

University of California Policy
Responding to Allegations of Research Misconduct

Principal Officers of The Regents
University of California
Office of the President June 19,
1990

UNIVERSITY POLICY ON INTEGRITY IN RESEARCH Responding to
Allegations of Research Misconduct

Policy

It is longstanding policy of the University of California to encourage and maintain the highest ethical standards in research. This Policy reaffirms the University's commitment to integrity in research.

<u>Responsible Officer:</u>	<u>VP – Research & Innovation</u>
<u>Responsible Office:</u>	<u>RI – Research & Innovation</u>
<u>Issuance Date:</u>	<u>XX/XX/XXXX</u>
<u>Effective Date:</u>	<u>XX/XX/XXXX</u>
<u>Last Review Date:</u>	<u>XX/XX/20XX</u>
<u>Scope:</u>	<u>This Policy applies to all research conducted under the auspices of any University of California (UC) Location by a person who, at the time of the alleged research misconduct, was affiliated with UC, including but not limited to faculty and other academic appointees, staff, students, postdoctoral scholars, and visiting scholars. This Policy applies to all research regardless of source of funding and/or sponsor. The 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 UC).</u>

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I. POLICY SUMMARY

This Policy affirms UC's commitment to integrity in research. It implements the Federal Policy on Research Misconduct issued by the Office of Science and Technology Policy (OSTP) in December 2000 ("Federal Policy").¹ This Policy also intends to satisfy the research misconduct requirements of the U.S. Department of Health and Human Services (DHHS) ("PHS Policies"),² the National Science Foundation ("NSF Policy"),³ and other federal agencies.

II. DEFINITIONS

UC adopts definitions related to research misconduct provided in the Federal Policy. For convenience, the definitions of some terms are repeated below. Where a sponsor adopts a definition that differs from the Federal Policy, UC will use the sponsor's definition for responding to allegations of research misconduct for research funded by that sponsor.

Location means University of California campuses, University of California managed hospitals and medical centers, Division of Agriculture and Natural Resources (ANR), Lawrence Berkeley National Laboratory, and the Office of the President.

Research Misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

Research means a systematic experiment, study, evaluation, demonstration, or survey designed to develop or contribute to general knowledge (basic research) or specific knowledge (applied research).⁴

III. POLICY TEXT

UC is committed to maintaining the integrity of scholarship and research, responding to allegations of research misconduct, and to fostering a climate conducive to research integrity in accordance with the UC Statement of Ethical Values. Such integrity includes not only ~~Integrity in research includes not just~~ the avoidance of wrongdoing, but also the rigor, carefulness, and accountability that are hallmarks of good scholarship.-

All ~~person~~those engaged in research at the University are responsible for adhering expected to pursue the advancement of knowledge while meeting the highest standards of intellectual honesty, accuracy, and integrity in research. Faculty and other supervisors of research activities have a responsibility to create an environment which encourages those high standards and integrity in research objectivity. Open publication and discussion, emphasis on quality of research, appropriate supervision, maintenance of accurate and detailed research procedures and results, and suitable assignment of credit and responsibility for research and publications are essential for fostering intellectual honesty and integrity in research. Those

¹ Federal Policy on Research Misconduct, 65 Fed. Reg. 76260 (Dec. 6, 2000).

² Public Health Service Policies on Research Misconduct, 42 C.F.R. § 93.25-.511 (Sept. 17, 2024).

³ National Science Foundation, Research Misconduct, 45 C.F.R. § 689.

⁴ The Federal Policy does not provide a definition for "research." This definition of research is based on the definition of "research" in the PHS Policies, § 93.232.

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who supervise research have a responsibility to maintain an environment that encourages these high standards.

~~University policies set forth expectations for high standards of ethical behavior for faculty and students involved in research and provide procedures for addressing allegations of misconduct in research. Those policies and procedures are set forth in the Bylaws of the Academic Senate, the University Policy on Faculty Code of Conduct and the Administration of Discipline, and University Policies Applying to Campus Activities, Organizations, and Students—Part A, Student Conduct and Discipline. Procedures for administration of discipline also exist for other academic and staff employees in accordance with applicable personnel policies and collective bargaining agreements. (A list of University of California policies which pertain to integrity in research is attached.)~~

~~Misconduct means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scholarly and scientific community for proposing, conducting, or reporting research. Misconduct does not include honest error or honest differences in interpretations or judgments of data.⁵~~

~~The University will continue to take prompt and vigorous action to investigate and address allegations of misconduct in research, based on the following principles:~~

- ~~☐ Institutional and academic responsibility for self-regulation;~~
- ~~☐ Mechanisms to protect to the greatest extent possible the due process rights of the accused, the interests of those making allegations, and the public interest;~~
- ~~☐ The highest degree of confidentiality compatible with an effective response and applicable sponsor reporting requirements; and~~
- Precautions against real or apparent conflict of interest.

Campus and Laboratory Implementation

~~Campuses and Laboratories shall have necessary guidelines and procedures to provide appropriate responses to allegations of misconduct in research. Such guidelines and procedures should specify how pertinent University policies and procedures will be used to address allegations of misconduct in research by faculty, students, and staff. When extramural funds are involved, local guidelines and procedures also should comply with conditions of the award, including applicable regulations issued by the sponsor of the~~

⁵The definition of misconduct is based upon the regulations of the Public Health Service, Department of Health and Human Services (Responsibilities of PHS Awardee and Applicant Institutions for Dealing with and Reporting Possible Misconduct in Science, 42 CFR, Part 50, Subpart A), and it is consistent with the ethical principles and types of unacceptable conduct regarding scholarship listed in the Faculty Code of Conduct and with the types of misconduct specified in the University Policy on Student conduct and Discipline.

research. Such regulations include, but are not limited to, the Responsibilities of PHS Awardee and Applicant Institutions for Dealing with and Reporting Possible Misconduct in Science (42 CFR, Part 50, Subpart A) and the National Science Foundation regulations on Misconduct in Science and Engineering Research (45 CFR, Part 689). Among their requirements, these regulations require specific reports to the sponsoring agency.

IV. COMPLIANCE/RESPONSIBILITIES

All members of the UC research community are expected to cooperate in reporting suspected research misconduct and in responding to allegations by acting in good faith, providing research records and other relevant information to Research Integrity Officers and other UC officials in the course of their review of allegations of research misconduct, participating in research misconduct proceedings, and refraining from retaliation or interference with a research misconduct proceeding.

Responsibilities

~~Chancellors and, Laboratory Directors, the Vice President of ANR, or their designees, shall be~~ responsible for the implementation of this Policy, ~~which may include including~~ the consideration of initial ~~reports~~ allegations of research misconduct and, when necessary, ~~the referral or~~ initiation of formal inquiries and, if warranted, investigations. ~~Local guidelines and procedures should clarify available mechanisms for imposing appropriate sanctions or discipline on individuals when the allegation of misconduct has been substantiated.~~ Chancellors ~~and, Laboratory Directors, the Vice President of ANR, or their designees, are~~ also responsible for designating the individuals to serve as the Deciding Official and Research Integrity Officer at their respective Locations. ~~shall refer to the University Policy and Procedures for Reporting Improper Governmental Activities and Protection Against Retaliation for Reporting Improper Activities to ensure coordination of allegations of misconduct which may be reported under that Policy and to advise on the procedures to protect against retaliation.~~

~~Copies of local guidelines and procedures shall be sent to the Senior Vice President—Academic Affairs for review as to compliance with this Policy.~~

Deciding Officials are the Location-designated officials responsible for making final determinations of research misconduct findings. The same individual cannot serve as both the Deciding Official and the Research Integrity Officer.

Research Integrity Officers (RIOs) are the Location-designated officials responsible for compliance and implementation, including establishing appropriate procedures and documentation.

Principal Investigators have primary responsibility for the scientific integrity and management of the research project.⁶ They must:

1. Be knowledgeable about and follow all applicable institutional and U.S. government policies, requirements, and regulations regarding research misconduct.

⁶ University of California, Contract and Grant Manual, § 10-330.

2. Comply with their Location's policies and procedures implementing this Policy and any extramural contract and grant terms and conditions supporting their research.

V. PROCEDURES

Each Location must implement policies and procedures for responding to allegations of research misconduct. Such policies and procedures must comply with federal policies (where applicable). Locations should consider describing the local mechanisms that will be used for the imposition of appropriate sanctions or discipline when the allegation of misconduct has been substantiated. The process of making a final determination of research misconduct findings by the Deciding Official is separate from the process for imposing sanctions or discipline.

When extramural funds are involved, local guidelines and procedures must comply with the conditions of the award, including applicable Federal regulations or policies.⁷ Such Federal regulations may require specific reports to the sponsoring agency. Locations may develop different policies and procedures to address situations in which allegations of research misconduct arise in the context of non-federally-funded research, including non-extramurally-funded research.

Locations should provide researchers access to education and training on integrity in research designed to foster an environment that promotes integrity in research, and that encourages researchers to identify and report potential instances of research misconduct.

VI. RELATED INFORMATION/RESOURCES

- University of California Regents Policy 1111: Policy on Statement of Ethical Values and Standards of Ethical Conduct
- Office of Science and Technology Policy, Federal Policy on Research Misconduct (Dec. 6, 2000)
- Some Federal agency policies on Research Misconduct
 - Health and Human Services Department, Public Health Service Policies on Research Misconduct, 42 CFR, Part 93
 - National Science Foundation, Research Misconduct, 45 CFR, Part 689
 - Dept. of Energy, Allegations of Research Misconduct, 10 CFR, Part 733, and Research misconduct, 2 CFR § 910.132
 - Dept. of Agriculture, Research Institutions Conducting USDA-Funded Extramural Research; Research Misconduct, 2 CFR, Part 422
 - NASA, Research Misconduct, 14 CFR, Part 1275
- The Office of Research Integrity (ORI) website
 - ORI Sample Policy & Procedures

⁷ For PHS and NSF, these are the Public Health Service Policies on Research Misconduct (42 CFR, Part 93) and the National Science Foundation regulations on Research Misconduct (45 CFR, Part 689), respectively.

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- Executive Order, Restoring Gold Standard Science (May 23, 2025)
 - OSTP, Agency Guidance for Implementing Gold Standard Science in the Conduct & Management of Scientific Activities (Jun. 23, 2025)
- Other research-related University policies that may overlap with this Policy:
 - Use of Animals in Research and Teaching
 - Protection of Human Subjects in Research
 - Research Data and Ownership Policy
 - Academic Personnel Manual, such as The Faculty Code of Conduct (APM-015)
 - Personnel Policies for Staff Members, such as PPSM-62: Corrective Action

VII. FREQUENTLY ASKED QUESTIONS

Not applicable.

VIII. REVISION HISTORY

XXX XX, XXXX: Revised to conform with updated Public Health Service Policies effective Jan. 1, 2025 (issued Sept. 17, 2024); changed policy name.

June 19, 1990: Issued as a new policy.

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University of California Policies which Pertain to Integrity in Research

1. ~~University Policy on Faculty Conduct and the Administration of Discipline (June 14, 1974), including the Faculty Code of Conduct (August 26, 1988).~~
2. ~~University Policy on Disclosure of Financial Interest in Private Sponsors of Research (April 26, 1984).~~
3. ~~Policy on Outside Professional Activities of Faculty Members (April 13, 1979).~~
4. ~~Standing Order of The Regents of the University of California 103.1(b), Special Provisions Concerning Officers, Faculty Members, and Employees of the University, Service Obligations.~~
5. ~~University Policy on the Use of Animals in Research and Teaching (October 15, 1984).~~
6. ~~University Policy on the Protection of Human Subjects in Research (September 2, 1981).~~
7. ~~Guidelines on University Industry Relations (May 17, 1989).~~
8. ~~University Regulation No. 4, Special Services to Individuals and Organizations, Academic Personnel Manual, Section 020, (June 23, 1958).~~
9. ~~University Policies Applying to Campus Activities, Organizations, and Students — Part A, Student Conduct and Discipline (October 31, 1983).~~
10. ~~Business and Finance Bulletin G-39, Conflict of Interest Policy and Compendium of Specialized University Policies, Guidelines, and Regulations Related to Conflict of Interest (Revised April 15, 1986 and June 15, 1989).~~
11. ~~Guidelines for Disclosure and Review of Principal Investigators' Financial Interest in Private Sponsors of Research (April 27, 1984).~~
12. ~~University of California Patent Policy (November 18, 1985 and revised in part on April 16, 1990).~~
13. ~~University Copyright Policy (August 1, 1975).~~

~~University Policy and Procedures for Reporting Improper Governmental Activities and Protection Against Retaliation for Reporting Improper Activities (January 1, 1990).~~