ST. PÖLTEN UNIVERSITY
OF APPLIED SCIENCES

Statute of the St. Pölten UAS

Part 05 – Good Scientific Practice

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I. Scope of Application

§ 1. This part of the Statute addresses every person who carries out tasks for the St. Pölten UAS in the performance fields of studying, teaching, research, and knowledge transfer.

II. Good Scientific Practice

§ 2. The St. Pölten University of Applied Sciences is committed to the Standards of Good Scientific Practice (GSP) in teaching and research, complies with § 2a HS-QSG, and is oriented towards the GSP Guidelines of the Austrian Agency for Research Integrity (§ 3). The following provisions apply in particular:

a) All persons involved in research and teaching observe the Standards of Good Scientific Practice applicable to their respective field.

b) All research projects (third-party-funded projects, teaching-based research, etc.) guarantee that the researchers are informed about the GSP standards.

c) The St. Pölten University of Applied Sciences and its individual organisational units, in which research and teaching are conducted, ensure that the standards of GSP are communicated and the necessary infrastructure is guaranteed.

§ 3. Scientific research is committed to the Standards of Good Scientific Practice. The following GSP standards are to be observed:

a) transparent and sincere communication with other scientists and researchers as well as between scientists/researchers and those who commission their research projects;

b) impartial judgement and internal independence;

c) willingness to subject oneself to professional criticism and to respond to such criticism with reasoned argumentation;

d) responsible and fair treatment of junior scientists/researchers in particular;

e) working lege artis, i.e., according to the acknowledged rules of the respective discipline and with consideration for the state of the art;

f) precise record keeping and documentation of the research process as well as the results;

g) transparent and comprehensible handling of ideas, texts, data, and other sources that are either derived from others or have already been published by the author themself before;

h) strict honesty with regard to the research contributions of other persons, in particular by naming persons who made an independent scientific/scholarly contribution or another major contribution in grant proposals or in the publication of research findings; in other words, observance of the joint responsibility of co-authors for publications, the exclusion of “honorary authorship“, and the disclosure of potential conflicts of interest;

i) transparency with regard to the funding of research projects, in particular by naming the persons and/or institutions that have supported such projects through financial or material contributions.

§ 4. Proper attribution and citation are central principles of Good Scientific Practice. This standard is deemed proper or met when attribution and citation are carried out in accordance with the applicable international standards (e.g., APS, CMOS, IEEE, etc.) of the respective discipline at the time the academic or artistic work is submitted.

§ 5. Scientific or artistic misconduct

a) pursuant to § 2a (3) HS-QSG[1] refers to

I. obstructing or sabotaging the research activities or artistic activities of other persons;

II. using unauthorised means, including the misuse of artificial intelligence applications;

III. illicitly using another person or work created by and commissioned from another person (ghostwriting) when completing written work, taking an examination, or performing artistic work;

IV. appropriating texts, ideas, or artistic works either fully or partially and passing them off as one's own; this especially applies to appropriating text passages, theories, hypotheses, results, or data directly, in paraphrased form, or in translated form without labelling and citing the source or the originator accordingly (plagiarism); or

V. the fabrication or falsification of data or results.

b) is realised through intentionally, knowingly, or by gross negligence violating further GSP principles (§ 3) or

I. unjustifiably refusing access to primary and original data, obstructing the research activities of other researchers in another way, or other dishonest attempts to damage the reputation of other researchers;

II. creating disadvantages to the career advancement of junior scientists or researchers; or

III. providing incorrect data, in particular in grant proposals and publications.

c) intentionally, knowingly, or by gross negligence violating the St. Pölten UAS' principles on using generative AI applications "Umgang mit generativen KI-Anwendungen" as amended.

III. Ombuds Office for Scientific Misconduct

§ 6. All members of the St. Pölten UAS but also persons who feel that they have been affected by a breach of the Standards of Good Scientific Practice by members of the St. Pölten UAS can turn to the Ombuds Office.

§ 7. The dignity and the good reputation of all parties involved must be respected at all times. All information shared and all findings made must be treated with strict confidentiality during an ongoing process. The presumption of innocence applies until misconduct has been proven.

§ 8. As soon as a report of scientific misconduct is submitted to the Ombuds Office, a review must be initiated provided that § 35 applies, or an inspection must be launched or an investigation initiated and conducted independently and without instruction if § 36.4 and § 42 apply. The position of the accused has no influence on the course of the proceedings.

[1] Act on Quality Assurance in Higher Education; original version: Federal Law Gazette 74/2011 as amended

§ 9. The St. Pölten University of Applied Sciences may forward suspected cases to the Austrian Agency for Research Integrity (OeAWI).

§ 2a Structure

§ 10. The Ombuds Office is headed by an Ombudsperson. They serve as a point of contact for internal and external concerns related to scientific misconduct and promote awareness of GSP within the St. Pölten UAS.

§ 11. In cases of conflict of interest or absence, the Chairperson of the UAS Board supports the Ombudsperson.

§ 2b Proceedings

§ 12. Suspicions of scientific misconduct may be submitted to the Ombuds Office. Anonymous suspicions cannot be pursued. The Ombuds Office is not bound by submissions when initiating proceedings; it may also act on its own initiative or at the request of the Chairperson of the St. Pölten UAS Board.

§ 13. The Ombudsperson examines whether there are substantiated grounds for suspicion of scientific misconduct and whether the case may potentially involve a substantial misconduct. In cases of unfounded suspicions or minimal misconduct, the proceedings may be closed. If the suspicions are substantiated and substantial, the Chairperson of the St. Pölten UAS Board will be informed. In cases of suspected substantial misconduct, the Ombuds Office and the Chairperson of the St. Pölten UAS Board may either refer the case directly to the Austrian Agency for Research Integrity (OeAWI) or task the Ombuds Office with conducting the internal procedure as described in the following.

§ 14. For internal proceedings, the Ombuds Office convenes an independent expert commission which must meet the following minimum standards:

a) It must consist of four members in addition to the Ombudsperson or a deputy appointed by the Chairperson of the St. Pölten UAS Board. These members are primarily from the Committee for Quality Assurance in Research.

b) It should include members from multiple departments, and at least one person must be from the relevant field of study.

c) The members of the expert commission must not have any direct connection to the suspected case (e.g., former supervisor).

d) The Ombudsperson or their deputy chairs the commission.

§ 15. The person concerned must be given the opportunity to respond to the suspicions within four weeks before the expert commission begins its review of the allegations.

§ 16. The commission meets for consultations for the first time no later than four weeks after the response period. The commission shall consult orally and without the presence of additional participants. The accused must be given the opportunity to justify themself and they may be accompanied by a person of trust. The commission then decides on all steps conducive to investigate the facts of the case.

§ 17. Regardless of the expert commission’s review, a line-by-line plagiarism check must be conducted by the library in cases of suspected plagiarism. The results are to be submitted to the expert commission. Sole reliance on plagiarism detection software is not permitted. If necessary, the university will procure potentially plagiarised literature or sources for the review.

§ 18. A simple majority is required for the commission to reach a decision. The expert commission prepares a written statement assessing the scientific misconduct.

§ 19. The written report on the review is submitted to the Chairperson of the UAS Board who takes the final decision regarding the suspected case.

§ 20. All members of the expert commission are bound by the strictest confidentiality and impartiality.

IV. Scientific Misconduct in Student Papers

§ 3a Plagiarism

§ 21. Pursuant to § 2a (3 (4)) HS-QSG, the following forms of plagiarism can be distinguished:

a) **Direct plagiarism:** The *deliberate takeover* of another person's scientific or artistic performance, i.e., the direct adoption of parts (text, images, illustrations, data, ideas, structure, etc.) of works by others without reference to the source in the form of appropriate citation.

b) **Indirect plagiarism:** The *deliberate takeove*r *and modification* of another person's scientific or artistic performance, i.e., the adoption of parts (text, images, illustrations, data, ideas, structure, etc.) of works by others with slight changes/modifications without reference to the source in the form of appropriate citation (for example, paraphrasing or translating another person's work without indication of the source).

c) **Self-plagiarism:** The *deliberate takeover* of one's own previous scientific or artistic performance, i.e., **a)** the adoption of either unchanged or modified parts of one's own already published work without appropriate citation, or **b)** the unlawful repeated submission of the same scientific or artistic work (pretence of new/original performance).

§ 22. Plagiarism is measured by its degree of severity, which is composed of two aspects (see Table 1):

a) The quantity of the appropriated content *in relation to the entire work and the quality criteria;*

b) The quality of the appropriated content *in relation to the entire work*.

Table 1 – Assessment Framework for Plagiarism

	Quantity	Quality
	examined by software	examined by the supervisor
Minimal misconduct	**<15%**	• Individual cases of “careless citation”
Moderate misconduct	**15-25%**	• “Careless citation” • Cases of adoption without reference of wordings (such as core messages) that are important for the work
Substantial misconduct	**>25%**	• Many cases of “careless citation” • Adoption without reference of wordings (such as core messages) that are important for the work • Attempts to conceal the takeover of longer text passages without reference (for example through translation) • Intentional takeover of entire trains of thought without reference

§ 23. The quantity and quality of plagiarism must always be considered together. In the quantitative assessment, false positives must be considered to the benefit of the student. Therefore, the percentages in Table 1 shall be understood as guide values:

a) *Overestimation*: e.g., if the quantitative review results in a score of 17%. but this result predominantly consists of general standard wordings, common knowledge, and source references, this does not appear to be a case of moderate plagiarism based on the quantitative score only.

b) *Underestimation*: e.g., if the quantitative review results in a score of 12%, and substantial parts of another person’s work have been adopted without reference to the source, this can surely be considered a case of moderate to substantial plagiarism.

§ 24. When it comes to final theses, the submitting student is then notified of the result of the evaluation.

§ 25. In addition, the Copyright Act[2] is to be observed, which remains unaffected by the plagiarism provisions outlined here.

§ 3b Ghostwriting

§ 26. Ghostwriting pursuant to § 2a (3 (3)) HS-QSG means illicitly using work created by or commissioned from a third party for the creation of written work, the completion of an examination, or the performance of artistic work.

§ 27. Ghostwriting is deemed substantial plagiarism as a matter of principle. Diminishing the degree of severity shall not be permitted.

[2] Austrian Federal Act on Copyright in Works of Literature and Art and on Related Rights (Copyright Act – UrhG), original version: Federal Law Gazette no 111/1936 as amended.

§ 3c Unauthorised Means

§ 28. Scientific or artistic misconduct refers to the use of unauthorised means as defined in § 2a (3 (2)) HS-QSG, which includes the improper use of artificial intelligence applications.

§ 29. The assessment of unauthorised means or the misuse of AI is based on the degree of severity of the misconduct (see Table 2). The degree of severity is derived from the risk levels outlined in the current version of the guidelines for the use of generative AI applications "Umgang mit generativen KI-Anwendungen" in their version applicable at the time the scientific or artistic work is submitted, and it is to be applied analogously to all unauthorised means.

Table 2 – Assessment Framework for the Improper Use of AI

	Criteria
Minimal misconduct	• Translating, editing of texts without appropriate attribution • Individual uses of AI-generated content without attribution, which is not directly connected to the performance in the examination
Moderate misconduct	• A "careless labelling" of AI-generated contents which contribute little substantial content without attribution to the work • Individual takeover of-AI generated content which is important to the work without attribution
Substantial misconduct	• Repeated or wilful takeover of AI-generated content which is important to the work without attribution • Transfer of personal data to external AI systems without a declaration of consent and/or to AI systems which do not comply with the GDPR

§ 3d Fabrication and Falsification

§ 30. Scientific or artistic misconduct in relation to falsification is present if data or results are fabricated or falsified within the meaning of § 2a (3 (5)) HS-QSG.

§ 31. Falsification committed intentionally is generally considered substantial misconduct. This includes actions where:

a) data or citations (ghost citations) are deliberately fabricated;

b) data is deliberately altered, supplemented, or deleted without appropriate disclosure;

c) datasets are deliberately evaluated using unsuitable statistical methods and/or analysis results are misinterpreted or manipulated to produce a specific or more favourable outcome.

§ 32. In contrast, unintentional errors are to be evaluated within a lower degree of severity. They are classified as minimal misconduct due to a lack of due care[3].

[3] This includes individual manual data entry and data transfer errors or double data entries by another person, which as coincidental errors could not be sufficiently detected due to a failure to perform a plausibility check or an insufficient performance thereof.

§ 3e Processes

§ 33. The following documents form the foundation of internal processes on the scientific misconduct of students:

a) § 20 FHG[4] ,which states that the result of an examination or academic thesis shall be annulled[5], in particular, if such result was obtained through substantial scientific or artistic misconduct within the meaning of § 2a (3 (2–5)) HS-QSG by fraudulent means. Such annulled examinations shall be counted towards the permissible number of resits.

b) § 89 UG[6], which states that the academic degree or the academic title is to be revoked through annulment or withdrawal of the conferment order if it transpires afterwards that the academic degree or academic title was obtained by fraudulent means, in particular through substantial scientific or artistic misconduct within the meaning of § 2a (3 (2–5)) HS-QSG. The annulment or withdrawal of a conferment order due to plagiarism in a bachelor, diploma, or master thesis is only permissible within a period of ten years from the moment of the bachelor, diploma, or master thesis submission. In the absence of a comparable provision in the FHG, the provision of § 89 UG shall be applied analogously to the university of applied sciences sector.

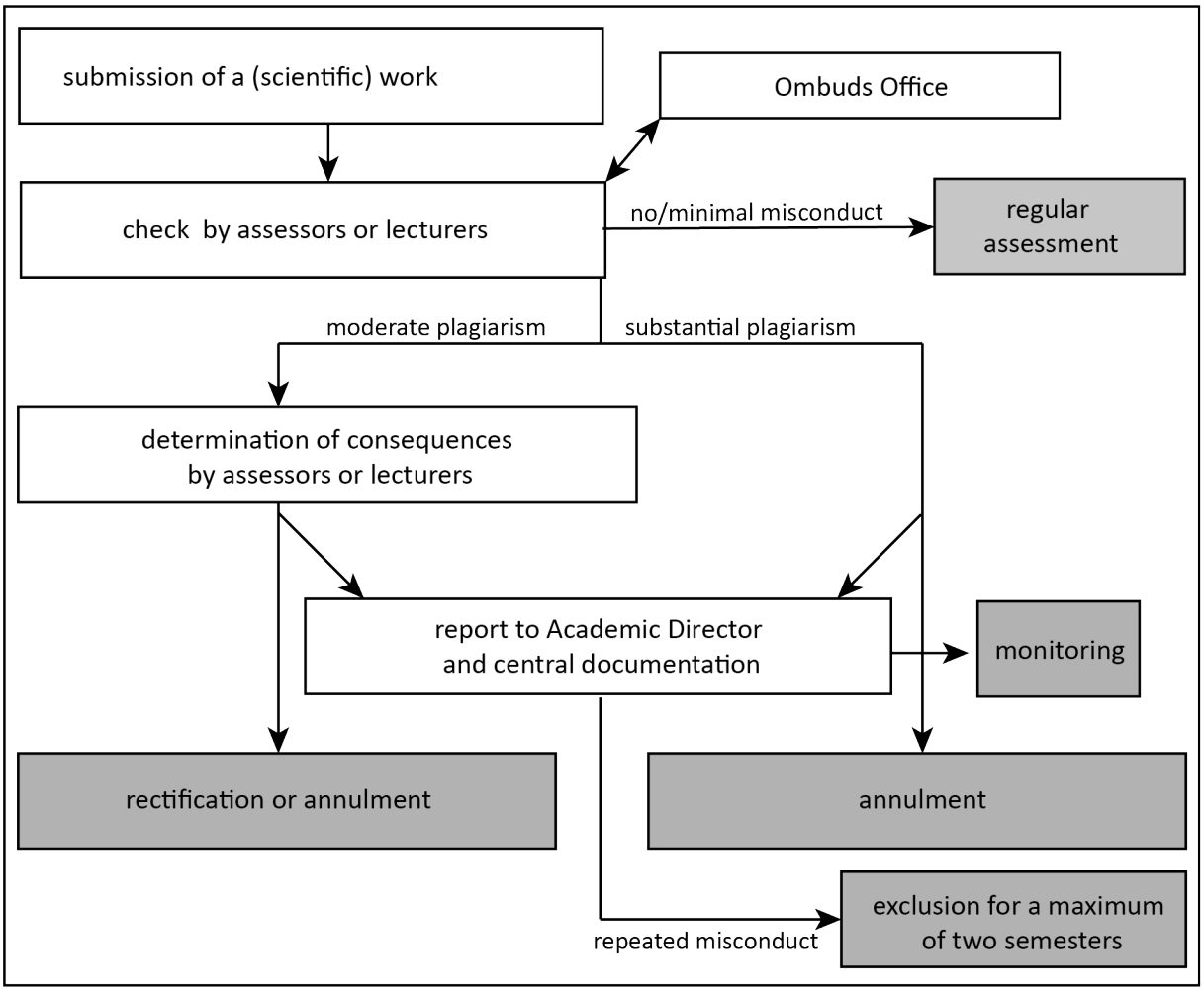
c) and § 2a (4) HS-QSG, which states that in the event of substantial misconduct, a student can be excluded from their studies for a maximum duration of two semesters.

§ 34. Two different process flows are to be distinguished for scientific misconduct of students a) during their studies (Figure 1), and after their studies (Figure 2). § 35 applies to process flow a, § 36 applies to process flow b.

§ 35. Suspicion of misconduct while studying: In this case, the responsibility generally lies with the Academic Director of the study programme in question. The assessment is to be made by the assessors or lecturers. The Ombuds Office may initiate a review of suspected cases or be requested to act in a consultation capacity.

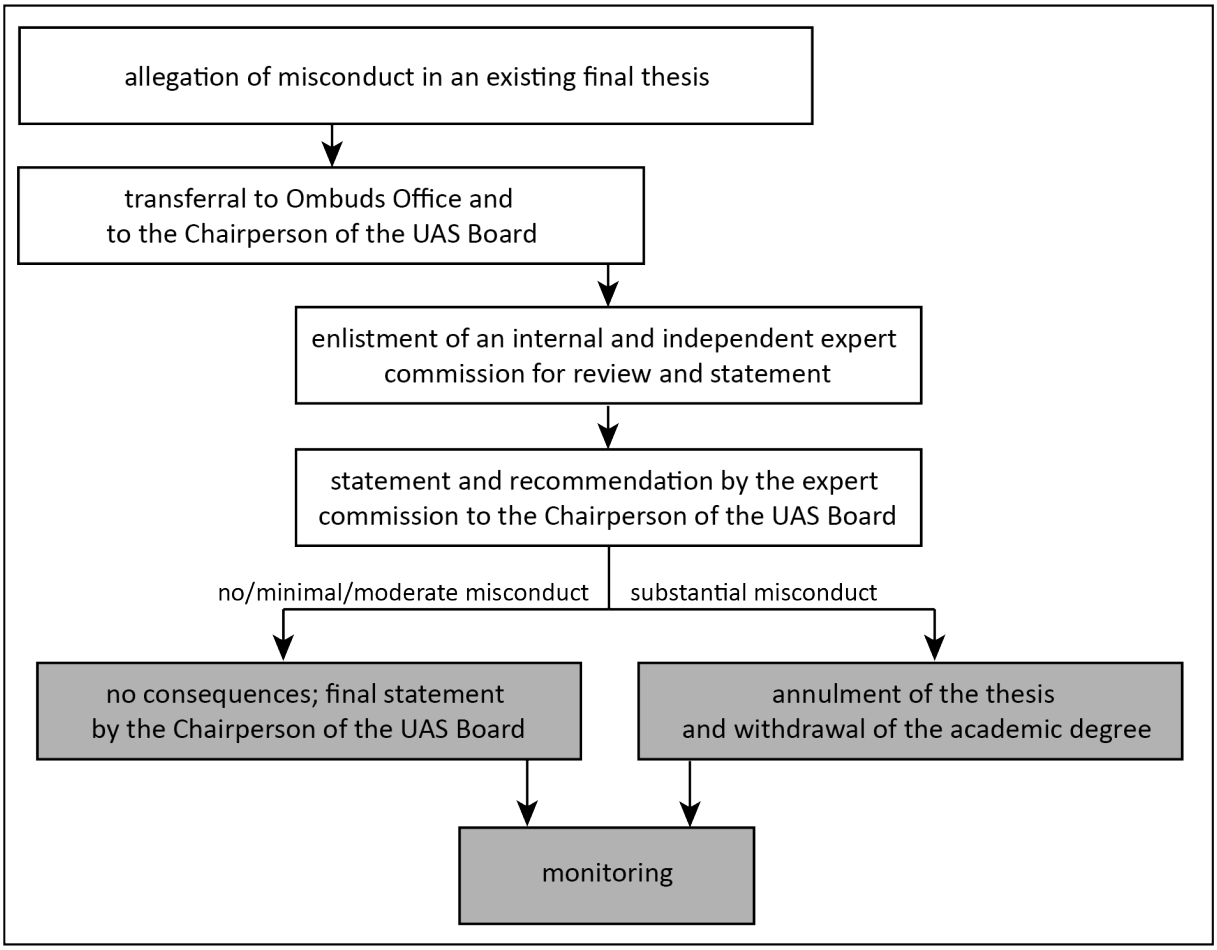
[4] University of Applied Sciences Act; original version: Federal Law Gazette 340/1993 as amended
[5] Pursuant to the Examination Regulations of the St. Pölten UAS as amended
[6] Universities Act (UG); original version: Federal Law Gazette 120/2022 as amended

Figure 1 – Processes – Scientific Misconduct while Studying



§ 36. Suspicion of misconduct after graduation. Cases of suspicion of misconduct after graduation fall under the responsibility of the Ombuds Office and the Chairperson of the UAS Board. The review process as described in § 2b applies in consideration of § 3a to 3d.

Figure 2 – Processes – Scientific Misconduct while Studying



§ 3f Consequences Based on the Degree of Severity

§ 37. After the degree of a student's scientific misconduct has been determined in the process flow (§ 3e), the student faces the following consequences:

a) A case of minimal misconduct does not result in any sanctions; however, thesis supervisors and lecturers are advised to point out even minor flaws to their students and discuss why these are problematic.

b) A case of moderate misconduct has no consequences if the student has already completed their studies (suspicion of misconduct after graduation).

c) In case of moderate misconduct while studying or during assessment processes (suspicion of misconduct during studying), the imposition of sanctions is up to the lecturers or assessors. At minimum, it is mandatory to either demand rectification or declare the thesis invalid. In any case, the Academic Director is to be notified for the purpose of central documentation.

d) If the student has already graduated (suspicion of misconduct after graduation), substantial plagiarism leads to the annulment of the thesis and, as a consequence, to the withdrawal of the academic degree. Pursuant to § 89 UG, however, the annulment and withdrawal of a conferment order due to plagiarism in a bachelor's, diploma, or master's degree is permitted

only within a period of 10 years from the time of the assessment of the bachelor's, diploma, or master’s degree.

e) If substantial plagiarism occurs while studying or during assessment processes, the thesis shall be declared invalid, and the Academic Director shall be notified thereof for the purpose of central documentation.

f) Repeated misconduct during studying may lead to exclusion from studying for a maximum of two semesters, regardless of whether it is moderate or substantial misconduct.

§ 3g Monitoring

§ 38. All cases of moderate and substantial misconduct shall be sufficiently documented in a monitoring system.

§ 39. Academic Directors report moderate and substantial cases of misconduct to the Chairperson of the UAS Board for the purpose of monitoring.

§ 40. A monitoring report is to be submitted to the UAS Board in the second UAS Board Meeting of each academic year, respectively.

V. Scientific Misconduct of Employees

§ 41. Employees of the St. Pölten UAS are obliged to comply with Good Scientific Practice pursuant to § 2 to § 5.

§ 42. Allegations of scientific misconduct pursuant to § 5 are handled by the Ombuds Office and according to the process laid down in § 2b.

§ 43. If a case of sufficiently substantial misconduct is detected, the university leadership team is to be informed. Decisions on disciplinary actions and consequences are decided on a case-by-case basis.