

Response to Committees' comments on Federally Required Changes to the Policy and Procedures for Responding to Allegations of Research Misconduct, Policy #529-900

We would like to thank the committees for their thoughtful and thorough review of the policy. Their comments helped to make the policy clearer and stronger. As the new policy must be submitted to the Dept. of Health and Human Services Office of Research Integrity (ORI) as part of the annual report by 3/31/2026, we respectfully request prompt review of the revisions.

We note that the Committees shared some of our concerns with ORI's revised Final Rule (released September 17, 2024, effective January 1, 2025) that triggered the revision of this policy. As the prescriptiveness of ORI's Final Rule is not mirrored in other federal agencies' policies, we worked to craft a policy that did not impose ORI's rigidity on other federal agencies and sponsors that did not require it.

Below are our responses to the committees' comments. The redline version of Policy 529-900 is attached separately.

Academic Senate memo, Page 1: <i>Members expressed concern that the new language is vague (using terms like "reasonable," "encourage," and "promptly"), which raises fears among faculty that the Administration could take excessive control while marginalizing the Senate's role in shared governance, and diminishing transparency and fairness.</i>	
'Encourage' was used twice in the revised 529-900 policy. <ul style="list-style-type: none"> Section III.B.2: the use of encourage is the same as in the 2006 version of Policy 529-900. The last sentence in Section IV.A. has been revised to, "The Complainant, Respondent, and Witnesses, shall be instructed encouraged to maintain the confidentiality of the proceedings to preserve the integrity of the Research Misconduct proceedings." <p>The majority of the use of terms such as "reasonable" and "promptly" mirror the use of these terms in ORI's Final Rule and therefore no changes were made. Examples comparing the revised UCR 529-900 and ORI regulation (42 CFR, Part 93) are below.</p>	
UCR 529-900	ORI regulation (42 CFR, Part 93)
Uses of Reasonable	
IV.A: Except as otherwise authorized by law or University policy(ies), the Research Integrity Officer (RIO) will take all reasonable steps to limit disclosure of the identity of Complainant(s), Respondent(s) and Witness(es), and the disclosure of any records or evidence collected during the processes described in this Policy to those with a legitimate need to know.	§93.106(a) Disclosure of the identity of respondents, complainants, and witnesses while conducting the research misconduct proceedings is limited, to the extent possible, to those who need to know, as determined by the institution, consistent with a thorough, competent, objective, and fair research misconduct proceeding, and as allowed by law.
IV.D.4: There is a reasonable indication of possible violations of civil or criminal law.	§ 93.305(g) (4) There is reasonable indication of possible violations of civil or criminal law.
VII.C.5. Sequestration of Records. If not previously completed, on or before the date the Respondent is notified or the Inquiry begins (whichever is earlier), the RIO will take all reasonable and practical steps to obtain custody of all research records and evidence needed to conduct the Research Misconduct proceedings. Research records or evidence are to be sequestered in a secure manner, except where they consist of scientific instruments shared by numerous users. In such cases, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary	§ 93.305 (a) Either before or when the institution notifies the respondent of the allegation, inquiry or investigation, promptly take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those

value of the instruments. Where appropriate, the Respondent will be given copies of, or reasonable , supervised access to, the research records.	copies are substantially equivalent to the evidentiary value of the instruments; (b) Where appropriate, give the respondent copies of, or reasonable , supervised access to the research records;
VII.D.1.a) A reasonable basis for concluding that the allegation falls within the definition of Research Misconduct.	§ 93.307(d) (1) A reasonable basis for concluding that the allegation falls within the definition of research misconduct
VIII.E.1.f.iv. Summarize the facts and analysis which support the conclusion and consider the merits of any reasonable explanation by the Respondent.	§ 93.313.f(2) Summarize the facts and the analysis which support the conclusion and consider the merits of any reasonable explanation by the respondent;
Use of Promptly	
VI.B. The RIO will use best efforts to conduct and complete the preliminary assessment promptly....	§ 93.306(b) (b) <i>Conducting the institutional assessment.</i> Upon receiving an allegation of research misconduct, the RIO or another designated institutional official must promptly assess the allegation to determine whether the allegation....
Academic Senate memo, Page 1: <i>Concern was also expressed that the policy revisions represent a significant administrative overreach that undermines shared governance and the Senate's ability to contribute to the definition of processes and consequences at the start of issues.</i>	
Nothing has changed to undermine the contribution of the Senate to the definition of the processes. The processes in Research Misconduct proceedings are defined by federal regulations. Please note that though the faculty investigation committee makes discipline recommendations, the policy defers the imposition of disciplinary actions to the appropriate body at the adjudication step (Section X). In particular, for faculty it is deferred to the Privilege and Tenure Committee.	
Academic Senate memo, Page 2, Procedural Timelines and Deadlines: Clarity of "Days": <i>The Committee on Privilege & Tenure noted that "it is not clear if calendar or business days are being used" throughout the document and recommended this be made explicit.</i>	
"Days" is defined in Section II.4, "Day means a calendar day unless otherwise specified." This language came from the first sentence of 42 CFR § 93.208. For clarification, 'unless otherwise specified' has been removed from our policy and the rest of ORI's definition has been added, "If a deadline falls on a Saturday, Sunday, or Federal holiday, the deadline will be extended to the next day that is not a Saturday, Sunday, or Federal holiday."	
Academic Senate memo, Page 2, Procedural Timelines and Deadlines: Statute of Limitations (Section IV.E): <i>The College of Natural and Agricultural Sciences (CNAS) requested a review to "clarify the ambiguity in the phrasing" of the six-year limitation for misconduct allegations. The current text states: "This policy applies to Research Misconduct occurring within six (6) years of the date the allegation is received by the RIO. In cases where an applicable Federal policy time limitation differs, the federal policy will take precedence." CNAS suggests adding verbiage to clarify this timeline.</i>	
The goal was to set a statute of limitations for cases without federal funding to 6 years, in alignment with ORI regulations. Note that ORI has a 6-year statute of limitation, and that is subject to a subsequent-use exception. The subsequent-use exception could require research records that would go back to the beginning of a researcher's career. Other agencies, such as NSF, Department of Energy, and the USDA, do not have a statute of limitations and the agencies would expect all research records to be maintained.	

Section IV.E has been updated to provide clarification:

“This policy applies to Research Misconduct occurring within six (6) years of the date the allegation is received by the RIO. In cases where an applicable federal policy does not allow for a time limitation or has exceptions to the 6-year time limit (e.g., a subsequent use exception or exception for the health or safety of the public) ~~time limitation differs~~, the federal policy will take precedence.”

Academic Senate memo, Page 3, Operational and Emerging Issues:

UC Records Retention Schedule: *The Committee on Privilege & Tenure noted that the "six-year timeframe for the filing of research integrity complaints will require adjustments in the UC Records Retention Schedule, as a number of records related to research integrity are destroyed/deleted in less time."*

We would like to thank the committee for bringing this to our attention. *The University of California Research Data Policy* (<https://www.ucop.edu/research-policy-analysis-coordination/policies-guidance/research-data/index.html>), which covers research data management and ownership, is more applicable to the records required for this process and its reference has been added to Section XI of the policy.

The UC Records Retention Schedule contains Research Administration Records such as Sponsored Projects agreements, Research Integrity records related to compliance committees (IBC, radiation, COI, IRB, IACUC, stem cell, etc.), anatomical donation/materials program records, and intellectual property records. Scientific data, publications, etc., are not included in this schedule. As the majority of records reviewed in research misconduct investigations pertain to the research data, e.g., raw data, manuscripts, grant proposals, etc., it is unlikely that adjustments to the UC Records Retention Schedule would need to be made to be compliant with federal regulations related to research misconduct.

It is good practice to keep the research data used in grant proposals and manuscripts for as long as possible, if not indefinitely. For example, this type of research data can also be used to determine authorship and intellectual property.

Academic Senate memo, Page 2, Procedural Timelines and Deadlines:

Preliminary Assessment Timeline (Section VI.B): *The Committee on Privilege & Tenure expressed concern that the timeframe for conducting a preliminary investigation has been deleted. It recommends restoring a version of the previous text, suggesting: "Research Integrity Officer shall conduct and complete the preliminary assessment promptly. If the Research Integrity Officer requires more than ten (10) days to complete the preliminary assessment, he or she shall document and record the reason and complete the assessment as promptly thereafter as possible."*

The *Federal Policy on Research Misconduct*, published by the Office of Science and Technology Policy (OSTP) on December 6, 2000, outlined multiple phases to the response to allegations of research misconduct (Inquiry, Investigation, and Adjudication) that were to be incorporated into the federal agencies' policies. ORI added an additional step, Assessment, in their implementation of this policy which is not required by any other federal agency.

Though in the Proposed Rule ORI suggested a 30-day timeframe for the Assessment, based on comments from the research community that found the time limitation unrealistic, no time frame was given in the Final Rule. Policy 529-900 has been revised to include ORI's proposed timeframe of 30-days for the Assessment phase.

Revised Section VI.B. The RIO will use best efforts to conduct and complete the preliminary assessment promptly. If the RIO requires more than thirty (30) days to ~~cannot~~ complete the preliminary assessment promptly, the reason(s) will be documented ~~recorded~~ and the assessment completed thereafter as soon as reasonably and responsibly possible.

§ 93.306(b) Upon receiving an allegation of research misconduct, **the RIO or another designated institutional official must promptly assess the allegation to determine whether the allegation...**

Academic Senate memo, Page 2, Procedural Timelines and Deadlines:

Report vs. Response Timelines (Section VII.E.3): *The Committee on Privilege & Tenure questioned the justification for extending the time to produce a draft Inquiry Report from 60 to 90 days while simultaneously compressing the respondent's time to reply from 14 days to 7. The committee stated, "We are concerned about the imbalance between parties that are produced by these revisions to the time allotted to investigation and response."*

The inquiry phase was lengthened to 90 days by ORI and it now matches the time allowed by NSF. (USDA and DOE do not state a time limitation.)

The Inquiry phase is limited to confirming whether or not the allegation falls within the definition of research misconduct and if the preliminary information-gathering/fact-finding indicates that the allegation may have substance. By the end of the 90 days the Inquiry Committee must complete its charge in its entirety and submit the final report to the RIO. The 90-day time frame also includes the time given to the respondent to review and comment on the draft report.

Though the Respondent's review period of the draft Inquiry Report had been shorted to seven (7) days in order to expedite the process, to alleviate the committee's concerns this has been returned to fourteen (14) days in Section VII.E.3. [Of note, the Respondent will have 30 days to review to review the draft Investigation Report (previously 21 days).]

Academic Senate memo, Page 2, Definitions and Clarity of Language:

Definition of "Experts": Both the Committee on Faculty Welfare (CFW) and the School of Education (SOE) Executive Committee requested clarification on the term "experts."

The SOE committee asked "if the policy should explicitly define 'experts' along with other definitions."

Section IV.B has been revised to refer to 'Expert Advisers' to clarify that they are distinct from the committee membership.

Expert Advisers

Expert advisers may need to be consulted to provide special expertise in the analysis of specific evidence. Such expert advisers will serve in an advisory capacity; they do not vote and generally do not interview witnesses. The expert advisers chosen can, but need not be, affiliated with UCR.

"Subject matter" has been added to expertise in describing the memberships of the Inquiry and Investigation Committees,

- VII.C.1. (Inquiry Committee): "...appropriate subject matter expertise to evaluate the evidence and issues related to the allegation..."
- VIII.C.1. (Investigation Committee): "...appropriate subject matter expertise to evaluate the evidence and issues related to the allegation..."

We think these clarifications adequately describe and differentiate 'experts' and the term no longer needs to be added to the definition section.

Committee memberships

Academic Senate memo, Page 2, Definitions and Clarity of Language:

CFW stated: "There is a need to clarify the composition of both the Inquiry Committee and Investigation Committee, specifically whether these committees will/must consist of experts who are faculty members."

Executive Committee of the School of Public Policy memo, Page 14:

- In Section VII.C.1 (Inquiry Committee). The policy currently states that "The Inquiry will be performed by one (1) to three (3) individual(s) appointed by the RIO." By definition, a committee of only one person would not be a committee. In addition, the previous policy indicated that an inquiry committee "should consist of at

least three individuals.” To avoid any one person having sole discretion as to an inquiry, clarification would be useful as to the justification for the reduction in number of committee members as well as how the number of people on the inquiry committee will be determined.

- In Section VIII.C.1 (Investigation Committee). Similar to the comment above, the policy currently states that “The Investigation Committee should consist of one (1) to three (3) individual(s).” By definition, a committee of only one person would not be a committee. In addition, the previous policy indicated that an investigation committee “should consist of at least three individuals.” To avoid any one person having sole discretion as to an inquiry, clarification would be useful as to the justification for the reduction in number of committee members as well as how the number of people on the inquiry committee will be determined.

As stated in Section I. B.3, Policy 529-900 “applies to all research conducted under the auspices of UCR by a person who, at the time of the alleged research misconduct, was a UCR affiliate including faculty and other academic appointees (including postdoctoral scholars and visiting scholars), staff, and students.”

We are heartened that the Academic Senate wishes to populate the Inquiry and Investigation Committees with faculty, even when the Respondent is not a member of the Academic Senate.

To date, all members of the Inquiry and Investigation Committees have been members of the Academic Senate and that is a practice that we plan on continuing. However, as the Respondents and/or Complainants are not always faculty and may require a representative from their group and/or union; the number of UCR faculty with expertise in a specific area is finite and therefore external subject matter experts may be needed; and/or multiple institutions may be involved in an investigation (e.g., alleged research misconduct in a publication), the following sentence has been added to sections VII.C.1 and VIII.C.1, “When the Respondent is a member of the Academic Senate, at least one committee member shall be a member of the Academic Senate.”

VII.C.1. Inquiry Committee. The Inquiry will be performed by ~~one (1) to~~ at least three (3) individual(s) appointed by the RIO. Person(s) conducting the Inquiry may not have unresolved real or apparent personal, professional or financial conflicts of interest with the Complainant(s), Respondent(s), or Witness(es), ~~is/are~~ unbiased, and ~~has/have~~ appropriate **subject matter** expertise to evaluate the evidence and issues related to the allegation, and may interview the principals and witnesses. Simply knowing and/or have interacted in some professional way with the Complainant(s), Respondent(s), or Witness(es), does not constitute a conflict of interest per se. **When the Respondent is a member of the Academic Senate, at least one committee member shall be a member of the Academic Senate.**

VIII.C.1. The Investigation Committee. The Investigation will be performed by an Investigation Committee appointed by the RIO. The Investigation Committee should consist of ~~one (1) to~~ at least three (3) individual(s). Person(s) conducting the Investigation may not have unresolved real or apparent personal, professional or financial conflicts of interest with the Complainant(s), Respondent(s), or Witness(es), ~~is/are~~ unbiased, and ~~has/have~~ appropriate **subject matter** expertise to evaluate the evidence and issues related to the allegation, and may interview the principals and witnesses. Simply knowing and/or have interacted in some professional way with the Complainant(s), Respondent(s), or Witness(es), does not constitute a conflict of interest per se. **When the Respondent is a member of the Academic Senate, at least one committee member shall be a member of the Academic Senate.**

Academic Senate memo, Page 2, Definitions and Clarity of Language:

Clarification of "Misconduct": The Committee on Research requested" more statements or clarification around what would not classify as misconduct."

The OSTP definition of Research Misconduct (below) is used by all federal agencies with minor variations. *Anything that does not fall within this definition is not considered Research Misconduct and not under the purview of this policy.* (Note that other types of misconduct would be subject to applicable policies.)

Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

- Fabrication is making up data or results and recording or reporting them.
- Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
- Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.
- Research misconduct does not include honest error or differences of opinion.

Academic Senate memo, Page 2, Definitions and Clarity of Language:

Concern over "Objective": The Committee on Research also raised a concern regarding the word "objective," noting members questioned "how 'objective' could be weaponized given the current climate towards research."

The use of the word 'objective' in 529-900 mirrors the language used by ORI in the update to 42 CFR Part 93, published on September 17, 2024 (see examples below). However, we understand the committee's concerns and all instances of 'objective/objectivity' have been replaced with 'impartial/impartiality.'

I.B.2. The Policy defines the three increasingly formal stages of research misconduct allegation handling—the preliminary assessment, the Inquiry, and the Investigation – and the adjudication of UCR's response to allegations of research misconduct. The goal is to respond to such allegations in a manner that is expeditious, thorough, competent, impartial objective, and fair; and to maintain appropriate confidentiality, avoid conflicts of interest, and balance the interests of all involved, including the Respondent, members of the University community, relevant government agencies, and the general scientific community.

§ 93.106 Confidentiality.

(a) Disclosure of the identity of respondents, complainants, and witnesses while conducting the research misconduct proceedings is limited, to the extent possible, to those who need to know, as determined by the institution, consistent with a thorough, competent, objective, and fair research misconduct proceeding, and as allowed by law.

III.A.5 Assuring appropriate confidentiality, fairness, and impartiality objectivity of proceedings.

§ 93.300 General (b) Respond to each allegation of research misconduct for which the institution is responsible under this part in a thorough, competent, objective, and fair manner, including taking precautions to ensure that individuals responsible for carrying out any part of the research misconduct proceeding do not have unresolved personal, professional, or financial conflicts of interest with the complainant, respondent, or witnesses;

IV.A.1. Ensuring a thorough, competent, impartial objective and fair Research Misconduct proceeding, including by avoiding duplicative or competing inquiries or investigations by coordination with the Locally Designated Official (LDO) or other appropriate administrative offices when there are allegations of multiple university or campus policy violations

Academic Senate memo, Page 3, Appointment and Process Integrity:

RIO Appointment in Conflict-of-Interest Cases (Section III.A): The committee pointed out that the policy does not detail how an RIO is appointed in cases where the designated officials ("the AVC of Research and a member of the Academic Senate") are unavailable or "conflicted out of the case." It recommended that this process be clarified.

The last sentence of the second paragraph in Section III.A has been revised to, “In the case of a conflict or if the RIO is unavailable, the VCR will designate an ad-hoc RIO who is a member of the Academic Senate with appropriate expertise for the particular instance.”

Academic Senate memo, Page 3, Appointment and Process Integrity:

Investigation Initiation (Section VI.B.1): *The committee recommended an edit for clarity regarding the start of an investigation, proposing the following language: “The Investigation will begin within thirty (30) days or within a reasonable time after the determination has been made that an Investigation is warranted. If an extension is needed, the reason and length of the extension should be documented by the RIO. If required by applicable law or regulation, the RIO will request an extension from the agency.”*

Section VIII.B.A ‘Or within a reasonable time’ has been removed.

Academic Senate memo, Page 3, Operational and Emerging Issues:

Artificial Intelligence: *The Committee on Research raised the issue of new technology, stating that “members wanted more statements or clarification around... how artificial intelligence can be factored into the policy.”*

We concur with the Committees’ concerns around the issue of new technology regulations and note that guidance from federal agencies is still evolving. Section VIII.D.6. has been revised to include the artificial intelligence reference in NSF’s PAPPG Supplement 1 (released December 8, 2025; <https://www.nsf.gov/policies/document/pappg24-1-supplement-1>). This use of AI in itself may not be research misconduct, although it may not an accepted practice within a discipline.

Section VIII.D.6. “**Finding of Research Misconduct.** A finding of Research Misconduct will be made if the criteria defined in I.C are met. A finding of Research Misconduct can be made whether the fabrication, falsification, or plagiarism is committed by an individual directly or through the use or assistance of other persons, entities, or tools, including artificial intelligence (AI)-based tools.”

Review of the comments also informed us that we should address how proceedings will be handled when multiple institutions may be involved in order to prevent unnecessary duplicative proceedings.

Examples of when multiple institutions may be involved with an allegation of research misconduct include:

- a publication that has multiple authors from different institutions
- The allegation is received at an institution where a student is pursuing a PhD, and involves the student’s MA thesis work performed at a different institution
- Data used in a grant proposal (or award) that was prepared by the PI’s postdoc while the PI was at a previous institution and now one of both individuals have moved to new institutions.
- An institution receives an allegation about a Respondent that is no longer affiliated with that institution.

To address this, a new Section IV.F has been added.

Allegations Involving Multiple Institutions

Allegations may involve multiple institutions, e.g., alleged research misconduct in a publication with multiple authors from different institutions or when personnel have moved from one institution to another. In order to

avoid duplicative proceedings for the same allegation(s), the RIO shall consult with the RIO(s) at the other institution(s) to determine which institution(s) will conduct the research misconduct proceedings in order to coordinate a consistent and effect review of the allegations, coordinate interim measures to protect evidence, and protect against retaliation or interference with the process.

Factors used in this consultation include, but are not limited to,

- Where the alleged misconduct occurred
- Which institution(s) have the research records
- The current institutional affiliation of the Respondents(s)

Irrespective of where the research misconduct proceedings occurred, if the Respondent is currently affiliated with UCR, the adjudication step will be performed as outlined in Section X of this policy.

UCR Policies and Procedures

Policy Title: Policy and Procedures for Responding to Allegations of Research Misconduct

Policy Number: 529-900

Responsible Officer:	Vice Chancellor for Research and Economic Development
Responsible Office:	Research and Economic Development
Origination Date:	6/19/1990
Date of Revision:	[December February January], 202 6 5
Date of Last Review:	(11/1/2006)

I. INTRODUCTION

A. Preamble

This Policy and Procedure complies with the University of California Responding to Allegations of Research Misconduct Policy (the “UC Research Misconduct Policy”), which provides that “Each Location must implement policies and procedures for responding to allegations of research misconduct. Such policies and procedures must comply with federal policies.” The UC Research Misconduct Policy requires campus Chancellors, or their designees, to implement the policy through “consideration of initial allegations of research misconduct and, when necessary, initiation of formal inquiries and, if warranted, investigations.”

To maintain and promote research integrity, and to comply with federal sponsor regulations, we reaffirm our commitment to upholding the highest ethical, professional and legal standards in the conduct of research, and to specifying the procedures and appropriate safeguards for handling investigations of research misconduct.

B. Scope and Application

1. University policies establish standards of ethical behavior for all members of the University community and prescribe procedures for due process and discipline for deviation from those standards. UCR Policy and Procedures for Responding to Allegations of Research

Misconduct 529-900 (hereafter referred to as the “Policy”) deals with violations of a subset of these standards. It governs conduct in connection with all research, research training, and activities related to that research or research training, including¹ proposal preparation and submission, all aspects of conducting research, and publication of results. When applicable, federal regulations, such as Department of Health and Human Services (42 CFR, Part 93), National Science Foundation (45 CFR, Part 689), and United States Department of Agriculture (2 CFR, Part 422) apply, and their procedures may supersede campus policy.

2. The Policy defines the three increasingly formal stages of research misconduct allegation handling– the preliminary assessment, the Inquiry, and the Investigation – and the adjudication of UCR’s response to allegations of research misconduct. The goal is to respond to such allegations in a manner that is expeditious, thorough, competent, ~~objective~~impartial, and fair; and to maintain appropriate confidentiality, avoid conflicts of interest, and balance the interests of all involved, including the Respondent, members of the University community, relevant government agencies, and the general scientific community.
3. In accordance with the UC Research Misconduct Policy, this Policy applies to all research conducted under the auspices of UCR by a person who, at the time of the alleged research misconduct, was a UCR affiliate including faculty and other academic appointees (including postdoctoral scholars and visiting scholars), staff, and students. This policy does not apply to activities undertaken in fulfillment of course requirements (unless there is an expectation of publication or dissemination of the results of such research outside of UCR).
4. In cases where an applicable federal policy differs from this Policy, the federal policy will take precedence.

C. Research Misconduct

1. **Research Misconduct** means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research Misconduct does not include honest error or differences of opinion.
2. A finding of Research Misconduct requires that:
 - a) There is a significant departure from accepted practices of the relevant research community.
 - b) The misconduct be committed intentionally, knowingly, or recklessly.

And

- c) The allegation be proven by a Preponderance of the Evidence.

¹ In this and other UCR policies, the term “including” prefaces a non-exhaustive list.

II. DEFINITIONS

1. **Allegation.** Any written or oral statement or other indication of possible Research Misconduct made to a University or governmental official.
2. **Assessment.** A preliminary evaluation to determine if the allegation falls within the definition of Research Misconduct and is sufficiently credible and specific so that potential evidence of Research Misconduct may be identified.
3. **Complainant.** A person who in good faith makes an allegation of Research Misconduct. There can be more than one Complainant.
4. **Day.** Day means a ~~calendar~~ Calendar day ~~Day unless otherwise specified.~~ If a deadline falls on a Saturday, Sunday, or Federal holiday, the deadline will be extended to the next day that is not a Saturday, Sunday, or Federal holiday.”
5. **Fabrication.** Making up data or results and recording or reporting them.
6. **Falsification.** Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
7. **Good Faith.** Good faith as applied to a Complainant or Witness, means having a belief in the truth of one’s allegation or testimony that a reasonable person in the Complainant’s or Witness’s position could have based on the information known to the Complainant or Witness at the time. Good faith as applied to a committee member means cooperating with the research misconduct proceeding by impartially carrying out the duties assigned for the purpose of helping the institution meet its responsibilities.
8. **Inquiry.** A preliminary information-gathering and fact-finding evaluation of the available evidence to determine whether there is sufficient evidence of possible Research Misconduct to warrant an Investigation.
9. **Institutional Deciding Official (IDO).** The institutional official who makes final determinations on allegations of research misconduct and makes recommendations to the appropriate oversight body for any institutional actions. UCR’s IDO is the VCR, as described in Section III.A below.
10. **Investigation.** A formal evaluation of all relevant facts to determine if Research Misconduct has occurred and, if so, to determine the responsible person(s) and the seriousness of the misconduct.
11. **Locally Designated Official (LDO).** The LDO is the campus official responsible for responding to whistleblower reports and complaints. UCR’s Chief Compliance Officer is UCR’s LDO.
12. **Plagiarism.** Plagiarism means the appropriation of another person’s ideas, processes, results, or words, without giving appropriate credit. (a) Plagiarism includes the unattributed verbatim or nearly verbatim copying of sentences and paragraphs from another’s work that materially misleads the reader regarding the contributions of the author. It does not include

the limited use of identical or nearly identical phrases that describe a commonly used methodology. (b) Plagiarism does not include self-plagiarism or authorship or credit disputes, including disputes among former collaborators who participated jointly in the development or conduct of a research project. Self-plagiarism and authorship disputes do not meet the definition of research misconduct.

13. **Preponderance of the Evidence.** Preponderance of the evidence means proof by evidence that, compared with evidence opposing it, leads to the conclusion that the fact at issue is more likely true than not
14. **Research Misconduct.** Defined at Section I.C.1., above.
15. **Research Record.** Both the physical and electronic record of data or results that embody the facts resulting from scientific inquiry. Examples of items, materials, or information that may be considered part of the research record include research proposals, raw data, processed data, clinical research records, laboratory records, study records, laboratory notebooks, progress reports, manuscripts, abstracts, theses, records of oral presentations, online content, lab meeting reports, and journal articles.
16. **Respondent.** The person against whom an allegation of Research Misconduct is directed or the person whose actions are the subject of the Inquiry or Investigation. There can be more than one Respondent.
17. **Witness.** A person who may have data or knowledge that is relevant to the Inquiry or Investigation. There can be more than one Witness.

III. AUTHORITY FOR OVERSIGHT AND IMPLEMENTATION OF THE POLICY AND PROCEDURES

A. Vice Chancellor for Research

The Chancellor has delegated to the **Vice Chancellor for Research (VCR)** administrative authority for the oversight, implementation, maintenance, and updating of the Policy, in furtherance of the University's obligations and responsibilities. The VCR serves as the Institution Deciding Official (IDO). In the case of a conflict or if the VCR is unavailable, the Chancellor will designate an ad-hoc IDO for the particular instance.

The VCR will appoint the **Research Integrity Officer (RIO)** for the UCR campus. Typically, this person is an AVC of Research and a member of the Academic Senate. The RIO will have primary responsibility for the handling of allegations of Research Misconduct and for implementation of the procedures set forth in this document, including assessing allegations of Research Misconduct and determining when such allegations warrant Inquiries. Such a designee will be an official who is well qualified to handle the procedural requirements involved and is sensitive to the varied demands made on those who conduct research, those who are accused of misconduct, and those who report apparent misconduct in good faith. In the case of a conflict or if the RIO is unavailable, the VCR will designate an ad-hoc RIO who is a member of the Academic Senate with appropriate expertise for the particular instance.

Among other things, the VCR (or delegate) is responsible for:

1. Fostering a research environment that discourages misconduct in all research.
2. If appropriate or required, notifying concerned parties such as sponsors, co-authors, collaborators, editors, licensing boards, professional societies, and criminal authorities of the outcome of Investigations.
3. To the maximum extent possible, protecting the positions and reputations of the good faith Complainants, witnesses and committee members, and restoring the reputation of Respondents when allegations are not proven.

Among other things, the RIO is responsible for:

1. Coordinating all procedures related to allegations of Research Misconduct by anyone performing research under the campus' sponsorship.
2. Appointing committees with appropriate expertise to evaluate evidence of, and issues related to, allegations of Research Misconduct, avoiding real or apparent conflicts of interest among those involved, and assuring that a full and complete Inquiry, Investigation, and resolution process is conducted.
3. Disseminating policy and maintaining records related to Research Misconduct.
4. When allegations involve research with extramural funding (including proposals for funding) which may be under the purview of external agencies involved, determining whether law, regulation, or the terms or conditions of the award require notification of the sponsor, specify time limits, or require other actions to assure compliance with externally imposed requirements, and, if so, coordinating the Inquiry and Investigation with all involved individuals and offices to assure compliance.
5. Assuring appropriate confidentiality, fairness, and ~~impartiality~~objectivity of proceedings.
6. Maintaining confidentiality of records, in accord with established University policy, relating to the Inquiry, Investigation, and resolution of allegations of research misconduct.

B. The Academic Senate:

1. Recognizes that, in order for the University to fulfill obligations imposed by external funding agencies, there must be coordination among Administrative, Senate and legal standards applicable to Research Misconduct proceedings.
2. Encourages participation by faculty on Inquiry and Investigation Committees.
3. Fosters a research environment that discourages Research Misconduct and creates educational opportunities and resources to prevent its occurrence.
4. Conducts disciplinary proceedings designed to ensure accountability for Academic Senate members who have engaged in Research Misconduct.

IV. GENERAL PRINCIPLES

A. Maintaining confidentiality of the proceedings

Except as otherwise authorized by law or University policy(ies), the Research Integrity Officer (RIO) will take all reasonable steps to limit disclosure of the identity of Complainant(s), Respondent(s) and Witness(es), and the disclosure of any records or evidence collected during the processes described in this Policy to those with a legitimate need to know. Legitimate need to know includes, but is not limited to:

1. Ensuring a thorough, competent, ~~impartial-objective~~ and fair Research Misconduct proceeding, including by avoiding duplicative or competing inquiries or investigations by coordination with the Locally Designated Official (LDO) or other appropriate administrative offices when there are allegations of multiple university or campus policy violations.
2. Coordinating Research Misconduct proceedings involving multiple institutions.
3. Making appropriate reports to research sponsors and/or research collaborators.
4. Correcting the research record.
5. Pursuing adjudication of the case.
6. Protecting the public or the research community.

The Complainant, Respondent, and Witnesses, shall be ~~instructed~~~~encouraged~~ to maintain the confidentiality of the proceedings to preserve the integrity of the Research Misconduct proceedings.

B. Expert Advisers

Experts advisers may need to be consulted to provide special expertise in the analysis of specific evidence. Such expert advisers will serve in an advisory capacity; they do not vote and generally do not interview witnesses. The expert advisers chosen can, but need not be, affiliated with UCR.

C. Interviewing Individuals

Any individual identified as having information or evidence relevant to the allegations may be interviewed by the Inquiry and/or Investigation Committee(s).

If the interview will be recorded, all participants must consent to be recorded. If an interviewee refuses to be recorded, the interviewee will be provided with a written copy of the questions and given an opportunity to provide a written response that will become part of the official record. If the recording is transcribed, the interviewee will be provided a copy of transcript or summary of the interview to review, note any objections for the record, and/or to add comments or information. Copies of the audio recordings will not be provided to the interviewees, Respondents, or Complainants.

D. Immediate Notifications, including Agencies

If at any time the RIO or the Committee has reason to believe that any of the following circumstances exist, they will immediately inform the VCR. The VCR or RIO will notify the appropriate federal agency or take other action that the VCR deems warranted:

1. Public health or safety is at risk, including an immediate need to protect human or animal subjects.
2. Agency resources, reputation or interests are threatened.
3. Research activities should be suspended.
4. There is a reasonable indication of possible violations of civil or criminal law.
5. Federal action is required to protect the interests of those involved in the Research Misconduct proceeding.
6. There is reason to believe that the Research Misconduct proceeding may be made public prematurely, so that agency may take appropriate steps to safeguard evidence and protect the rights of those involved.

Or,

7. The scientific community or public should be informed.

E. Time limitation

This policy applies to Research Misconduct occurring within six (6) years of the date the allegation is received by the RIO. In cases where an applicable federal policy does not allow for a time limitation or has exceptions to the 6-year time limit (e.g., a subsequent use exception or exception for the health or safety of the public)~~time limitation differs~~, the federal policy will take precedence. Note that this time limitation governs the applicability of this Policy, not the jurisdictional boundary of disciplinary measures. For example, if plagiarism or data falsification is discovered by the administration a decade or more after the conduct occurred, this Policy would not preclude appropriate action to address substantiated misconduct under the Faculty Code of Conduct (APM-015) and Senate-approved disciplinary procedures (Senate Bylaw 336; UCR Senate Appendix 05).

F. Allegations Involving Multiple Institutions

Allegations may involve multiple institutions, e.g., alleged research misconduct in a publication with multiple authors from different institutions or when personnel have moved from one institution to another. In order to avoid duplicative proceedings for the same allegation(s), the RIO shall consult with the RIO(s) at the other institution(s) to determine which institution(s) will conduct the research misconduct proceedings in order to coordinate a consistent and effective review of the allegations, coordinate interim measures to protect evidence, and protect against retaliation or interference with the process.

Factors used in this consultation include, but are not limited to,

- Where the alleged misconduct occurred
- Which institution(s) have the research records
- The current institutional affiliation of the Respondents(s)

Irrespective of where the research misconduct proceedings occurred, if the Respondent is currently affiliated with UCR, the adjudication step will be performed as outlined in Section X of this policy.

V. REPORTING ALLEGATIONS OF RESEARCH MISCONDUCT; PROHIBITION ON RETALIATION

All individuals associated with the campus should report observed or suspected Research Misconduct to the RIO or delegate promptly. Allegations may also be made anonymously through the University of California's independent reporting system, [EthicsPoint](#). An allegation should, in addition to stating the nature of the suspected misconduct, present the evidence that leads the reporting individual to believe that an incident of Research Misconduct has occurred. Any administrator, faculty or staff who receives a report of Research Misconduct shall notify the RIO and only take further action as directed by the RIO. Reports from outside the University should always be directed to the RIO.

Individuals unsure whether a suspected incident falls within the definition of Research Misconduct should contact the RIO or delegate to discuss the suspected misconduct informally.

If the circumstances described do not meet the definition of Research Misconduct, or allege other forms of misconduct, the RIO will refer the individual or allegation to the appropriate offices or officials with responsibility for resolving the non-Research Misconduct allegations. The RIO shall consult with the LDO or other appropriate administrative offices to coordinate a consistent and effective review and assessment of allegations of violations of multiple university or campus policies, or to coordinate interim measures to protect evidence, and against retaliation or interference with the process.

Individuals who report Research Misconduct or participate in any process under this Policy are protected from retaliation under the University's Whistleblower Policies; see Section XI.

VI. PRELIMINARY ASSESSMENT OF ALLEGATIONS OF RESEARCH MISCONDUCT

A. Purpose and Scope

The purpose of the preliminary assessment of an allegation of Research Misconduct is to determine whether an Inquiry into the allegation is appropriate. The preliminary assessment will be limited to determining:

1. Whether the allegation describes acts or omissions that fall within the definition of Research Misconduct.
2. Whether the relevant research or research-related activity is covered by the Policy.

And

3. Whether the allegation is sufficiently credible and specific so that potential evidence of Research Misconduct may be identified.

Only if the RIO answers all of the foregoing queries affirmatively will the matter proceed to an Inquiry. Otherwise, proceedings under this Policy will terminate and the decision will be documented.

B. Time to Complete

The RIO will use best efforts to conduct and complete the preliminary assessment promptly. If the RIO requires more than thirty (30) days to ~~cannot~~ complete the preliminary assessment ~~promptly~~, the reason(s) will be documented ~~recorded~~ and the assessment completed thereafter as soon as reasonably and responsibly possible.

C. Notifications

If the matter proceeds to Inquiry, the RIO will notify the Respondent as outlined in Section VII.C.3. The Complainant may be notified. The RIO will notify external agencies if required by applicable law or regulation.

VII. INQUIRY INTO ALLEGATIONS OF RESEARCH MISCONDUCT

A. Purpose

The purpose of the Inquiry is to determine whether there is sufficient substance to the allegation to warrant a formal Investigation. It is not the purpose of the Inquiry to reach a final conclusion about whether misconduct occurred or who was responsible.

B. Time to Complete

The Inquiry should be completed within ninety (90) days of its initiation unless the RIO determines that circumstances warrant a longer period. If the Inquiry phase is extended beyond ninety days, the RIO will record the reasons and notify the Respondent(s).

C. Preliminary Matters

1. **Inquiry Committee.** The Inquiry will be performed by ~~one (1) to at least~~ -three (3) individual(s) appointed by the RIO. Person(s) conducting the Inquiry may not have unresolved real or apparent personal, professional or financial conflicts of interest with the Complainant(s), Respondent(s), or Witness(es), ~~is/are~~ unbiased, and ~~has/have~~ appropriate **subject matter** expertise to evaluate the evidence and issues related to the allegation, and may interview the principals and witnesses. Simply knowing and/or have interacted in some professional way with the Complainant(s), Respondent(s), or Witness(es), does not constitute a conflict of interest per se. When the Respondent is a member of the Academic Senate, at least one committee member shall be a member of the Academic Senate.
2. **Charge.** The RIO will provide the Inquiry Committee with the purpose of the Inquiry, a description of the allegations and a description of any related issues identified during the preliminary assessment.
3. **Notice to the Respondent.** At the time of or before beginning an Inquiry, the RIO will make a good faith effort to notify the Respondent in writing of the nature of the allegation of research misconduct, that an Inquiry will be conducted to decide whether to proceed with an investigation, the membership of the Inquiry Committee, and the procedures that will be followed. The notice should include a copy of this Policy.

In an instance where another proceeding has collected sufficient evidence to meet the criteria in Section VII.D, the RIO may use that evidence to initiate an Investigation without Inquiry in the interests of prompt resolution. The RIO will make a good faith effort to notify the Respondent in writing of the nature of the allegation of research misconduct (which may be a report) and the procedures that will be followed. The notice should include a copy of this Policy.

4. **Objections to the Person(s) Conducting the Inquiry.** Within five (5) days of receipt of notification of the Inquiry Committee member(s), the Respondent may challenge, in writing, any member based on bias or conflict of interest. If an Inquiry Committee member is challenged, the RIO will determine whether to replace the challenged member and inform the Respondent in writing of the determination within five (5) days of receipt of the challenge.
5. **Sequestration of Records.** If not previously completed, on or before the date the Respondent is notified or the Inquiry begins (whichever is earlier), the RIO will take all reasonable and practical steps to obtain custody of all research records and evidence needed to conduct the Research Misconduct proceedings. Research records or evidence are to be sequestered in a secure manner, except where they consist of scientific instruments shared

by numerous users. In such cases, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. Where appropriate, the Respondent will be given copies of, or reasonable, supervised access to, the research records.

6. **Inquiry Notifications.** The RIO may notify others with a need to know that an Inquiry has been initiated. This includes, but is not limited to, federal agencies, private sponsors, publishers, the Complainant's and the Respondent's Department Head and/or Dean, the Executive Vice Chancellor (for academic appointees), appropriate Vice Chancellor, the LDO, and/or Graduate/Undergraduate Deans.

D. Conducting the Inquiry

1. The **Inquiry Phase** will determine whether there is sufficient evidence of possible Research Misconduct to warrant an Investigation. An Investigation is warranted if there is:
 - a) A reasonable basis for concluding that the allegation falls within the definition of Research Misconduct.

And

 - b) Preliminary information-gathering and fact-finding indicate that the allegation may have substance.
2. **Interviewing Individuals.** Any individual identified as having information or evidence relevant to the Inquiry Committee's determinations, including, but not limited to, the Complainant and the Respondent may be interviewed in accordance with IV.C.
3. If the Inquiry subsequently identifies additional Respondents, they must be notified by the RIO and provided with the information specified in Section VII.C.3.

E. Inquiry Report

1. When the Inquiry is concluded, the Committee will prepare a written draft Inquiry Report, which includes:
 - a) The name and position of the Respondent and Complainant (if known). In some cases, the Respondent may have made statements implicating they engaged in potential misconduct, if so, this should be listed in the report and there is no complainant in such case.
 - b) A description of the research misconduct allegation(s).
 - c) Name(s) and title(s) of the Inquiry Committee member(s) and expert(s), if any.
 - d) A summary of the Inquiry process used.
 - e) A description of the evidence reviewed, including research records reviewed.
 - f) List of any interviews conducted.

- g) List of associated funding, if any.
 - h) For each allegation, the basis for recommending that the allegation warrants an investigation or the basis for recommending that the allegation does not merit an investigation.
2. The RIO or UCR Office of Legal Affairs may review the report to ensure that the committee has completed its charge, the report provides sufficient information to justify the committee's findings, the report does not include information that is inappropriate, and the report is in proper form.
 3. The Committee shall provide a copy of the draft Inquiry Report to the Respondent, who may, within ~~fourteenseven~~ (147) days of receipt, submit comments to the Inquiry Committee. The Committee shall consider any comments provided by the Respondent and produce a final Inquiry Report.

F. Concluding the Inquiry

1. Concluding the Inquiry with a Determination that an Investigation Is Warranted. If the Inquiry Committee determines that an Investigation is warranted, it will prepare the Inquiry Report detailed in VII.E.1 and submit the final Inquiry Report to the RIO.
2. Concluding the Inquiry with a Determination that an Investigation is Not Warranted. If the Inquiry Committee determines that an Investigation is not warranted, it will the Inquiry Report detailed in VII.E.1 to permit a later assessment by the RIO or third parties of the reasons for not conducting an Investigation.
3. Terminating Inquiry before its completion. If an Inquiry is terminated before its completion, a report of the planned termination, including the reasons for such an action, will be prepared. This report will be made available to the funding agencies that require it, as determined by the RIO.

G. Notice of the results of the Inquiry

1. Notice to the Respondent. The RIO must notify the Respondent whether or not the Inquiry found that an Investigation is warranted and that the process will move to the Investigation phase. The notice must include a copy of the final Inquiry Report.
2. Notice to the Complainant. The RIO may notify the Complainant whether the Inquiry found that an Investigation is warranted. The RIO may provide relevant portions of the Inquiry Report to the Complainant.
3. Notice to Agencies. Within thirty (30) days of finding that an Investigation is warranted, the RIO will inform the agencies that require it of the decision to move forward to an Investigation and provide a copy of the Inquiry Report.

VIII. INVESTIGATION OF ALLEGATIONS OF RESEARCH MISCONDUCT

A. Purpose

The purpose of the Investigation is to explore in detail the allegations, to examine the evidence in depth, and to determine specifically whether misconduct has been committed, by whom, and to what extent. The Investigation will also determine whether there are additional instances of possible misconduct that would justify broadening the scope beyond the initial allegation.

B. Time

1. The Investigation will begin within thirty (30) days ~~or within a reasonable time~~ after the determination has been made that an Investigation is warranted. If an extension is needed, the reason and length of the extension should be documented by the RIO. If required by applicable law or regulation, the RIO will request an extension from the agency.
2. The Investigation Committee shall use best efforts to ensure that the Investigation is completed within 180 days of its commencement, including conducting the Investigation, preparing the report of findings, providing the draft report for comment in accordance with Section VIII.E.1 below, and forwarding the final report to the RIO with adequate time for submission to agencies if required by applicable law or regulation.

Extension of Time Limit. If the Investigation Committee is unable to complete the Investigation in 180 days, it will request an extension from the RIO. The RIO may at their sole discretion extend the time for completion of the Investigation for a reasonable period. If the Investigation is governed by applicable agencies and if required by applicable law or regulation, the RIO will request an extension from the agency. Such requests should include documentation of the circumstances or issues warranting additional time.

C. Preliminary Matters

1. ~~The Investigation Committee.~~ The Investigation will be performed by an Investigation Committee appointed by the RIO. The Investigation Committee should consist of at least one (1) to three (3) individual(s). Person(s) conducting the Investigation may not have unresolved real or apparent personal, professional or financial conflicts of interest with the Complainant(s), Respondent(s), or Witness(es), ~~is/are~~ unbiased, and ~~has~~/have appropriate subject matter expertise to evaluate the evidence and issues related to the allegation, and who shall interview the principals and witnesses, and conduct the Investigation. Simply knowing and/or have interacted in some professional way with the Complainant(s), Respondent(s), or Witness(es), does not constitute a conflict of interest per se. The Investigation Committee may include members of, or have the same composition as, the Inquiry Committee. When the Respondent is a member of the Academic Senate, at least one committee member shall be a member of the Academic Senate.
2. **Scope.** The RIO will provide the Investigation Committee with the purpose of the Investigation, a description of the allegations and related issues identified during the Inquiry, and task the committee with evaluating the evidence and testimony of the

Respondent(s), Complainant(s), and Witnesses to determine whether, based on a Preponderance of the Evidence, Research Misconduct occurred and, if so, to what extent, who was responsible, and its seriousness.

3. **Notice of Investigation Committee Composition and Right to Object.** The RIO will notify the Respondent(s) in writing of the membership of the Investigation Committee. If the composition of the Investigation Committee differs from the Inquiry Committee, the Respondent may challenge, in writing, any previously unvetted committee member based on bias or conflict of interest within (5) days of receipt of notification. The RIO will determine whether to replace the challenged member and inform the Respondent in writing of the determination within five (5) days of receipt of the challenge.

D. Conducting the Investigation

1. **Investigation Committee.** An Investigation Committee is appointed to determine if Research Misconduct has occurred, and, if so, to determine the responsible person, the seriousness of the misconduct, and recommendations with respect to the imposition of disciplinary sanctions.
2. **Interviewing Individuals.** The Investigation Committee may interview any individual it identifies as having information or evidence relevant to the Committee's determinations in accordance with IV.C, including the Complainant(s), Respondent(s), and Witness(es).

The Respondent must not be present during the witnesses' interviews but may be provided with a redacted transcript of the interview.

3. **Pursue Leads; Expansion of Scope.** The Investigation Committee will pursue diligently all significant issues and leads that are determined relevant to the Investigation, including any evidence of additional instances of possible research misconduct, and continue the Investigation to completion. Whenever possible, the institution must take custody of the additional records when items become known or relevant to the investigation. During the Investigation, if additional information becomes available that substantially changes the scope of the Investigation or would suggest additional Respondents, the Investigation Committee will notify the RIO. The RIO will determine whether it is necessary to amend the scope of the investigation and notify the Respondent. If the Investigation subsequently identifies additional Respondents, they must be notified by the RIO and provided with the information specified in Section VII.C.3, and a separate Inquiry will not be conducted.
4. **Immediate Notification of Agencies.** If at any time the Investigation Committee has reason to believe that any of the circumstances listed in Section IV.D exist, it will immediately inform the RIO, who will notify the appropriate agency.
5. **Standard of Proof**
 - a) The standard of proof for finding research misconduct occurred is preponderance of the evidence.

- b) The destruction, absence of, or Respondent's failure to provide research records adequately documenting the questioned research is considered evidence of research misconduct, provided there is a preponderance of the evidence that the Respondent intentionally, knowingly, or recklessly destroyed research records, failed to maintain the records, or maintained the records and failed to produce them in a timely manner, and that the Respondent's conduct constitutes a significant departure from accepted practices of the relevant research community.
- c) In determining whether the evidence satisfies the standard of proof, the Investigation Committee will give appropriate consideration to credible evidence of honest error or difference of opinion presented by the Respondent.

6. **Finding of Research Misconduct.** A finding of Research Misconduct will be made if the criteria defined in I.C are met. A finding of Research Misconduct can be made whether the fabrication, falsification, or plagiarism is committed by an individual directly or through the use or assistance of other persons, entities, or tools, including artificial intelligence (AI)-based tools.

E. Concluding the Investigation

- 1. Upon the conclusion of the Investigation, the Investigation Committee will prepare a draft Investigation Report that will:
 - a) Describe the allegation(s) of Research Misconduct investigated.
 - b) Identify and summarize the research records and other evidence reviewed, including, if applicable, transcripts of interviews conducted and scientific or forensic analyses.
 - c) Describe the sequestration process, if applicable.
 - d) Describe and document any current or pending funding support related to the Research Misconduct allegations, e.g., awarded grant numbers, grant applications (including pending and past federal applications), contracts, and/or publications listing such support.
 - e) Name(s) and title(s) of the Investigation Committee member(s) and expert(s), if applicable.
 - f) For each separate allegation of Research Misconduct identified during the Investigation,

- (i) Identify the person(s) responsible for the misconduct.
 - (ii) Identify whether the Research Misconduct was falsification, fabrication, or plagiarism, and if it was Research Misconduct as defined in I.C.
 - (iii) Provide a finding as to whether Research Misconduct did or did not occur.
 - (iv) Summarize the facts and analysis which support the conclusion and consider the merits of any reasonable explanation by the Respondent.
 - (v) Identify the specific research records that allegedly contain the falsified, fabricated, or plagiarized material, e.g., published papers, manuscripts submitted but not accepted for publication (including online publication), funding applications, progress reports, presentations, posters, or other research records.
- g) Identify whether any publications need correction or retraction.
2. The Respondent will have thirty (30) days to review the draft Investigation Report and provide written comments to be included in the final Investigation Report. The Respondent may have access to copies of, or supervised access to, the research records and evidence that the Committee relied on, redacted, if appropriate.
 3. The Committee will consider any comments provided and produce a final Investigation Report. The findings of the final Investigation Report should take into account the Respondent's relevant comments in addition to all the other evidence.
 4. The Investigation Committee will submit the final Investigation Report to the IDO. If the investigation concludes that research misconduct occurred, in a separate communication to the IDO the Investigation Committee must offer its recommendations with respect to disciplinary sanctions or explain why sanctions should not be imposed.

F. Notice of the Results of the Investigation

1. **Notice to the Respondent.** The IDO will make the final determination of research misconduct findings. The IDO's decision is final. The IDO will notify the Respondent of the decision in writing and provide the Respondent with a copy of the final Investigation Report.
2. **Notice to the Complainant.** The IDO may provide the Complainant with relevant portions of the final Investigation Report.
3. **Notice to Agencies.** At the completion of the Investigation, agencies that require it will be provided with a copy of the final Investigation Report, the supporting research files and evidence, and the recommended institutional actions to be taken.
4. **Notification to Publishers.** The IDO or RIO will notify publishers if a retraction or correction of research records is recommended by the Investigation Committee and agreed upon by the IDO. This does not constitute a disciplinary action.

IX. MAINTENANCE OF INVESTIGATION RECORDS

At the completion of the Research Misconduct process, all records including all documentary evidence, interview notes, and reports related to the Assessment, Inquiry and Investigation, will be maintained in a secure manner in the UCR Office of Research and Economic Development for seven (7) years, or longer if required by applicable federal agencies.

X. POST-INVESTIGATION PROCEEDINGS (ADJUDICATION)

A. Investigation Concludes no Research Misconduct Occurred

UCR will make all reasonable and practical efforts, if requested and as the IDO deems appropriate, to protect or restore the reputation of any Respondent whom an Investigation Committee has concluded has not engaged in Research Misconduct. UCR shall also take appropriate measures to protect any Complainant, Witness or Committee member involved in the process from any retaliation.

B. Investigation Concludes Research Misconduct Occurred

There is no appeal process for the IDO's final determination of research misconduct findings. Following the conclusion of an Investigation, the matter will proceed under the applicable disciplinary process listed below:

1. Respondent is a Member of the Academic Senate. The IDO will submit their research misconduct findings and recommend disciplinary actions to the Vice Provost for Administrative Resolution (VPAR) with an Academic Complaint form in accordance with the provisions of the Bylaws of the Riverside Division of the Academic Senate, Appendix 5. Consistent with federal rules, it is the IDO's determination about whether or not research misconduct occurred, applying the preponderance of the evidence standard, that represents the University's "final" determination about research misconduct. Post-investigation disciplinary procedures (UCR Senate Appendix 5 and UC Senate Bylaw 336, which may involve a higher "clear and convincing" standard of proof) serve a different purpose and do not unsettle the finality of the IDO's earlier determination of a finding of research misconduct.
2. Respondent is a Non-Senate Academic Appointee (Visiting Scholars, Post-Doctoral Fellows, Professional Researchers, Non-Faculty Academics, etc.). The IDO will refer the recommended disciplinary actions to, and share the investigation report with, the Academic Personnel Office (APO). The APO will notify the researcher in writing prior to disciplinary sanctions and provide the researcher the opportunity to respond to the proposed disciplinary sanctions. If discipline is imposed without the agreement of the Non-Senate academic appointee, the appeal process described in the Academic Personnel Manual Section 140 "Non-Senate Academic Appointees/Grievances" shall be invoked.
3. Respondent is a Staff Employee. The IDO will refer the recommended disciplinary actions to, and share the investigation report with, the Associate Vice Chancellor and Chief Human Resources Officer (AVC-CHRO), to determine appropriate next steps for imposition of

discipline in accordance with PPSM 62 and 64, and, if applicable, the appropriate collective bargaining agreement. The AVC-CHRO may refer the imposition of discipline or other appropriate measures to the unit head of the staff employee's department.

4. Respondent is a Graduate or Undergraduate Student. The IDO will forward the disciplinary recommendations and the investigation report to the Vice Provost and Dean of Graduate Studies (graduate students) or Dean of Students (undergraduate students) to determine appropriate next steps for the imposition of discipline in accordance with the applicable University policy.

XI. OTHER RELATED UNIVERSITY OF CALIFORNIA POLICIES

1. University Policy on Integrity in Research (<https://policy.ucop.edu/doc/2500496>).
2. UC Regents Policy IIII, 2005 revised 2017, <https://regents.universityofcalifornia.edu/governance/policies/IIII.html>
3. UC Policies Applying to Campus Activities, Organizations, and Students, Part A, Section 100.00, Policy on Student Conduct and Discipline, and Section 110.00, Policy on Student Grievance Procedures (<https://www.ucop.edu/student-equity-affairs/policies/pacaos.html>).
4. UC Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities (Whistleblower Policy) (<https://policy.ucop.edu/doc/1100171>) and Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints (Whistleblower Protection Policy) (<https://policy.ucop.edu/doc/1100563>).
5. The University of California Electronic Communications Policy (<http://policy.ucop.edu/doc/7000470>) establishes principles, rules, and procedures applying to all members of the University community to specifically address issues particular to the use of electronic communications.
6. The University of California Research Data Policy (<https://www.ucop.edu/research-policy-analysis-coordination/policies-guidance/research-data/index.html>)

~~5.7.~~

History of Revisions:

This Policy was amended effective [**December __, 2026**] ~~2025~~. It supersedes and replaces the 11/1/2006 version of UCR Policy 529-900, Title: Policy and Procedures for Responding to Allegations of Research Misconduct.

The 2006 amendments made revisions and clarifications, updating broken links.



Academic Senate
Professor Kenneth Barish
Division Chair

December 17, 2025

Rodolfo Torres
Vice Provost for Research and Development

Re: Federally Required Changes to the Policy and Procedures for Responding to Allegations of Research Misconduct, [Policy #529-900](#)

Dear Rodolfo,

The Academic Senate Executive Council discussed the subject policy revisions and the related feedback memos from responding committees.

During our meeting, the Council requested it be made clear which changes are federally mandated and which are not. It appears that policy updates appear to go far further than federally mandated, and **we request that any interim policy include only those that are federally mandated** to give time for thoughtful incorporation of Senate feedback. Members expressed concern that the new language is vague (using terms like "reasonable," "encourage," and "promptly"), which raises fears among faculty that the Administration could take excessive control while marginalizing the Senate's role in shared governance, and diminishing transparency and fairness. Concern was also expressed that the policy revisions represent a significant administrative overreach that undermines shared governance and the Senate's ability to contribute to the definition of processes and consequences at the start of issues.

Reviewing the committee feedback, which is attached, the most detailed critiques came from the Committee on Privilege & Tenure, which highlighted significant concerns about procedural timelines, the appointment process for Research Integrity Officers (RIOs), and the operational impact on university record-keeping. Other key themes emerging from the collective feedback include a need for clearer definitions of key terms like "experts," ambiguity in the statute of limitations for allegations, and new challenges posed by artificial intelligence and the current research climate. The College of Natural and Agricultural Sciences, the Committee on Faculty Welfare, the School of Education, and the Committee on Research also raised specific points requesting modification and greater clarity. Conversely, the committees for CHASS, Graduate Council, Planning and Budget, and the School of Medicine registered no objections, with the latter noting the policy had been vetted by UCR's Chief Compliance and Legal Office.

The collective feedback from the reviewing committees coalesces around four primary areas of concern: procedural timelines and deadlines, clarity of definitions and language, integrity of appointments and processes, and broader operational and emerging issues.

1. Procedural Timelines and Deadlines

Multiple committees identified inconsistencies and potential inequities in the policy's specified timelines.

- **Clarity of "Days":** The Committee on Privilege & Tenure noted that "it is not clear if calendar or business days are being used" throughout the document and recommended this be made explicit.
- **Statute of Limitations (Section IV.E):** The College of Natural and Agricultural Sciences (CNAS) requested a review to "clarify the ambiguity in the phrasing" of the six-year limitation for misconduct allegations. The current text states: "This policy applies to Research Misconduct occurring within six (6) years of the date the allegation is received by the RIO. In cases where an applicable Federal policy time limitation differs, the federal policy will take precedence." CNAS suggests adding verbiage to clarify this timeline.
- **Preliminary Assessment Timeline (Section VI.B):** The Committee on Privilege & Tenure expressed concern that the timeframe for conducting a preliminary investigation has been deleted. It recommends restoring a version of the previous text, suggesting: "Research Integrity Officer shall conduct and complete the preliminary assessment promptly. If the Research Integrity Officer requires more than ten (10) days to complete the preliminary assessment, he or she shall document and record the reason and complete the assessment as promptly thereafter as possible."
- **Report vs. Response Timelines (Section VII.E.3):** The Committee on Privilege & Tenure questioned the justification for extending the time to produce a draft Inquiry Report from 60 to 90 days while simultaneously compressing the respondent's time to reply from 14 days to 7. The committee stated, "We are concerned about the imbalance between parties that are produced by these revisions to the time allotted to investigation and response."

2. Definitions and Clarity of Language

A recurring theme was the need for more precise definitions of key terms to ensure consistent and fair application of the policy.

- **Definition of "Experts":** Both the Committee on Faculty Welfare (CFW) and the School of Education (SOE) Executive Committee requested clarification on the term "experts."
 - CFW stated: "There is a need to clarify the composition of both the Inquiry Committee and Investigation Committee, specifically whether these committees will/must consist of experts who are faculty members."
 - The SOE committee asked "if the policy should explicitly define 'experts' along with other definitions."
- **Clarification of "Misconduct":** The Committee on Research requested "more statements or clarification around what would not classify as misconduct."
- **Concern over "Objective":** The Committee on Research also raised a concern regarding the word "objective," noting members questioned "how 'objective' could be weaponized given the current climate towards research."

3. Appointment and Process Integrity

The Committee on Privilege & Tenure identified potential gaps in procedural integrity, particularly concerning the appointment of the Research Integrity Officer (RIO) and the initiation of investigations.

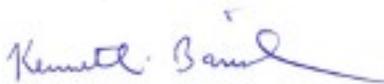
- **RIO Appointment in Conflict-of-Interest Cases (Section III.A):** The committee pointed out that the policy does not detail how an RIO is appointed in cases where the designated officials ("the AVC of Research and a member of the Academic Senate") are unavailable or "conflicted out of the case." It recommended that this process be clarified.
- **Investigation Initiation (Section VI.B.1):** The committee recommended an edit for clarity regarding the start of an investigation, proposing the following language: "The Investigation will begin within thirty (30) days or within a reasonable time after the determination has been made that an Investigation is warranted. If an extension is needed, the reason and length of the extension should be documented by the RIO. If required by applicable law or regulation, the RIO will request an extension from the agency."

4. Operational and Emerging Issues

Committees also highlighted the policy's downstream operational impacts and its silence on significant emerging challenges in research.

- **UC Records Retention Schedule:** The Committee on Privilege & Tenure noted that the "six-year timeframe for the filing of research integrity complaints will require adjustments in the UC Records Retention Schedule, as a number of records related to research integrity are destroyed/deleted in less time."
- **Artificial Intelligence:** The Committee on Research raised the issue of new technology, stating that "members wanted more statements or clarification around... how artificial intelligence can be factored into the policy."

Sincerely,



Ken Barish
Chair, Academic Senate

Encl.

Cc: Provost Watkins
Vice Provost – Academic Personnel Jeske
Associate Vice Chancellor – Research and Economic Development Coss
Associate Vice Chancellor – Research Administration & Compliance Greer
Chief Campus Counsel Penaloza
Chief Compliance Officer Boyce
Research Compliance Analyst Donahue
Senate Director Cortez
Senior Investigator Kidder



College of Humanities, Arts, and
Social Sciences
EXECUTIVE COMMITTEE

October 30, 2025

TO: Ken Barish, Chair
Riverside Division of the Academic Senate

FROM: Iván Aguirre, Interim Chair
CHASS Executive Committee

RE: [Campus Review] Proposed Revised Policy: Federally required changes to the
Policy and Procedures for Responding to Allegations of Research Misconduct,
Policy #529-900

The CHASS Executive Committee reviewed the [Campus Review] Proposed Revised Policy: Federally required changes to the Policy and Procedures for Responding to Allegations of Research Misconduct, Policy #529-900. The committee supports the proposed revised policy.

November 26th, 2025

TO: Kenneth N. Barish, Chair, Academic Senate, UCR Division

FROM: Harry Tom, Chair, Faculty Executive Committee, College of Natural and
Agricultural Sciences

SUBJECT: [Campus Review] Proposed Revised Policy: Federally required changes to the Policy and
Procedures for Responding To Allegations of Research Misconduct, Policy #529-900

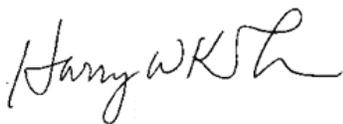
Prof. Barish,

The CNAS Faculty Executive Committee has reviewed the proposed revisions to Policy #529-900 at their
November 25th meeting and had comments to provide to the Senate.

The committee does not object to moving forward with the proposed policy revisions. However, the
committee would like to request that the paragraph content of policy section IV.E. be reviewed to
clarify the ambiguity in the phrasing of the policy: **“This policy applies to Research Misconduct
occurring within six (6) years of the date the allegation is received by the RIO.** In cases where an
applicable Federal policy time limitation differs, the federal policy will take precedence. “

The committee would like to suggest verbiage to clarify this timeline.

Sincerely,

A handwritten signature in black ink that reads "Harry Tom". The signature is written in a cursive, flowing style.

Harry Tom, Ph.D
Chair, Faculty Executive Committee, College of Natural and Agricultural Sciences



Academic Senate

Committee on Research

December 1, 2025

To: Kenneth Barish, Chair
Riverside Division

From: Padma Rangarajan, Chair
Committee on Research

Re: Federally required changes to the Policy and Procedures for Responding to Allegations of Research Misconduct, Policy #529-900

The committee on research the policy change and had a few comments regarding the word, more specific, how “objective” could be weaponized given the current climate towards research. Additionally, members wanted more statements or clarification around what would not classify as misconduct and how artificial intelligence can be factored into the policy.



Academic Senate

COMMITTEE ON FACULTY WELFARE

November 26, 2025

To: Kenneth Barish, Chair
Riverside Division Academic Senate

From: 
Salman Asif, Chair
Committee on Faculty Welfare

Re: [Campus Review] Proposed Revised Policy: *Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900*

At our meeting on November 18, 2025, the Committee on Faculty Welfare (CFW) reviewed the *Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900*. CFW has the following comment:

- There is a need to clarify the composition of both the Inquiry Committee and Investigation Committee, specifically whether these committees will/must consist of experts who are faculty members.



Academic Senate

GRADUATE COUNCIL

November 20, 2025

To: Kenneth Barish, Chair
Riverside Division

From: Viji Santhakumar, Chair
Graduate Council

RE: [Campus Review] (Proposed Revised Policy) Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900

Graduate Council reviewed the proposed revisions to the Policy and Procedures for Responding to Allegations of Research Misconduct, Policy #529-900 at their November 20, 2025 meeting. The Council had no comments.

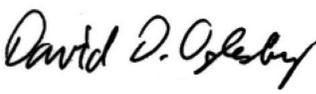


PLANNING AND BUDGET

November 24, 2025

To: Kenneth Barish, Chair
Riverside Division

From: David Oglesby, Chair
Committee on Planning and Budget



Re: **[Campus Review] Proposed Revised Policy: *Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900***

At our meeting on October 28, 2025, the Committee on Planning and Budget (CPB) reviewed the *Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900*. CPB did not see any budget-related red flags and has no objections to the proposed policy revisions.



COMMITTEE ON PRIVILEGE & TENURE

December 1, 2025

To: Kenneth Barish, Chair
Riverside Division

Fr: Jennifer Doyle
Chair, Committee on Privilege & Tenure

Re: [Campus Review] Proposed Revised Policy: *Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900*

The Committee on Privilege and Tenure reviewed the proposed changes to the Policy and Procedures for Responding to Allegations of Research Misconduct, Policy #529-900. We have a few areas of concern. Below are requests for clarification and our recommendations.

Throughout the document, it is not clear if calendar or business days are being used. This should be made explicit.

Section A of Part III (Authority and Responsibility for Oversight and Implementation of the Policy and Procedure) describes the appointment of the Research Integrity Officer (the person responsible for the investigation of a case). The policy does not detail how an RIO is appointed in cases in which “the AVC of Research and a member of the Academic Senate” is not available (e.g. conflicted out of the case). We recommend that this process be made clear.

Section E of Part IV (General Principles): A six-year timeframe for the filing of research integrity complaints will require adjustments in the UC Records Retention Schedule, as a number of records related to research integrity are destroyed/deleted in less time.

Section B of Part VI (Preliminary Assessment): The timeframe for conducting a preliminary investigation has been deleted. We recommend a restoration of a version of the deleted text: “Research Integrity Officer shall conduct and complete the preliminary assessment promptly. If the Research Integrity Officer requires more than ten (10) days to complete the preliminary assessment, he or she shall document and record the reason and complete the assessment as promptly thereafter as possible.” An edited version of this text might specify ten business days.

Section B.1 of Part VI (Preliminary Assessment): We recommend the following edit for clarity: “The Investigation will begin within thirty (30) days ~~or within a reasonable time~~ after the

determination has been made that an Investigation is warranted. If an extension is needed, the reason and length of the extension should be documented by the RIO. If required by applicable law or regulation, the RIO will request an extension from the agency.”

Section E.3, of Part VII (Inquiry Into Allegations): Is there a justification for extending the time for the production of a draft Inquiry Report (from 60 to 90) and for compressing the time the respondent has to respond to the draft Inquiry Report from 14 days to 7? We are concerned about the imbalance between parties that are produced by these revisions to the time allotted to investigation and response.

12/01/2025

To: Kenneth Barish, Chair of the Assembly of the Academic Senate
and Cherysa Cortez, Executive Director of the UCR Academic Senate

From: Kinnari Atit, Ph.D., Faculty Chair of the School of Education Executive Committee

Subject: SOE Feedback on “Proposed Revised Policy: Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900”

The SOE Executive Committee reviewed the “Proposed Revised Policy: Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900”. Comments/feedback were solicited at our executive committee meeting and via email.

A member of the SOE Faculty Executive Committee asked if the policy should explicitly define “experts” along with other definitions.

Thank you for the opportunity to provide feedback.

Sincerely,

A handwritten signature in black ink that reads "Kinnari" followed by a stylized flourish.

Kinnari Atit
Chair, Faculty Executive Committee
School of Education
University of California, Riverside
Email: kinnari.atit@ucr.edu



November 25, 2025

TO: Ken Barish, PhD, Chair, Academic Senate, UCR Division

FROM: Adam Godzik, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

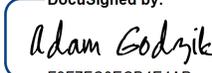
SUBJECT: **[Campus Review] Proposed Revised Policy: *Federally required changes to the Policy and Procedures for Responding To Allegations of Research Misconduct, Policy #529-900***

Dear Ken,

The SOM Faculty Executive Committee has reviewed the *Proposed Revised Policy: Federally required changes to the Policy and Procedures for Responding to Allegations of Research Misconduct, Policy #529-900* which has been vetted by UCR's Chief Compliance and Legal Office.

The FEC has no further comments.

Yours sincerely,

DocuSigned by:

F3F7FC0ECB4E4AD...
Adam Godzik, Ph.D.
Chair, Faculty Executive Committee School of Medicine

TO: Ken Barish, Chair
Riverside Division

FR: Kurt Schwabe, Chair 
Executive Committee, School of Public Policy

RE: **[Comments] POLICY AND PROCEDURES FOR RESPONDING TO ALLEGATIONS OF RESEARCH MISCONDUCT**

Date: November 30th, 2025

The Executive Committee of the School of Public Policy has reviewed the **Policy and Procedures for Responding to Allegations of Research Misconduct**. Below we have identified a few issues to consider that may help address potential ambiguities/conflicts that may arise with how the policy is currently written.

- In Section II.12 (Plagiarism), plagiarism is defined as “the appropriation of another person’s ideas, processes, results, or words, without giving appropriate credit.” A number of widely-cited professional organizations (for example, the [American Psychological Association](#)) have issued guidelines regarding the need for disclosure of AI-generated materials. Since AI is not a person (to use the wording of the policy) but may be a source of material, it may be useful to clarify in this policy to what degree (if at all) the use of AI would constitute plagiarism.
- In Section VII.C.1 (Inquiry Committee). The policy currently states that “The Inquiry will be performed by one (1) to three (3) individual(s) appointed by the RIO.” By definition, a committee of only one person would not be a committee. In addition, the previous policy indicated that an inquiry committee “should consist of at least three individuals.” To avoid any one person having sole discretion as to an inquiry, clarification would be useful as to the justification for the reduction in number of committee members as well as how the number of people on the inquiry committee will be determined.
- In Section VIII.C.1 (Investigation Committee). Similar to the comment above, the policy currently states that “The Investigation Committee should consist of one (1) to three (3) individual(s).” By definition, a committee of only one person would not be a committee. In addition, the previous policy indicated that an investigation committee “should consist of at least three individuals.” To avoid any one person having sole discretion as to an inquiry, clarification would be useful as to the justification for the reduction in number of committee members as well as how the number of people on the inquiry committee will be determined.