TECHNISCHE UNIVERSITÄT DARMSTADT

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Statutes
Principles for safeguarding good scientific practice at Technical University Darmstadt

§ 1 Commitment to the general principles

(1) Technical University (TU) Darmstadt defines rules of good scientific practice and commits to these principles. In particular, the principles include working *lege artis*, i.e., working methodologically appropriate, maintaining strict honesty in attributing one's own contributions and those of others, rigorously questioning all findings, and permitting and promoting critical discourse within the research community. Individual researchers are responsible for ensuring that their own conduct complies with the standards of good research practice. Likewise, the members of TU Darmstadt assume a share of responsibility for maintaining scientific standards in their own subject community and in the university as an organisation.

(2) TU Darmstadt ensures that its employees are made aware of these guidelines and related policies and regulations and requires its employees to comply with them with due regard for the type of research undertaken in the relevant subject area. The statutes will be handed over and receipt acknowledged as part of the recruitment process.

(3) All persons who are already members or affiliates of TU Darmstadt at the time of the adoption of these principles shall be handed out these principles within an information campaign.

§ 2 Professional ethics

(1) Researchers at TU Darmstadt are responsible for putting the fundamental values and norms of research into practice and advocating for them. This includes research ethics principles and the civil clause of TU Darmstadt.

(2) At TU Darmstadt, education in the principles of good research begins at the earliest possible stage in academic teaching and research training.

(3) At TU Darmstadt, researchers at all career levels regularly update their knowledge about the standards of good scientific practice and the current state of the art. Experienced and early career researchers support each other in a process of continuous mutual learning and ongoing training and maintain a regular dialogue.

§ 3 Organisational responsibility of the executive board of TU Darmstadt

(1) The executive board of TU Darmstadt creates the basic framework for research and for appropriate career support for all members or affiliates of TU Darmstadt. The executive board is responsible for ensuring that an appropriate organisational structure is in place at the university. It bears overall responsibility with regard to compliance with and communication of good scientific practice.

(2) TU Darmstadt makes certain that the tasks of leadership, supervision, quality assurance and conflict management are clearly allocated in accordance with the size of individual research work units and suitably communicated to all those involved.

(3) The executive board guarantees the necessary conditions to enable members or affiliates of TU Darmstadt to comply with legal and ethical standards.

a) The self-image of good and responsible personnel management is described in the "Management Guidelines" of TU Darmstadt[1]. These guide the actions of executive managers, define management skills and culture of leadership. They are decisive for personnel selection and personnel development at TU Darmstadt. Gender

[1] TU Darmstadt 2017: Management Guidelines of TU Darmstadt, Darmstadt.

equality and diversity are taken into account in personnel selection and development. The corresponding processes are transparent and avoid unconscious bias as far as possible. The strategy for promoting equal opportunities is described in TU Darmstadt's Gender Equality Plan[2]. All members or affiliates of the university are sensitised to this strategy; managers have a special responsibility.

b) The framework conditions for supporting early career researchers are laid down in the university's strategy[3]. Supervision structures and concepts that ensure open-ended and responsible advice and do justice to the interests of early career researchers have been established.

(4) Abuse of power and exploitation of dependent relationships shall be prevented by the measures mentioned under §3 par. 1 to 4. With the "Guideline against Sexualised Discrimination and Assault"[4] and the "Guideline against Discrimination"[5], TU Darmstadt defines its attitude and self-image in dealing with cases of discrimination. The university demands equal, unprejudiced treatment of all, regardless of diversity characteristics such as gender, age, religion, world view, ethnicity, physical or mental impairment, sexual identity, life plans, origin, and culture.

§ 4 Responsibility of the heads of research work units

(1) At TU Darmstadt, the head of a research work unit is responsible for the entire unit. The leadership role includes ensuring adequate individual supervision of early career researchers, integrated in the overall institutional policy, as well as career development for researchers and administrative and technical staff.

(2) Collaboration within the unit is designed such that the group as a whole can perform its tasks, the necessary cooperation and coordination can be achieved, and all members understand their roles, rights and duties.

a) The size and the organisation of the unit are designed to allow leadership tasks, particularly skills training, research support and supervisory duties, to be performed appropriately.

b) At TU Darmstadt, researchers and administrative and technical staff benefit from a balance of support and personal responsibility appropriate to their career level. All employees are given adequate status with corresponding rights of participation. Through gradually increasing autonomy, they are empowered to shape their career.

(3) The understanding of good promotion and supervision is described in the "Management Guidelines"[6] of TU Darmstadt. It includes the professional promotion of professional-task-related aspects, social skills and self-management as well as personal development. This promotion includes all professional groups of the TU Darmstadt.

(4) Suitable organisational measures are in place at the level of the individual unit to prevent the abuse of power and exploitation of dependent relationships.

§ 5 Dimensions of performance and assessment criteria

(1) At TU Darmstadt, the performance of researchers is assessed by a multidimensional approach, i.e., in addition to academic and scientific achievements, other aspects are taken into consideration. Performance is assessed primarily on the basis of qualitative measures. Quantitative indicators are incorporated into the overall assessment only with appropriate differentiation and reflection.

(2) High-quality research is measured on the generation of and critical reflection on findings and additionally on criteria specific to individual disciplines. Other aspects of performance, that can be taken into consideration in the evaluation process, are:

a) involvement in teaching, academic self-governance, public relations, and knowledge and technology transfer,

b) contributions to the general good of society,

c) an individual's approach to research, such as an openness to new findings and a willingness to take risks.

(3) Insofar as voluntarily stated, individual characteristics in CVs shall also be included in the assessment – in addition to the standards of the "General Act on Equal Treatment" (federal law). Appropriate allowance is made for periods of absence due to personal, family or health reasons or for prolonged training or qualification phases resulting from such periods, and for alternative career paths or similar circumstances.

[2] TU Darmstadt 2022 Gender Equality Plan TU Darmstadt, Darmstadt

[3] TU Darmstadt 2017: Aquiring, promoting, creating momentum: Early career researchers – the strategy at TU Darmstadt, Darmstadt.

[4] TU Darmstadt 2022: Guideline Against Sexualised Discrimination and Assault, Darmstadt.

[5] TU Darmstadt 2019: Guidelines Against Discrimination, Darmstadt.

[6] TU Darmstadt 2017: Management Guidelines of TU Darmstadt, Darmstadt.

§ 6 Ombudspersons

(1) TU Darmstadt appoints at least two independent ombudspersons. All members and affiliates of TU Darmstadt can turn to these ombudspersons with questions relating to good scientific practice and in cases of suspected misconduct. The ombudspersons provide neutral consultation and – as far as possible – contribute to solution-oriented conflict mediation. Consultations are strictly confidential.

(2) Eligible to be selected as ombudspersons are scientists with management experience at TU Darmstadt. In order to increase the functionality of the ombudsman system, TU Darmstadt provides additional measures to facilitate the work of the ombudspersons.

(3) The ombudspersons are appointed by the senate for six years on the proposal of the executive board. A further term of office is possible. The ombudspersons may not be members of the university management.

(4) The names, contact details and working methods of the ombudspersons are published on the internet.[7] The disciplinary supervisors pass this information on to new members or affiliates of the university when they take up an academic position.

(5) The ombudspersons report annually to the senate while strictly preserving the anonymity of all persons concerned.

(6) The ombudspersons represent each other and are available to members or affiliates of the university in case there is any concern about conflicts of interest or in case an ombudsperson is unable to carry out his or her duties.

(7) In addition, all members and affiliates of the university can contact the national "German Research Ombudsman"[8]. All members and affiliates of the TU Darmstadt are free to choose which body they contact with their concerns.

§ 7 Cross-phase quality assurance

(1) Researchers at TU Darmstadt carry out each step of the research process *lege artis*, i.e., methodologically appropriate. They comply with subject-specific standards and established methods.
   a) This includes, i.a., processes such as equipment calibration, the collection, processing and analysis of research data, the selection and use of research software, software development and programming, and the keeping of laboratory notebooks, and the serious use of sources and research literature.
   b) An essential component of quality assurance is the presentation of publicly accessible results or findings in a form that enables other scientists to check and, if necessary, reproduce or confirm or falsify these results or to understand them by means of a description of the materials, methods, and interpretation path.
   c) Part of quality assurance is also the honest and comprehensible handling of mistakes. If scientists have made findings publicly available and subsequently notice inconsistencies or errors, they correct them. If the inconsistencies or errors constitute grounds for correcting or retracting a publication, the researchers will promptly request the relevant publisher or infrastructure provider etc. to correct or retract the publication and make a corresponding announcement. The same applies if researchers are made aware of such inconsistencies or errors by third parties.

(2) If scientific findings based on data-intensive research are made publicly available, the quality assurance mechanisms applied will be outlined. This means:
   a) The origin of the data, organisms, materials, and software used in the research process is disclosed. In case existing data, organisms, materials, and software are reused, this reuse is clearly indicated.
   b) „Original sources" – what exactly this is depends on the standards of the respective research community – are cited.
   c) The nature and the scope of research data generated during the research process are described, i.e., metadata are created. Research data are handled in accordance with the requirements of the relevant subject area.
   d) The source code of publicly available software must be persistent, citable, and documented.

(3) In their research activities, scientists comply with the applicable data protection regulations and the protection and integrity as well as the re-usability of the data used, stored, and archived. In doing so, they are guided by the "Guidelines on Digital Research Data" of TU Darmstadt[9].

§ 8 Stakeholders, responsibilities and roles

(1) At TU Darmstadt, all participants in a research project – scientific and technical and administrative staff – engage in regular dialogue. They define their roles and responsibilities in a suitable way and adapt them where necessary. Adaptations are likely to be needed if the focus of a participant's work changes.

[7] TU Darmstadt: Ensuring good scientific practice, Darmstadt.
[8] German Research Obudsmann, Berlin.
[9] TU Darmstadt 2015: Guidelines on Digital Research Data at TU Darmstadt, Darmstadt.

(2) In accordance with the "Management Guidelines" of TU Darmstadt[10] managers assume the tasks of,
   a) to provide orientation and to act reliably.
   b) to regularly reflect on their cooperation and communication with their employees in order to continuously develop them.
   c) To make decision-making processes as transparent and comprehensible as possible.

§ 9 Research design

(1) Researchers at TU Darmstadt take into account and acknowledge the current state of research when planning a project. To identify relevant and suitable research questions, they familiarise themselves with existing research in the public domain. In the methodological interpretation of empirical findings, researchers apply the procedures required in their discipline to avoid distortions and bias.
(2) The University and State Library Darmstadt (ULB) ensures the necessary framework conditions for this. In addition to an extensive collection of specialist literature and access to further catalogues and subject-specific databases, it also offers services for researching research achievements that have been made publicly accessible.
(3) Researchers examine whether and, if so, to what extent gender and diversity dimensions may be of significance to the preparation and implementation of a research project (with regard to methods, data sets and hypothesis generation). Reflecting on gender and diversity dimensions relates to the researcher, the people studied, the people affected by any implementation of the research findings, the animals studied, and the material taken from people or animals. Proceeding in this way serves to avoid "blind spots" and to increase the scientific quality of the results.[11]

§ 10 Legal and ethical frameworks, usage rights

(1) Researchers at TU Darmstadt, for whose scientific activities the university bears responsibility, adopt a responsible approach to the constitutionally guaranteed freedom of research. They comply with rights and obligations, particularly those arising from legal requirements and contracts with third parties, and where necessary seek approvals and ethics statements and present these when required. The university supports its members and affiliates in this through suitable organisational structures.
   a) The senate of TU Darmstadt has appointed an interdisciplinary ethics commission[12], aligned to the requirements of a technical university, to examine whether there are ethical concerns about the implementation of research projects. This applies in particular to research involving investigations on humans or material taken from humans or requiring sensitive handling of data.[13]
   b) Researchers TU Darmstadt deal with the civil clause (Zivilklausel)[14] of TU Darmstadt. They can use a checklist[15] on their own responsibility for this purpose. On request, the ethics commission of TU Darmstadt will issue a statement on the compatibility of research projects or other activities with the civil clause.
(2) Researchers make documented agreements on usage rights at the earliest possible point in a research project. In this context, the "Act on Copyright and Related Rights", the "Act on Employee Invention", and specific regulations in research projects carried out jointly with third parties must be taken into account. Due to the legal complexity, researchers involve the areas of TU Darmstadt's administration responsible for contract management when drafting the agreements.
(3) Researchers' responsibility is not limited to compliance with legal requirements but also includes an obligation to use their knowledge, experience, and skills such that risks can be recognised, assessed, and evaluated. With regard to research projects, a thorough assessment of the (security-relevant) research consequences (dual use) and an evaluation of ethical aspects are therefore always carried out.

§ 11 Methods and standards

(1) Researchers at TU Darmstadt use scientifically sound and appropriate methods to answer research questions. In doing so, they take into account that the application of a method usually requires specialist expertise and specific competences. In research and teaching, close cooperation may be required.
(2) When developing and applying new methods, they attach particular importance to quality assurance and to efforts to establish the standards that are still lacking.

[10] TU Darmstadt 2017: Management Guidelines of TU Darmstadt, Darmstadt.
[11] DFG 2021: Relevance of Sex, Gender and Diversity in Research, Bonn.
[12] TU Darmstadt: Ethics Commission, Darmstadt.
[13] TU Darmstadt 2015: Satzung über die Bildung einer Ethikommission und ihre Verfahren (in German only), Darmstadt.
[14] Vgl. Präambel 4. k), TU Darmstadt 2016: Grundordnung der TU Darmstadt (in German only), Darmstadt.
[15] TU Darmstadt: Form incl. checklist for Zivilklausel application, Darmstadt

(3) Researchers at TU Darmstadt reflect on methods and standards through constructive criticism and collegial dialogue. They likewise face up to the criticism of the professional community and public criticism. The active participation of researchers in the quality discourses of the professional community is an essential prerequisite for the comparability and transferability of research results.

(4) Breaches of what is methodologically appropriate, or violations of scientific standards may give rise to a suspicion of scientific misconduct.[16] The quality assurance system of the TU Darmstadt provides for the examination of such suspected cases.

§ 12 Documentation

(1) Researchers at TU Darmstadt document all information relevant to the production of a research result as clearly as is required by and is appropriate for the relevant subject area to allow the result to be reviewed and assessed. This includes the information necessary to understand the research
   a) regarding the research data used or generated, the methodological, evaluation and analytical steps taken, and, if relevant, the development of the hypothesis,
   b) to ensure that citations are clear,

   and, as far as possible, to enable third parties to access this information.

(2) Where research software is being developed, the source code is documented.

(3) TU Darmstadt has defined the concept of research data in its "Guidelines on Digital Research Data"[17].

(4) As a rule, individual results that do not support the research hypothesis will be documented. The selection of results must be avoided.

(5) Documentation and research results must not be manipulated; they are protected as effectively as possible against manipulation.

(6) Where subject-specific recommendations exist for review and assessment, researchers create documentation in accordance with these guidelines. If the documentation does not satisfy these requirements, the constraints and the reasons for them are clearly explained.

§ 13 Providing public access to research results

(1) As a rule, researchers at TU Darmstadt make all scientific findings available as part of scientific/academic discourse. In specific cases, however, there may be reasons not to make results publicly available. This decision must not depend on third parties.

(2) Researchers decide autonomously – with due regard for the conventions of the relevant subject area – whether, how, and where to disseminate their results.

(3) If it has been decided to make results available in the public domain, researchers describe them clearly and in full.
   a) In this context, the research data on which the publication is based should be deposited in recognised archives and repositories, taking into account restrictions (e.g. patents), and made accessible as far as possible.[18]
   b) Methods, evaluation, and analysis steps used will be documented in addition to the research data and the documentation will be made accessible, as far as possible and to the extent customary at the place of publication and in the discipline. Software programmed by researchers themselves is made publicly available along with the source code; if it is reasonable and no other rules contradict this publication.
   c) If self-developed research software is to be made available to third parties, an appropriate licence is provided.
   d) Researchers provide full and correct information about their own preliminary work and that of others.

(4) In line with the principle of "quality over quantity", researchers avoid splitting research into inappropriately small publications. They limit the repetition of content from publications of which they were (co-)authors to that which is necessary to enable the reader to understand the context. They cite results previously made publicly available unless, in exceptional cases, this is deemed unnecessary by the general conventions of the discipline.

(5) TU Darmstadt is committed to the principles of freedom of research and teaching as well as to the principles of open science. While taking into account specific characteristics of various fields of research and relevant quality criteria, all publications and research data meant for publication including research results originating from TU Darmstadt shall, therefore, according to specifications of "Open-Access Policy" of TU Darmstadt[19] be made accessible and reusable under an open licence and preferably without restrictions.

[16] TU Darmstadt 2022: Proceedings in cases of alleged scientific misconduct, Darmstadt.
[17] TU Darmstadt 2015: Guidelines on Digital Research Data at TU Darmstadt, Darmstadt.
[18] TU Darmstadt: TUdatalib – TU Darmstadt's research data repository, Darmstadt.
[19] TU Darmstadt 2019: Open-Access Policy of TU Darmstadt, Darmstadt.

§ 14 Autorship

(1) An author is an individual who has made a genuine, identifiable contribution to the content of a research publication of text, data, or software (§§2, 7 UrhG[20]). What constitutes a genuine and identifiable contribution must be evaluated on a case-by-case basis and depends on the subject area in question. An identifiable, genuine contribution is deemed to exist particularly in instances in which a researcher – in a research-relevant way – takes part in
   a) the development and conceptual design of the research project, or
   b) the gathering, collection, acquisition or provision of data, software, or sources, or
   c) the analysis/evaluation or interpretation of data, sources and conclusions drawn from them, or
   d) the drafting of the manuscript.
   e) If a contribution is not sufficient to justify authorship, the individual's support may be properly acknowledged in footnotes, a foreword or an acknowledgement. Honorary authorship where no such contribution was made is not permissible. A leadership or supervisory function does not itself constitute co-authorship.

(2) Collaborating researchers at TU Darmstadt agree on authorship of a publication. The decision as to the order in which authors are named is made in good time, normally no later than when the manuscript is drafted, and in accordance with clear criteria that reflect the practices within the relevant subject areas. In the case of contributions of equal merit, early career researchers should be given priority in the ranking of authors.

(3) All authors agree on the final version of the work to be published. Unless explicitly stated otherwise, they share responsibility for the publication. Researchers may not refuse to give their consent to publication of the results without sufficient grounds. Refusal of consent must be justified with verifiable criticism of data, methods, or results.

(4) Authors seek to ensure that, as far as possible, their contributions are identified by publishers or infrastructure providers such that they can be correctly cited by users.

§ 15 Publication medium

(1) The scientific/academic quality of a contribution does not depend on the medium in which it is published.

(2) Authors select the publication medium carefully, with due regard for its quality, its target group, and its reputation in the relevant field of discourse.
   a) In addition to publication in books and journals, authors may also consider academic repositories, data and software repositories, and blogs.
   b) Each publication medium used for publication is evaluated to assess its seriousness. A key criterion to selecting a publication medium is whether it has established guidelines on good research practice. ULB Darmstadt refers to the guidelines „think – check – submit".[21]

(3) Researchers who assume the role of editor for a publication medium carefully select where they will carry out this activity.

§ 16 Confidentiality and neutrality of review processes and discussions

(1) Fair behaviour is the basis for the legitimacy of any judgement-forming process. This applies, when researchers evaluate submitted manuscripts, funding proposals or personal qualifications as reviewers or as members of research advisory and decision-making bodies.
   a) When evaluating, researchers are obliged to maintain strict confidentiality. The confidentiality of third-party material to which a reviewer or committee member gains access precludes sharing the material with third parties or making personal use of it.
   b) When evaluating, researchers disclose all facts that could give rise to the appearance of a conflict of interest. They immediately disclose to the responsible body any potential or apparent conflicts of interest, bias or favouritism relating to the research project being reviewed or the person or matter being discussed.
   c) With regard to the reasons for possible conflicts of interest and bias, the current regulations of the DFG[22] and, if applicable, the compliance rules of the scientific committees or institutions apply. A conflict of interest is to be assumed in particular if the researcher to be reviewed has a personal relationship with the evaluators, is supervised by them in their work, the evaluator himself/herself has been evaluated unfavourably by these knowledge creators, both are researching similar details, there is an economic dependency relationship of the

[20] German copyright law.
[21] Think. Check. Submit. 2019: https://thinkchecksubmit.org/journals/.
[22] DFG 2015: Guidelines for Avoiding Conflicts of Interest, Bonn.

evaluator to the knowledge creator, or an investigation has the potential to jeopardise economic goals of the evaluator.

§ 17 Archiving

(1) Researchers at TU Darmstadt back up research data (raw data and describing meta data) and results made publicly available, as well as the central materials on which they are based, and the research software used, by adequate means according to the standards of the relevant subject area.
   a) TU Darmstadt offers its members or affiliates its own institutional repository for research data created or worked with at the TU.[23]
   b) Research data can also be stored in cross-site repositories.[24]

(2) Where justifiable reasons exist for not archiving particular data, researchers explain these reasons.

(3) Research data are generally archived for a period of ten years.
   a) In justified cases, shorter archiving periods may be appropriate; researchers describe the reasons for this clearly and comprehensibly.
   b) The archiving period begins on the date when the results are made publicly available.

§ 18 Allegation of scientific misconduct

(1) The statutes "Procedures in case of alleged scientific misconduct at TU Darmstadt"[25], in their current version, apply to the handling of cases of alleged scientific misconduct. These statutes are publicly available in the bylaws supplement of TU Darmstadt. The associated information are publicly accessible on TU Darmstadt's homepage[26]. The ombudspersons of TU Darmstadt and, if necessary, investigation commissions, the university executive board and external experts shall be entrusted with the examination of allegations of scientific misconduct.

(2) The circumstances that constitute scientific misconduct derive from the DFG Code of Conduct for safeguarding good research practice.[27] They are set out in the current version of the "Guidelines in case of suspected academic or examination misconduct at the TU Darmstadt".[28] These include, in particular, fabrication of data, falsification of data and plagiarism. The regulations are applied in addition to relevant higher-level laws.

(3) In cases of alleged scientific misconduct, all members or affiliates of TU Darmstadt are obliged to protect the whistle-blower, but also the person concerned, witnesses, and other parties involved, from indiscretions, exposure, and also from public pre-judgement. Members of the university handle their communication accordingly, in particular regarding public interest and public media.[29]

(4) Neither whistle-blowers nor the person affected by the allegations shall suffer any disadvantage as a result of a report of scientific misconduct. Confidentiality and the principle of presumption of innocence shall apply at every stage of the proceedings. Anonymous reports can only be reviewed in a procedure if the whistle-blower provides the authorities investigating the suspicion with reliable and sufficiently concrete facts.

(5) If, following the discovery of scientific misconduct, the withdrawal of an academic degree is considered, the executive board of TU Darmstadt shall inform the competent bodies (as a rule, the bodies awarding the degree).

(6) After a formal investigation has been completed, the result of such an investigation procedure shall be communicated to the scientific organisations concerned and, according to the situation of the case, to third parties who have a justified interest in the decision.

§ 19 Transmission of good scientific practice in teaching

(1) Researchers at TU Darmstadt actively communicate and explain the principles and subject-specific rules of good scientific practice in their courses. If applicable, these rules can be subject of examinations.

(2) Lecturers attach importance to the fact that respect for intellectual property, correct and consistent citation, the distinction between data basis, source, and research opinion, careful picture credits and the appropriately differentiated use of citation, paraphrase and own opinion are already among the decisive criteria for the assessment of student

[23] TU Darmstadt: TUdatalib – TU Darmstadt's research data repository, Darmstadt.
[24] TU Darmstadt: Archiving research data, Darmstadt.
[25] TU Darmstadt 2022: Proceedings in cases of alleged scientific misconduct, Darmstadt.
[26] TU Darmstadt: Ensuring good scientific practice.
[27] DFG 2019: Guidelines for Safeguarding Good Research Practice. Code of Conduct, Bonn
[28] TU Darmstadt: Guidelines in case of suspected academic or examination misconduct at the TU Darmstadt, Darmstadt. Relevant definitions of the DFG, the HRK and the professional societies are taken into account in this document.
[29] Cnf. § 7 TU Darmstadt 2022: Proceedings in cases of alleged scientific misconduct, Darmstadt.

performance. The „Allgemeinen Prüfungsbestimmungen“ of TU Darmstadt (APB)[30], i.a., provide for sanctions for attempted cheating.

(3) The competences imparted in teaching at TU Darmstadt that relate to good scientific practice include, in particular, the reflected handling of digital media, their professional evaluation and critical use in relation to relevance, seriousness and quality.

Darmstadt, August 22nd, 2022

The President of the Technical University Darmstadt

gez. Professor Dr Tanja Brühl

[30] TU Darmstadt 2020: Allgemeine Prüfungsbestimmungen der Technischen Universität Darmstadt (APB) (in German only), Darmstadt.