying of primary and other data without the consent of the competent project head (data piracy);
- i. the sabotage of (research) work carried out by other persons within or outside one's own work/research group, in particular by deliberately disposing of or rendering unusable work/research material, equipment, primary data or other records;
- j. the breaching of the duty of confidentiality;
- k. the representation of results of other people's work, findings or ideas as one's own (plagiarism);
- l. the citation of opinions, theories and the like without disclosing their source;
- m. claiming authorship without having made a significant contribution to the work;
- n. the omission and deliberate failure to mention persons involved in the project who have made a significant contribution to it;
- o. deliberately listing a person as a co-author if that person has not made a significant contribution;
- p. the misquotation of extant or purported works by other people;
- q. incorrect information about the publication status of one's own works.

### **IV. Procedure**

#### **A. Students**

#### **Art. 6**

Indications of academic misconduct by students are investigated in accordance with the Academic Ordinance Governing Bachelor's and Master's Degree Programmes of the Lucerne University of Applied Sciences and Arts.

## **B. Employees**

### **Art. 7 Competences**

<sup>1</sup> The Lucerne University of Applied Sciences and Arts investigates all reports of academic misconduct within the meaning of these Regulations, which are alleged to have been committed by its employees in connection with their work at the Lucerne University of Applied Sciences and Arts.

<sup>2</sup> The Lucerne University of Applied Sciences and Arts is specifically not responsible for academic misconduct

- a. that allegedly occurred prior to the individual's work at the Lucerne University of Applied Sciences and Arts or with respect to work performed to earn a degree, title or accolade from another university level institution or
- b. concerning a procedure that has already been initiated or regarding which a decision has already been reached.

### **Art. 8 Advice**

<sup>1</sup> The schools of the Lucerne University of Applied Sciences and Arts appoint one confidant each. These confidants are available to researchers, employees and students to provide advice regarding academic integrity.

<sup>2</sup> These confidants shall not take any steps against individuals who disclose their own misconduct within the scope of a counselling session unless the individual specifically intends to report their own misconduct.

### **Art. 9 Reporting and preliminary clarifications**

<sup>1</sup> If an employee is suspected of engaging in academic misconduct, all persons, particularly including individuals not affiliated with the Lucerne University of Applied Sciences and Arts, may report this suspicion through a confidant or directly to the integrity officer. This report must be submitted in writing and substantiated.

<sup>2</sup> The integrity officer shall perform preliminary clarifications. Within the scope of these clarifications, the integrity officer shall interview in particular both the person that submitted the report and the person accused.

<sup>3</sup> If this suspicion is confirmed, the integrity officer shall initiate an investigative process within a 60-day period. Otherwise, he/she shall conclude the preliminary clarifications. The decision-making authority is informed in writing.

### **Art. 10 Investigative process**

<sup>1</sup> The President appoints the integrity officer. The integrity officer heads up the investigative process.

<sup>2</sup> The person accused has the right to be heard, meaning that the person may respond to the accusations, submit evidence and request additional investigative measures. He/she is entitled to view the file.

<sup>3</sup> The person accused has the right to consult a confidant of his/her choosing or free legal counsel. The integrity officer will inform them of this right.

<sup>4</sup> The integrity officer shall forward the result of the investigative process to the decision-making authority.

#### **Art. 11** *Decision*

<sup>1</sup> The decision-making authority is the dean of the main school in which the person under investigation works.

<sup>2</sup> The decision shall be reached in consideration of the clarifications performed by the integrity officer. The decision shall be substantiated, communicated to the parties to the procedure and accompanied by instructions on the right to appeal.

<sup>3</sup> The decision may serve as a basis for consequences under personnel regulations. In this respect, the relevant legal provisions must be observed and the legal right to be heard, in particular.

### **C.** *Procedural processes and administration of the agreement*

#### **Art. 12** *Written form*

The investigative process is subject to a written form requirement. A record is kept.

#### **Art. 13** *Confidentiality*

The principle of confidentiality applies to all parties involved in the procedure; this applies in particular to the person submitting the report.

#### **Art. 14** *Protection against discrimination*

The Lucerne University of Applied Sciences and Arts shall ensure the protection of the person submitting the report, particularly if he/she is in a dependent relationship with the accused person.

#### **Art. 15** *Independence*

<sup>1</sup> No individuals may be involved in the procedure who may give rise to an appearance of bias against the parties to the procedure on the basis of kinship, close friendship or enmity, past or current competitiveness or financial or organisational dependency. Not only actual bias must be avoided, rather any appearance of bias.

<sup>2</sup> The accused person shall be informed at the start of the procedure of the composition of the parties to the procedure. He/she shall have the right to reject any persons who are biased. If the request is legitimate, the biased person is replaced.

**Art. 16** *Presumption of innocence*

The accused shall be presumed innocent throughout the procedure and until a final decision is made.

**Art. 17** *Applicable law*

Unless the Lucerne University of Applied Sciences and Arts has adopted special rules, the procedure and appeals procedure are governed by the provisions of the Law on Administrative Court Procedure of the Canton of Lucerne<sup>2</sup>.

## **V. Final provisions**

**Art. 18** *Entry into force*

These regulations enter into force on 1 September 2015. They shall be published.

Lucerne, 13 June 2014

On behalf of the Governing Council of the Lucerne University of Applied Sciences and Arts  
The Head of the Governing Council: Anton Lauber  
The Head of Legal Services: Marija Bucher-Djordjevic

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<sup>2</sup> SRL no. 40