

**UNIVERSITY OF CALIFORNIA, SAN FRANCISCO
INTEGRITY OF RESEARCH PROCEDURES**

A. OBJECTIVES AND GENERAL PROVISIONS

A1. Objectives: In dealing with an Allegation¹ under these procedures, University of California, San Francisco (UCSF) shall be guided by the following general objectives:

- A1.1 Institutional responsibility for self-regulation shall be preserved.
- A1.2 Appropriate and timely action shall be taken to investigate and address all Allegations.
- A1.3 Funding and/or oversight agency requirements for timely notification shall be followed.
- A1.4 These Procedures shall be administered in a manner that fairly protects: (i) the due process rights of Respondents; (ii) the interests of Complainants and those serving as witnesses in the investigation of Research Misconduct; and (iii) the public interest in preserving the integrity of Research.
- A1.5 Efforts will be made to prevent misjudgments caused by bias or Conflict of Interest.
- A1.6 Campus officials shall administer these Procedures in coordination with other applicable policies and procedures, including the University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities; and Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints.
- A1.7 These Procedures are not intended to interfere with, or supersede a represented employee's rights under a collective bargaining agreement.
- A1.8 Nothing in these Procedures shall be construed to supersede or interfere with applicable State or Federal laws or regulations.
- A1.9 These Procedures, as revised on March 1, 2023, govern all Research Misconduct proceedings in matters brought on or after March 1, 2023. The former version of the Procedures will continue to govern matters pending prior to March 1, 2023.

A2. General Provisions: The following are generally applicable to Allegations, Inquiries, and Investigations under these Procedures:

- A2.1 Confidentiality. Throughout the process of responding to an Allegation, all persons involved, including the Research Integrity Officer (RIO), the Inquirer, the investigation committee members, the Complainant, the Respondent, and witnesses, shall exercise great care to preserve the confidentiality of the proceedings to the extent consistent with state and federal laws and regulations, University policy, any contractual obligations, an effective response to the Allegation, and public health and safety. Those who conduct both Inquiries and Investigations are expected to be extremely circumspect. Only the Inquirer or the office of the RIO may contact potential witnesses. Further, interviews of witnesses outside of the University should occur only after consultation with the office of the RIO to assure the necessity of such interviews and the development of an appropriate approach to maximize the confidentiality of the Inquiry or Investigation.
- A2.2 Sequestration of Records. The RIO shall take all reasonable and practical steps to obtain and/or secure Research Records necessary for an Assessment, Inquiry, or Investigation. Research Records belong to the University; all Research Records involved in a Research Misconduct proceeding must be surrendered to the RIO upon request. The RIO may engage internal or external experts to secure or take possession of potentially relevant evidence. The RIO will coordinate with the Institutional Review

¹ Capitalized words used throughout these Procedures are defined in Appendix A, Definitions.

Board when records involving human subjects of research may be required for Research Misconduct proceedings.

A2.2.1 Absence of Records. The lack of Research Records adequately documenting the research in question may amount to evidence of Research Misconduct, where it is established that the Respondent: (1) Intentionally, knowingly or recklessly destroyed relevant Research Records; and/or (2) Had the opportunity to maintain the records but did not do so; and/or (3) Failed to produce records in a timely manner.

A2.3 Risk of Loss or Abuse of Funds, Equipment, or Materials. If, in the judgment of the RIO, there appears to be a risk of loss or misuse of funds from circumstances relating to an Allegation, or a risk of destruction or abuse of equipment or materials purchased with those funds, the RIO shall instruct the Respondent's supervisor to take immediate interim administrative actions to protect those funds, equipment, or materials or, as necessary, shall take immediate administrative actions as the RIO. When, in the judgment of the RIO, misuse of funds, equipment or resources is likely to have occurred, such information shall be reported to the campus Locally Designated Official or Whistleblower Coordinator for investigation.

A2.4 Rights and Roles of Complainant.

A2.4.1 Confidentiality of Complainant's Identity. The Complainant may request that their identity be kept confidential, and, if so, efforts shall be made to protect the identity of the Complainant, but confidentiality cannot be assured. For example, it may be necessary for the Complainant to testify before an Inquirer or an Investigation committee in the course of an Inquiry or Investigation, and their identity may be subject to disclosure under various state and federal laws.

A2.4.2 Disclosure of Allegations. Complainants are encouraged to raise Allegations through these Procedures rather than through public disclosure and are cautioned that public disclosure of an Allegation may render such Complainants vulnerable to legal action, such as violation of the Respondent's right of privacy under California law and University policy.

A2.4.3 Complainant as Witness. After making an Allegation, the Complainant's role is to serve as a witness if needed.

A2.4.4 Retaliation Against Complainants or Other Persons. UCSF employees who have made Allegations that are covered by the "University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities (Whistleblower Policy)," and who believe that they have been retaliated against for so doing, should report such Retaliation in accordance with the University of California "Whistleblower Protection Policy." Persons not covered by the Whistleblower Protection Policy shall report claims of actual or threatened Retaliation to the RIO, who shall undertake diligent efforts to protect them from Retaliation. In addition, the RIO shall direct all participants in any aspect of an Inquiry or Investigation, including an Inquirer and members of an Investigation committee, the Respondent, and witnesses not to retaliate against the Complainant or other witnesses at any time after an Allegation has been made.

A2.5 Duty to Respond. The University is required to respond to an Allegation and to take it seriously. After receiving an Allegation, the University is legally obligated to undertake an Inquiry if the RIO determines that an Inquiry is warranted (Section B2).

A2.5.1 The University is similarly obligated to initiate an Inquiry if an oversight agency with jurisdiction over an Allegation, such as the Office of Research Integrity, determines that an Inquiry is warranted.

- A2.6 Respondent's Separation from University. The resignation or termination of employment, enrollment, or appointment of a Respondent shall not, in itself, result in the dismissal of a proceeding hereunder, although it may affect the imposition of discipline or other appropriate action.
- A2.7 Delays. Delay in initiating or completing an Inquiry, Investigation, other process, or action within the time frames prescribed in these Procedures shall not be grounds for the dismissal of an Allegation.
- A2.8 Retention of Records. At the closure of a case under these Procedures, a complete file of the case, including the Allegation, the reports from the Inquiry and/or Investigation, correspondence, and other records related to the case shall be maintained by the RIO in a secure manner. Records shall be kept for at least seven (7) years after the later of a final Inquiry report or a final Investigation report, or longer if required by sponsors or other agencies.
- A2.9 Legal Advice and Representation. Throughout the process of handling an Allegation, the RIO, the Inquirer, and Investigation committee may consult with Campus or University Counsel, as needed, for advice and to ensure compliance with these Procedures. Complainants, Respondents, and witnesses may be accompanied by an advisor – including a legal or employment representative – during any interview, for the purposes of observation and advice.
- A2.10 RIO Discretion. In the interest of fairness and consistent with the requirements of external funding and/or oversight agencies and other University policies, the RIO has the discretion to extend time frames based on a written showing of good cause, expand the scope of the Inquiry or Investigation, or take other action they deem appropriate in applying these Procedures.
- A2.11 RIO's Closing of a Research Misconduct Proceeding. The RIO will assure that each Research Misconduct Proceeding is completed pursuant to these Procedures. A Research Misconduct Proceeding will be closed after the RIO's:
- A2.11.1 Initial Assessment that an Allegation does not warrant an Inquiry (see section B2.1.);
 - A2.11.2 Acceptance of an Inquiry Report's conclusion that there is insufficient specific and credible evidence to warrant an Investigation or that the alleged acts do not fall within the scope of these Procedures;
 - A2.11.3 Determination that Research Misconduct occurred, following an Investigation (see sections D6 and D7.);
 - A2.11.4 Acceptance of Respondent's written and signed admission of wrongdoing specifically identifying the data in the Research Record that were Falsified, Fabricated and/or Plagiarized, and acknowledging that this constitutes Research Misconduct, following the RIO's prior consultation with the sponsor and/or oversight agency if so required; or
 - A2.11.5 Negotiation, at any time during the Research Misconduct proceeding, of a settlement agreement with the Respondent, following prior: 1) consultation with Research Sponsor if so required; 2) consultation with appropriate administrators; and 3) compliance with UC policies on settlement agreements.

B. ALLEGATIONS OF MISCONDUCT

- B1. Reporting Suspected Misconduct. Allegations of Research Misconduct must be reported to the [RIO](#). Under no circumstances should the Complainant pursue their own investigation into the Allegation.
- B2. Initial Assessment of Allegation. As soon as practicable, the RIO shall determine if the Allegation (a) involves Research Misconduct, (b) is covered by another University policy, (c) involves a research practice that does not constitute Research Misconduct, or (d) is groundless.
- B2.1 Allegations of Research Misconduct. The RIO shall initiate an Inquiry if the Allegation: (a) falls within the definition of Research Misconduct, as defined in Appendix A; and (b) is sufficiently credible and specific so that potential evidence of Research Misconduct may be identified. If the

Complainant has not reported the Allegation in writing, then the RIO shall document the Allegation in writing.

- B2.2 Other University Policies Involved. If an Allegation gives rise to investigative responsibilities under one or more University policy or regulatory area, the RIO shall consult with other appropriate administrative offices and establish the appropriate triage and precedence, keeping in mind the requirement to protect the privacy and professional reputation of those involved.
- B2.3 Dispute about Research Practices, including Authorship. If the Allegation is about a practice that does not fall within the definition of Research Misconduct, including authorship disputes, then the Allegation shall be resolved under applicable policies, through mediation, or informally, at the discretion of the RIO.
- B2.4 Groundless Allegations. If the RIO determines that the Allegation was not brought in good faith, or that the Allegation otherwise provides insufficient information or evidence to merit further review, the RIO shall prepare and maintain a memorandum separate from the Respondent's personnel or academic file and shall inform the Complainant of the decision not to proceed. In such a case, Respondent notification of the Allegation is not required.

C. INQUIRY

C1. Initiating an Inquiry. Upon determining that an Inquiry is warranted, the RIO shall take the following actions:

- C1.1 Appointment of Inquirer. The RIO shall appoint an Inquirer who shall be a faculty member, administrator, or researcher with the appropriate expertise and experience. The Inquirer shall disclose any possible conflicts. The RIO shall not appoint as Inquirer a faculty member, administrator, or researcher with a conflict of interest. The RIO shall provide the Inquirer with guidelines for carrying out the Inquiry.
- C1.2 Identification of Funding Sources. The RIO shall identify all relevant research grants and funding agencies involved in the Research that is the subject of the Allegation.
- C1.3 Notification of Interested Parties.
 - C1.3.1 After appointing an Inquirer, the RIO shall provide written notification of the nature of the Allegation and the appointment of the Inquirer to the Respondent. The RIO shall provide the Respondent with access to the Policy and these Procedures.
 - C1.3.2 Another institution shall be notified if the RIO has reason to believe that the alleged Research Misconduct involved that institution or if the Respondent has a joint appointment at the institution and notification is required by an inter-institutional agreement.
 - C1.3.3 The RIO shall inform the appropriate funding and/or oversight agencies, consistent with law, agency requirements, and contractual agreements, that an Inquiry is being undertaken. The RIO may also notify others with a need to know, at the RIO's discretion.

C2. Responsibilities of the Inquirer. The Inquirer shall take the following actions:

- C2.1 Preliminary Fact-Finding. Examine relevant Research Records and materials, and conduct sufficient interviews and preliminary fact-finding to determine whether an Investigation is warranted. 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 preliminary fact-finding from the Inquiry indicates that the Allegation may have substance.
- C2.2 Prepare Report. Prepare a report of the Inquirer's findings within 30 calendar days of the Inquirer's appointment.

C3. Report of the Inquirer. The written Inquiry report shall include:

- C3.1 the name and title of the Inquirer and of experts, if any, consulted by the Inquirer
- C3.2 the Allegation and individual(s) named
- C3.3 the funding source(s) for the Research, if any
- C3.4 the procedures followed by the Inquirer to arrive at their findings
- C3.5 how and from whom relevant information was obtained
- C3.6 a list of the Research Records reviewed
- C3.7 summaries of any interviews
- C3.8 for each Allegation of Research Misconduct, a finding as to whether an Investigation is warranted under Section C2.1, and if so, a summary of the facts and the analysis which support the conclusion.
- C3.9 for each finding that an Investigation is not warranted, a summary of the facts and the analysis which support the conclusion that the Allegation (a) involves questionable research practices that do not meet the definition of Research Misconduct, OR (b) is without substance.

C4. Finalizing the Report of the Inquirer.

- C4.1 RIO Review. The RIO shall review the Inquiry report upon receipt to ensure that: (i) the Inquirer has completed their charge; and (ii) the report provides sufficient information to support the Inquirer's findings. If the report is inadequate in any of these respects, the RIO shall ordinarily request the necessary modifications. If the Inquirer fails to make the necessary changes, then at their discretion, the RIO may accept the report as is or appoint a new Inquirer.
- C4.2 Revisions by Inquirer. If the report has been referred back to the Inquirer for modification or revision, the Inquirer shall submit a revised final, signed report, satisfactory to the RIO.
- C4.3 Determination by the RIO. Upon receipt of the final signed report, the RIO shall determine whether Research Misconduct may have occurred and whether an Investigation is warranted.

C5. Notifications and Actions. Upon acceptance of the final Inquiry report, the RIO shall notify all interested parties and take appropriate actions as follows:

- C5.1 Notification of Respondent. The RIO shall provide the Respondent with the Inquiry report and the determination as to whether Research Misconduct may have occurred. The Respondent may comment in writing within fifteen (15) calendar days and such response shall become part of the record of the Inquiry. The RIO may provide a copy of the response to the Inquirer for consideration; any amendment to the Report or rebuttal to the response by the Inquirer shall be included in the final report.
- C5.2 Notification of Interested Parties. At their discretion, the RIO may provide individuals notified of the Inquiry with a written summary of the Inquirer's findings and the RIO's determination in the case. Upon request and at the RIO's sole discretion, the Complainant and other witnesses may be provided with those portions of the report that address their role(s) and opinion(s) in the Inquiry.
- C5.3 Actions.
 - C5.3.1 Finding that an Investigation into Research Misconduct is warranted. If the RIO accepts an Inquirer's finding that an investigation into Research Misconduct is warranted, the RIO shall initiate an Investigation pursuant to Section D.
 - C5.3.2 Finding that an Investigation into Research Misconduct is not warranted. If the RIO accepts an Inquirer's finding that an investigation into Research Misconduct is not warranted, but that the Respondent may have violated commonly accepted Research standards or other University policies, the RIO may refer such possible violations in a separate summary

memorandum to the appropriate administrative officer (who may be the RIO) and/or the Researcher's supervisor for discipline or other appropriate action. If appropriate, such information may be considered in the applicable performance review process.

- C5.3.3 Finding that an Allegation lacks substance. If the RIO accepts an Inquirer's finding that the Allegation was without substance, the RIO shall, in consultation with the Respondent and University or Campus Counsel as needed, make reasonable efforts to notify appropriate individuals and organizations of the outcome of the Inquiry for the purpose of restoring the Respondent's reputation, if it appears to have been damaged by the making of the Allegation. Any written responses to these efforts shall be placed in the record of the Inquiry.

- C6. Time Limit. The entire Inquiry process, including the Inquirer's preparation and submittal of the report, the Respondent's submission of comments, the RIO's acceptance or rejection of the findings of the Inquirer, and the RIO's notification of the decision, shall be completed within sixty (60) calendar days following the appointment of the Inquirer. Any extension of this time limit requires approval of the RIO, must be documented in the final report, and should comply with the applicable requirements of external funding and/or oversight agencies.

D. INVESTIGATION

- D1. Initiating an Investigation. Upon determining that an Investigation is warranted, the RIO shall take the following actions:

- D1.1 Appointment of Committee. Within thirty (30) calendar days of accepting the Inquiry report which indicates that an investigation is warranted, the RIO shall appoint an Investigation committee consisting of three (3) or more faculty members, administrators, or researchers with appropriate expertise.

- D1.1.1 Membership. If feasible, at least one member of the committee should have expertise relevant to the area of the Research in question. Preferably, no member of the committee should be from the same immediate department, departmental division, or Organized Research Unit as the Respondent. Faculty, administrators, or researchers from other research institutions may be asked to serve on the committee.

- D1.1.2 Conflicts of Interest. Before appointing members to the committee, the RIO shall request that proposed members of the committee disclose any Conflicts of Interest and shall notify the Respondent of the proposed committee membership. If the Respondent submits a written objection within two (2) business days to any proposed member of the Investigation committee, and if the RIO agrees with the objection, that proposed member will not be selected. If the Respondent does not object within the two-day period, they will be deemed to have accepted the proposed committee membership.

- D1.1.3 Joint Committee for Faculty Respondents. When a Research Misconduct Investigation is initiated against a faculty member in accordance with this section, then the RIO and the Vice Provost, Academic Affairs may appoint a joint committee of three (3) or more faculty members to conduct the Investigation. This joint committee will conduct the Research Misconduct Investigation per these Procedures, and in the case of a finding of Research Misconduct against a faculty member, be charged with making a probable cause determination as to whether UC APM 015 was violated and to make a recommendation for sanctions, if warranted, in accordance with the UCSF Procedure for Investigation of Faculty Misconduct and the Administration of Discipline ("Faculty Misconduct Procedures"). In addition to the Research Misconduct Investigation report, this joint committee will compose a separate report for the probable cause findings and recommendation for sanctions, which will serve as the investigation report per Section IV.D. of the Faculty Misconduct Procedures. Staff from the UCSF RIO and VPAA's office may support this committee jointly.

- D1.2 Notification of Interested Parties. After appointing an Investigation committee, the RIO shall notify the Respondent in writing of the nature of the Allegation and the appointment of the Investigation

committee. The RIO shall inform the appropriate funding and/or oversight agencies, consistent with law, agency requirements, and contractual agreements, that an Investigation is being undertaken. Affiliated institutions in which the Respondent has a joint appointment shall be notified if required by inter-institutional agreements. The RIO may also notify others with a need to know, at the RIO's discretion.

- D1.3 Scope of Investigation. If, during the Investigation, additional instances of possible misconduct are discovered, or if other Respondents are identified, the RIO may broaden the scope of the Investigation beyond the original Allegation, or determine that a new and distinct Inquiry should occur. In either case, the Respondent(s) will be notified in writing.
- D1.4 Admissions. If an admission of Research Misconduct is made by the Respondent during any stage covered by these Procedures, the RIO, in consultation with the appropriate University officials, the Investigation committee, sponsors and/or oversight agencies, shall obtain a clear and concise confession that is fully responsive to the Allegation.

D2. Responsibilities of the Investigation Committee. The Investigation committee shall take the following actions as appropriate:

- D2.1 Evidence. Examine relevant information and Research Records as needed to determine if Research Misconduct has occurred and who is responsible.
- D2.2 Interviews. Interview the Complainant, the Respondent, and other witnesses with respect to the Allegation. The Investigation committee may, in its discretion, record, transcribe, and/or prepare summaries of these interviews.
- D2.3 Respondent. Provide an opportunity for the Respondent to present additional information about the Allegation and the evidence developed by the committee.
- D2.4 Expertise. Secure any necessary and appropriate expertise in consultation with the RIO.
- D2.5 Prepare Report. The Investigation committee shall prepare a report of its findings and submit it to the RIO within 75 calendar days of the date of its appointment.

D3. Report of the Investigation Committee. The Investigation report shall contain:

- D3.1 the specific Allegation(s) of Research Misconduct for consideration in the Investigation
- D3.2 a description of any funding or other support, including, for example, any grant numbers, grant applications or contracts
- D3.3 a list of the UCSF policies and procedures under which the Investigation was conducted
- D3.4 the identification and summary of the Research Records and evidence reviewed
- D3.5 for each Allegation of Research Misconduct identified during the Investigation, a finding as to whether Research Misconduct did or did not occur, and if so –
 - D3.5.1 whether it was falsification, fabrication, or plagiarism AND whether the misconduct was committed intentionally, knowingly, or recklessly, as demonstrated by a Preponderance of the Evidence
 - D3.5.2 whether there was a significant departure from accepted practices of the relevant research community, as demonstrated by a Preponderance of the Evidence
 - D3.5.3 a summary of the facts and the analysis which support the conclusion and consideration of the merits of any reasonable explanation by the Respondent
 - D3.5.4 identification of the specific funding or other support relating to the Allegation

- D3.6 for each Allegation as to which the committee finds that Research Misconduct did not occur, the committee shall support its finding as described in Sections D3.5.3.

D4. Finalizing the Report of the Investigation Committee.

- D4.1 RIO Review. RIO review shall follow the same process as that set forth in Section C4.1 above.
- D4.2 Revisions by Committee. If the report has been referred back to the Investigation committee for modification or revision, the committee shall make modifications or revisions satisfactory to the RIO. After appropriate revisions have been made, the committee shall submit the signed report to the RIO.
- D4.3 Review and Response by Respondent. The RIO shall provide the Respondent with a copy of the Investigation report. The Respondent shall submit their written comments or requested corrections of any factual errors to the RIO within fourteen (14) calendar days of receipt of the report. Upon receipt, the RIO shall forward the response to the Investigation committee, which may revise the report. The response shall become part of the record of the Investigation.
- D4.4 Revisions by Committee. If the committee revises the report after reviewing the comments of the Respondent, the committee shall submit to the RIO a final, signed report, satisfactory to the RIO. If the committee determines that no revisions are necessary, it shall notify the RIO in writing.
- D4.5 Determination by RIO. Upon receipt of the final report, the RIO shall determine whether the Investigation committee report supports a finding of Research Misconduct by a Preponderance of the Evidence.
- D5. Notifications and Actions. Upon acceptance of the final Investigation report, the RIO shall notify all interested parties and take appropriate actions.
- D5.1 Notification of Respondent. The RIO shall provide the Respondent with a final copy of the Investigation report and the RIO's determination as to whether Research Misconduct has occurred.
- D5.2 Notification of Interested Parties. The RIO shall notify the appropriate funding and/or oversight agencies, consistent with law, agency requirements, and contractual agreements, of the RIO's determination as to whether Research Misconduct has occurred.
- D5.3 Actions. Depending on the findings, the RIO shall take appropriate actions.
- D5.3.1 Finding that an Allegation is not Supported. If the RIO accepts the committee's finding that an Allegation is not supported by a Preponderance of the Evidence, the RIO shall make diligent efforts to make known the outcome of the Investigation to appropriate individuals and organizations identified by the RIO, in consultation with the Respondent, with the intention of restoring the Respondent's reputation if affected by the Allegation. Written responses to the decision shall be placed in the record of the Investigation.
- D5.3.2 Finding of Violations other than Research Misconduct. If the RIO accepts the finding that Research Misconduct did not occur, but that the Respondent may have violated commonly accepted Research standards or other University policies, the RIO may refer such possible violations in a separate summary memorandum to the appropriate administrative officer (who may be the RIO) and/or the Researcher's supervisor for discipline or other appropriate action. If appropriate, such information may be considered in the applicable performance review process.
- D5.3.3 Finding of Research Misconduct. If the RIO accepts the committee's finding that Research Misconduct has occurred, they shall refer this matter for appropriate action and, in consultation with Campus or University Counsel, shall take any necessary corrective steps, including correction of the published record.

D6. Submission of Final Report. The RIO shall provide a copy of the final report to the appropriate funding and/or oversight agencies and to affiliated institutions, in compliance with funding and/or oversight agency regulations or contractual agreements. The final report shall include the actual text or an accurate summary of the views of any Respondent found to have engaged in Research Misconduct, as well as:

- D6.1 a copy of the report with all attachments
- D6.2 a statement as to whether UCSF found Research Misconduct, and if so, who committed the misconduct
- D6.3 a statement as to whether UCSF accepts the committee's findings
- D6.4 a description of any pending or completed administrative or disciplinary actions against the Respondent

D7. No Right of Appeal. Neither the findings of an Investigation Committee, nor the RIO's determination regarding Research Misconduct, shall be subject to further appeal.

D8. Time Limit. The entire Investigation process shall be completed within one-hundred twenty (120) calendar days following the appointment of the Investigation committee. Any extension of this time limit requires approval of the RIO, must be documented in the final Investigation report, and should comply with the applicable requirements of external funding and/or oversight agencies. If UCSF is unable to complete the Investigation within the time period required by any applicable external agency, the RIO shall submit a written request to the agency requesting an extension in order to comply with its regulations.

E. DISCIPLINE

If Research Misconduct has been found, the RIO shall refer the matter to the appropriate University official for discipline or other appropriate action.

E1. Discipline for Faculty Respondents. If the joint committee appointed under Section D1.1.3 makes a finding of Research Misconduct under these Procedures AND has made a probable cause determination in accordance with the Faculty Misconduct Procedures as to whether APM 015 was violated, then the joint committee shall make a recommendation for sanctions, if warranted.

- E1.1 Recommended Sanctions. The joint committee shall compose a separate report for the probable cause findings and recommendation for sanctions, which will serve as the Investigation report per Section IV.D. of the Faculty Misconduct Procedures.

Appendix A Definitions

Singular words will be interpreted or written as plural and plural words interpreted as singular where applicable and where the full context of the provision so indicates.

Allegation. An Allegation is any oral or written statement or other evidence of one or more apparent instances of Research Misconduct.

Complainant. A Complainant is a person who makes an Allegation.

Conflict of Interest. A Conflict of Interest exists when a relationship between a decision-maker and the Complainant, the Respondent, or the Research that is the subject of an Allegation creates the potential for compromised judgment or decision-making.

Fabrication. Fabrication is making up data or results and recording or reporting them.

Falsification. 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.

Inquirer. The faculty member or administrator assigned by the RIO to conduct an Inquiry.

Inquiry. An Inquiry is an informal process for gathering information and initial fact-finding to determine whether an Allegation warrants an Investigation.

Investigation. An Investigation is the formal examination and evaluation of all relevant facts to determine, based upon a Preponderance of the Evidence, whether Research Misconduct has occurred, and, if so, its extent and consequences and the responsible person or persons.

Plagiarism. Plagiarism is the appropriation of another person's words, ideas or research results without acknowledgement, and passing them off as one's own.

Policy. The Policy is the University of California, San Francisco Campus Administrative Policy 100-29 "Integrity of Research Policy".

Preponderance of the Evidence. The standard used in determining whether Research Misconduct occurred. There is a preponderance of the evidence when the greater weight of credible evidence, compared with that opposing it, shows that it is more likely than not that a Respondent committed the alleged act or omission.

Probable Cause. Probable cause is a reasonable belief based on a standard of proof such that a person of ordinary caution or prudence would be led to believe and conscientiously entertain a strong suspicion of such violation.

Research. Research means a systematic investigation, including development, testing, evaluation, or publication, to develop or contribute to generalizable knowledge.

Researcher. A Researcher is any person who is engaged in the design, conduct, or reporting of Research.

Research Integrity Officer (RIO). The RIO is the person who is responsible for assessing an Allegation, determining when such Allegation warrants an Inquiry and/or an Investigation, overseeing Inquiries and Investigations, and reporting on Research Misconduct proceedings to appropriate funding and/or oversight agencies or others.

Research Misconduct. Research Misconduct is 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. A finding of Research Misconduct requires that: (1) There be a significant departure from accepted practices of the relevant research community; (2) The misconduct be committed intentionally, or knowingly, or recklessly; and (3) The Allegation be proven by a Preponderance of Evidence.

Research Records. Research Records are the records of data or results that embody the facts resulting from the scientific inquiry, and include, but are not limited to, Research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, and journal articles.

Respondent. A Respondent is a person against whom an Allegation is made.

Retaliation. Retaliation is any action taken by UCSF or its employees that adversely affects the institutional status of a person who is employed by or affiliated with UCSF, including Researchers, clinicians, technicians, fellows, students, and independent contractors, which action is taken as a direct or indirect result of such person's making of an Allegation or cooperating in an Inquiry or Investigation, provided such person's conduct was not in Bad Faith. An action is in Bad Faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the Allegation or if it is made falsely with malicious intent to harm the Respondent.

RIO. See "Research Integrity Officer."