
UCLA Procedure 993.1: Procedures for Responding to Allegations of Research Misconduct

Issuing Officer: Executive Vice Chancellor & Provost

Responsible Dept: Office of the Vice Chancellor for Research and Creative Activities

Effective Date: January 1, 2026

Supersedes: UCLA Policy 993, dated 6/17/2022

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I. PURPOSE & SCOPE

UCLA is committed to maintaining the integrity of scholarship and Research, and to fostering a climate conducive to Research integrity in accordance with the University's Policy on Integrity in Research.

In accordance with UCLA Policy 993, this Procedure outlines the process for reporting and responding to Allegations of Research Misconduct.

This Procedure applies to Allegations made on or after January 1, 2026. Allegations made prior to January 1, 2026, will follow UCLA Policy 993, effective date June 17, 2022.

II. DEFINITIONS

For the purposes of this Procedure:

See UCLA Policy 993, Attachment A: Definitions

Defined terms are capitalized throughout this Procedure.

III. PROCEDURES

A. Reporting Allegations of Research Misconduct

Anyone may report, either orally or in writing, suspected Research Misconduct against one or more persons. Such Allegation(s) should be reported to the Research Integrity Officer (hereafter referred to as RIO). If an Allegation is received by another University administrator, it should be promptly reported to the RIO who will initiate an Assessment.

If an Allegation is identified in the course of another University process, such as an audit, it should immediately be reported to the RIO who will promptly initiate a Research Misconduct Proceeding regardless of the conduct or outcome of the other process.

Not all wrongdoing related to Research is Research Misconduct, but it may still violate other University policies (e.g., the Faculty Code of Conduct, the UCLA Student Conduct Code, or the UC Personnel Policies for Staff Members), including, but not limited to, misuse of University funds, facilities and resources, misuse of human subjects, breach of confidentiality, conflicts over authorship, conflicts of interest, conflicts of commitment, misuse of animals, etc.

B. Assessment

1. Receipt of an Allegation. The RIO will conduct an Assessment of the Allegation(s) promptly, if possible, within two (2) weeks, so the Institutional Deciding Official (hereafter referred to as IDO) can determine whether an Inquiry is warranted.

An Inquiry is warranted if after review of the Assessment summary, the IDO determines that there is a reasonable basis for concluding that:

- a. the Allegation(s) fall within the definition of Research Misconduct;
- b. the Allegation(s) are sufficiently credible and specific so that potential Evidence or witnesses may be identified;
- c. the Allegation(s) are made against a person to whom UCLA Policy 993 applies; and
- d. the alleged Research Misconduct occurred within a limitation period, as defined in section III.B.5.

2. Determination That an Inquiry Is Warranted. If the IDO determines that an Inquiry is warranted, they will instruct the RIO to initiate the process, as provided in section III.E. If, however, the Allegation(s) arose out of another process, such as an audit of a clinical trial, and there is sufficient Evidence, that Evidence may be used to initiate an Investigation without an Inquiry.

In addition:

- If the Respondent is an academic appointee, the RIO will notify the Vice Chancellor, Academic Affairs and Personnel;
- If the Respondent is a student, the RIO will notify the Dean of Students who may temporarily withhold a diploma or transcript, with concurrent notice to the Dean of the Graduate Division in the case of a graduate student;
- If the Respondent is a postdoctoral scholar or visiting scholar, the RIO will notify the appropriate academic dean, with concurrent notice to the Dean of the Graduate Division and the Vice Chancellor, Campus Human Resources;
- If the Respondent is a staff member, the RIO will notify the Vice Chancellor, Campus Human Resources.

3. Decision That the Research Misconduct Proceeding Should Be Closed. If the IDO determines that an Inquiry is not warranted, the case will be closed pursuant to section III.H. Prior to closing the case, the RIO will include in the file:

- a. written documentation summarizing the Allegation(s);
- b. identification of the source of Research support; and
- c. explanation, in light of the relevant criteria, of the reasons for the determination in detail so that if a Research Sponsor reviews the case file, they understand why the decision was made.

The matter may be referred to other campus officers, as appropriate.

4. Notice to Respondent. Within a reasonable time period and prior to the start of an Inquiry, if any, the RIO will make a Good Faith effort to provide the Respondent with written notice of the Allegation(s) and a copy of Policy 993 and this Procedure.

If the Inquiry subsequently identifies additional Respondents, the RIO will notify them of the Allegation(s) against them. Respondents will be notified only of Allegations against them. If additional Allegations are raised, the Respondent(s) will be notified of those additional Allegations.

The unavailability of a Respondent for any reason, including voluntary or involuntary separation from affiliation with UCLA, will not preclude or in any way delay the initiation or continuation of a Research Misconduct Proceeding.

5. Limitation Period. An Inquiry and/or Investigation will *not* be initiated if the Allegation is received more than six (6) years after the alleged Research Misconduct occurred, *unless*:

- a. the Respondent continues or renews any alleged Research Misconduct that occurred before the six (6) year limitation period through re-publication or citation of the portion(s) of the Research Record alleged to have been Fabricated, Falsified, or Plagiarized, for their own potential benefit;
- b. the Research Sponsor or UCLA in consultation with the Research Sponsor, determines that the alleged Research Misconduct would possibly have a substantial adverse effect on the health or safety of the public; or
- c. the Research Sponsor's policy provides an alternative limitation period.

C. Securing of Evidence

1. With assistance from others as needed, the RIO will take reasonable and practical steps to promptly obtain custody of and sequester in a secure manner all Research Records and Evidence required for a Research Misconduct Proceeding, which may include copies that are substantially equivalent in evidentiary value. If this includes data on instruments shared among multiple users, copies of that data may be secured instead, provided that those copies are substantially equivalent to the evidentiary value of the instruments.
2. To the extent possible, this will be done before Respondent(s) are notified of Allegations of Research Misconduct.
3. Research data generated during the course of UC Research is owned by The Regents regardless of where it resides or its form (electronic or hard copy).
4. At each stage of these proceedings, those conducting the Inquiry and/or Investigation will notify the RIO if and when additional Evidence is identified that needs to be secured and retained (see section III.D.2.).

The RIO will securely maintain such data and evidence, as well as the records of an Assessment and the Inquiry and Investigation Committees for seven (7) years after the completion of a UCLA Research Misconduct Proceeding, unless custody of the records has been transferred to a Research Sponsor or a Research Sponsor has notified UCLA that the records are no longer needed. The Respondent will receive copies of, or supervised reasonable access to, the Research Record to prepare a response and continue conducting Research.

D. General Standards for Inquiry and Investigation Committees and Administrators

1. **Selection Criteria.** An Inquiry Committee (see section III.E.1) and an Investigation Committee (see section III.F.1) will consist of individuals with the appropriate scientific expertise to evaluate the Evidence and issues related to the Allegation(s), but will not include, if practicable, the Respondent's chair or division chief, others who are directly responsible for the Respondent's work, or those who have any unresolved personal, professional, or financial conflicts of interest with the Respondent. Individuals appointed to the Investigation Committee may also have served on the Inquiry Committee.
2. **Continuing Obligations.** Inquiry and Investigation Committees are under a continuing obligation to:
 - a. Identify and secure any unsecured Evidence relevant to the Inquiry or Investigation and to notify the RIO under section III.D.;
 - b. Notify the RIO if additional Allegations or additional Respondents are identified;
 - c. Notify the RIO if the Respondent makes an admission of guilt or wishes to enter into settlement discussions (see section III.H.); and
 - d. Assure thorough, competent, objective, and fair Inquiries and Investigations, which may include interviewing available principals and key witnesses.
3. **Notify the RIO.** Inquiry and Investigation Committees must notify the RIO if there is reason to believe that, as a result of the alleged Research Misconduct:
 - a. the health or safety of the public is at risk;
 - b. there is an immediate need to protect human or animal subjects;
 - c. federal resources or interests are threatened;
 - d. Research activities should be suspended;
 - e. there is reasonable indication of a possible violation of civil or criminal law; and/or
 - f. federal action is required to protect the interests of those involved in the Research Misconduct Proceeding.
4. **Confidentiality.** To the extent possible, UCLA and all participants in a Research Misconduct Proceeding will limit disclosing the identities of Respondents, Complainants, and witnesses to those with a need to know. This must align with a fair process, University policy, and the law. Except as may otherwise be prescribed by applicable law and University policy, and as necessary to conduct a Research Misconduct Proceeding, confidentiality for Research subjects must also be maintained.

E. Inquiry

1. **Purpose of the Inquiry.** An Inquiry is the preliminary fact-finding and information-gathering to determine whether Allegation(s) warrant an Investigation. An Inquiry does not require a full review of the Evidence related to the Allegation.
2. **Appointment of Inquiry Committee.** Before initiating an Inquiry, the RIO will consult with the IDO and the Vice Chancellor for Academic Affairs and Personnel, about who should conduct the Inquiry. The Inquiry may be conducted by the RIO or another individual in lieu of a committee, with the caveat that if needed, they can request the assistance of subject matter experts in preliminary information-gathering and fact-finding with respect to the Allegation(s).

3. Notice to the Respondent. The RIO will make a Good Faith effort to provide a written notice to the Respondent before convening an Inquiry Committee. This notice will name the individual(s) conducting the Inquiry and state that, to the RIO's knowledge, the individual(s) do not have unresolved personal, professional, or financial conflicts of interest with the Respondent.

Respondents who disagree may submit a written description of the conflict or bias that they believe exists, and any Evidence supporting that assertion within five (5) business days of notice. The RIO will then confer with the IDO, who will make the final decision about the Inquiry Committee's composition.

UCLA is not required to conduct a separate Inquiry for additional Respondents who may be identified during the Inquiry process. However, any additional Respondents must receive written notification of the Allegation(s) against them.

4. Conduct of an Inquiry Committee. The Inquiry Committee must complete its work and submit the final report(s) to the RIO within ninety (90) days of appointment unless an alternative time period is specified in the Research Sponsor's policies. If the Inquiry takes longer than ninety (90) days to complete, the Inquiry Report must document the reasons for exceeding the ninety (90) day limit.

Findings of Research Misconduct cannot be made at the Inquiry stage, including the determination of whether the alleged misconduct is Intentional, Knowing, or Reckless. Potential Evidence of honest error or difference of opinion must be noted in the Inquiry report.

5. Actions in Conducting an Inquiry. The following table lists the sequential actions to be taken in conducting an Inquiry and the individual or group with responsibility for each action:

RESPONSIBILITY	ACTION
RIO	Appoints a Committee or other individual to conduct the Inquiry, see III. E., and charges them in writing and, if appropriate, also in person. Provides Respondent(s) written notice of the decision to initiate the Inquiry and of the opportunity to advise the RIO if they believe a conflict or bias with any proposed Committee member exists.
Inquiry Committee	Engages in preliminary information-gathering and fact-finding, as provided in sections III.C. & D and may, but is not required to, conduct interviews with available Respondent(s) and witnesses. If, based upon that fact-finding, section III.B has been satisfied, then the Committee will recommend that an Investigation is warranted. Prepares a Preliminary Inquiry Report for each Respondent that includes: <ul style="list-style-type: none">• the name and position of the Respondent and Complainant;• a description of the Allegation(s);• person(s) conducting the Inquiry, including name(s), position(s), and subject matter expertise;• inventory of sequestered Research Records and other Evidence and description of how sequestration was conducted;• timeline and procedural history;

RESPONSIBILITY	ACTION
Inquiry Committee (cont.)	<ul style="list-style-type: none"> any scientific or forensic analyses conducted; the basis for concluding whether an Investigation is warranted for each Allegation; a description of any extramural support for the Research at issue (e.g., the proposal, grant or contract number, or publications that cite such support); any institutional actions implemented, including communications with journals or funding agencies; and any potential Evidence of honest error or difference of opinion.
RIO	Transmits the preliminary Inquiry report to the Respondent (may be redacted to protect the identity of Complainants and witnesses) for review.
Respondent	Within two (2) weeks of its receipt, Respondent may submit to the RIO a written response to the preliminary Inquiry report.
RIO	May prepare comments as to whether the Committee's actions and preliminary Inquiry report satisfy Policy 993 and this Procedure, and transmit those comments (if any) to the Inquiry Committee along with any written response that the Respondent submitted.
Inquiry Committee	<p>Considers any comments provided by the Respondent and RIO, making changes as the Committee feels appropriate.</p> <p>Submits the final Inquiry report to the RIO with the Respondent's response attached.</p>
RIO	Forwards the final Inquiry report to the IDO.
IDO	Promptly reviews the final Inquiry report. Within two (2) weeks of receiving the final Inquiry report, issues a written determination on whether to accept the Committee's conclusion.
RIO	<p>Provides the Respondent with a copy of the IDO's written determination and of the final Inquiry report (may be redacted to protect the identity of Complainants and witnesses), along with references to Policy 993 and this Procedure and, as appropriate, the Research Sponsor's policy on Research Misconduct (e.g., PHS Policies on Research Misconduct, 42 CFR Part 93).</p> <p>Notifies the Research Sponsor if required (see section II.I.), initiates an Investigation (see section III.F.), or closes the Proceeding (see section III.H.).</p>

F. Investigation

1. Appointment of Committee. Within thirty (30) days of the IDO's determination that an Investigation is warranted, the RIO will appoint an Investigation Committee to determine whether Research Misconduct has occurred, pursuant to the appropriate evidentiary standards.

In appointing the Committee, the RIO will consult with the appropriate chair, director, or dean. In addition:

- If Respondent is an academic appointee, the RIO will consult with the Vice Chancellor for Academic Affairs and Personnel, and the Chair of the Charges Committee of the UCLA Academic Senate;
- If Respondent is a student, the RIO will consult with the Dean of Students;
- If Respondent is a postdoctoral scholar or visiting scholar, the RIO will consult with the appropriate academic dean;
- If Respondent has some other UCLA affiliation, the RIO will consult with an appropriate administrator; or
- If Respondent is a staff member, the RIO will notify the Vice Chancellor, Campus Human Resources.

The composition of an Investigation Committee will be as follows:

- If Respondent is a member of the Academic Senate, the Committee will consist of three (3) members of the University of California Academic Senate (or more if warranted in the view of the IDO) and, at the discretion of the UCLA Academic Senate Charges Committee, a representative designated by that Committee.
- In all other cases, the Committee will consist of two (2) or three (3) members of the University of California Academic Senate or more if warranted in the view of the IDO. The IDO has the discretion to appoint an additional member from the Respondent's peer group (e.g., non-Senate academic appointee, visiting scholar, post-doctoral scholar, staff, student, etc.).

2. Notice to Respondent. The RIO will notify the Respondent in writing about the decision to initiate an Investigation after the IDO's determination but before the Investigation begins. The notice will include the names of the individuals conducting the Investigation and state that to the RIO's knowledge, these individuals do not have unresolved personal, professional, or financial conflicts of interest with the Respondent. The Respondent can submit a written description of the conflict or bias that they believe exists, and any Evidence supporting the objection within five (5) business days of receiving the notice.

UCLA is not required to conduct a separate Investigation for additional Respondents who may be identified during an Investigation. However, any additional Respondents must receive written notification of the Allegation(s) against them.

UCLA must give Respondent(s) written notice of any Allegation(s) of Research Misconduct not addressed during Inquiry or initial notice of Investigation within a reasonable amount of time of deciding to pursue such Allegation(s).

3. Conducting the Investigation. The Investigation Committee will take reasonable steps to:

- a. ensure an impartial, unbiased, and thorough Investigation, including sufficiently documenting the Investigation;
- b. comply with section III.C & D;
- c. diligently pursue all significant and relevant issues and leads; and
- d. examine all relevant Research Records and Evidence, including Evidence of additional Allegations.

During the Investigation, the Respondent may have a representative. The Respondent and their representative can only attend meetings where the Respondent is being interviewed by the Committee. If the Respondent elects to have legal counsel, Campus Counsel will also be invited to participate.

The Investigation must be completed within one hundred eighty (180) days of the appointment of an Investigation Committee. This includes the Committee's formal development of a factual record, conducting the Investigation, and preparing and submitting the final report(s). It also includes submitting the Institutional Record to the Research Sponsor, including the final Investigation report, and the IDO's decision accepting the report and its findings, as required. The RIO may extend this time period, provided that a Research Sponsor, if it so required, has assented to the extension in writing.

4. Evidentiary Standards. A finding of Research Misconduct requires that the alleged Research Misconduct:

- a) represents a significant departure from accepted practices of the relevant Research community;
- b) was committed Intentionally, Knowingly, or Recklessly; and
- c) was proven by a Preponderance of the Evidence.

A Respondent's destruction of Research Records documenting the questioned research is Evidence of Research Misconduct where the Preponderance of the Evidence shows that Respondent(s) Intentionally or Knowingly destroyed Research Records after being informed of the Research Misconduct Allegation(s), or maintained them and refused to produce them to the RIO upon request.

The Respondent has the burden of proving by a Preponderance of the Evidence any and all affirmative defenses raised, including proof of honest error or that a difference of opinion occurred. The Respondent also has the burden of going forward with and proving, by a Preponderance of the Evidence, any mitigating factors that are relevant to a decision to take administrative actions, including sanctions and discipline, following a Research Misconduct Proceeding.

5. Actions in Conducting an Investigation. The following table lists the sequential actions to be taken in conducting an Investigation and the individual or group responsible for each action:

RESPONSIBILITY	ACTION
RIO	<p>Appoints an Investigation Committee, see section III.F., and charges the Committee in writing and, if appropriate, also in person.</p> <p>Provides Respondent(s) written notice of the determination to initiate an Investigation and of the opportunity to advise the RIO of any personal, professional, or financial conflicts of interest with any proposed Committee members.</p>
Investigation Committee	<p>Conducts an Investigation, as provided in sections III.D. & F.</p> <p>Conducts interviews with each Respondent, Complainant, and other available individuals who have been reasonably identified as having relevant information. Each interview will be recorded and transcribed, a copy of which will be provided to the interviewee for annotation and correction, which in turn will be included in the record of the Investigation.</p> <p>Considers the arguments and Evidence submitted by the Respondent(s).</p> <p>Can ask the RIO to confer with a subject matter expert, UC Legal, or others for assistance with information-gathering and presenting Evidence.</p> <p>Prepares a Preliminary Investigation Report for each Respondent that includes:</p>

RESPONSIBILITY	ACTION
Investigation Committee (cont.)	<ul style="list-style-type: none"> • A description of the nature of the Allegation(s); • A list of the specific Allegation(s) being considered in the Investigation; • For each Allegation, a description and documentation of extramural support and known applications or proposals for support, including the proposal, contract or grant number, Research Sponsor, or publications listing extramural support; • Composition of the Investigation Committee, including name(s), position(s), and subject matter expertise; • Inventory of sequestered Research Records and other Evidence, except records the institution did not consider or rely on; and a description of how any sequestration was conducted during the Investigation; • Transcripts of all interviews conducted; • Identification of Research Records that allegedly contained the Falsified, Fabricated, or Plagiarized material, including but not limited to, published papers, manuscripts submitted but not accepted for publication, funding applications, progress reports, presentations, posters and other Research Records. • Any scientific or forensic analyses conducted; • For each Allegation, 1) a finding (based on the appropriate evidentiary standard) of whether Research Misconduct occurred, whether it involved Falsification, Fabrication, or Plagiarism, and whether it was Intentional, Knowing, or in Reckless disregard of the facts; and 2) a summary of the facts and analysis that support each such finding, including a consideration of any explanation by the Respondent; and • For each Allegation, identification of any publications that need to be corrected or retracted.
RIO	Transmits the preliminary Investigation report (may be redacted to protect the identity of Complainants or witnesses) and a transcript of each interview conducted during the Investigation (with redactions as appropriate) to the Respondent. Also provides a copy of, or supervised access to, the Evidence upon which the Investigation Committee considered or relied.
Respondent	Within thirty (30) days of its receipt, may submit to the RIO a written response to the preliminary Investigation report for transmittal to the Committee.
RIO	May prepare comments as to whether the Committee's actions and Inquiry report satisfies Policy 993 and this Procedure, and transmits those comments (if any) to the Investigation Committee along with any written response that the Respondent may have provided.
Investigation Committee	<p>Considers any comments provided by the Respondent and RIO, making changes as the Committee feels appropriate.</p> <p>Submits to the RIO its final Investigation report with the Respondent's response attached.</p>

RESPONSIBILITY	ACTION
RIO	Fowards the final Investigation report to the IDO.

G. IDO's Determination of Research Misconduct

1. After reviewing the final Investigation report, the IDO:
 - a. Decides (a) whether to return the report to the Committee for further fact-finding and/or analysis, or to accept the report as complete; and (b) if complete, whether to accept some or all of its findings.
 - b. After accepting a final Investigation report and determining whether Research Misconduct has occurred, will document that decision in a written memorandum to the Chancellor. That determination constitutes UCLA's final finding as to whether Research Misconduct occurred, including satisfying its responsibility to Research Sponsors, except for the purpose of imposing sanctions or discipline.
 - c. Advises the RIO of determination.
2. If Research Misconduct was found, the RIO:
 - a. Provides the Respondent with a copy of the final Investigation report and written notification of the Research Misconduct determination;
 - b. Informs Research Sponsors of the Research Misconduct Proceeding outcome, as appropriate;
 - c. Takes steps to ensure that retractions and corrections of any publications are completed, as appropriate.
3. If Research Misconduct was found, the IDO:
 - a. May forward to the Charges or Privilege and Tenure Committee of the UCLA Academic Senate, a copy of their written determination and of the final Investigation report, if any related matter is pending.
 - b. Notifies Respondent(s) who are no longer affiliated with UCLA in writing, that a copy of their written determination and a copy of the final Investigation report will be placed into the Respondent(s) personnel or student file, and they have a right to submit a written response for inclusion in the file.
 - c. Forwards their written determination and a copy of the final Investigation report (with any necessary redactions) as follows:
 - i. if the Respondent is a member of the Academic Senate, the RIO forwards to the Vice Chancellor, Academic Affairs and Personnel and the Charges Committee of the Academic Senate, and thereby files charges in accordance with APM-016 and UCLA Academic Senate Manual, Appendix XII;
 - ii. if the Respondent has an academic appointment but is not a member of the Academic Senate, the RIO forwards to the Vice Chancellor, Academic Affairs and Personnel for appropriate action under APM-150;

- iii. if the Respondent is a student, the RIO forwards to the Office of the Dean of Students (and, in the case of a graduate student, the Graduate Division) for appropriate action;
- iv. if the Respondent is a postdoctoral scholar or visiting scholar, the RIO forwards to the Dean of the Graduate Division for appropriate action under APM 390 and the Vice Chancellor, Campus Human Resources;
- v. if the Respondent has some other UCLA affiliation, the RIO forwards to the appropriate administrator; or
- vi. if the Respondent holds a staff position, the RIO forwards to the Vice Chancellor, Campus Human Resources for appropriate action in coordination with the authorized organization head; and
- vii. Notifies the relevant academic dean and others who have a need to know.

4. If Research Misconduct was not found, the RIO:

If requested by the Respondent, confers with the IDO and other institutional officials as appropriate about making reasonable efforts to restore the position and reputation of the Respondent, including making diligent efforts to make known the outcome of the Research Misconduct Proceeding to appropriate individuals and organizations identified in consultation with the Respondent.

5. If Research Misconduct was not found, the IDO:

Forwards a copy of that determination and a copy of the final Investigation report to others with a need to know (such as the Vice Chancellor, Academic Affairs and Personnel and the Chair of the Charges Committee of the Academic Senate, Office of the Dean of Students, Dean of the Graduate Division, and Vice Chancellor, Campus Human Resources).

H. Closing of a Research Misconduct Proceeding

The RIO will ensure that each Research Misconduct Proceeding is completed pursuant to Policy 993 and this Procedure. A Research Misconduct Proceeding will be closed after the IDO's:

1. Acceptance of an Assessment's conclusion that the Allegation(s) do not warrant an Inquiry (see section III.B.);
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 Policy 993 (see section E.);
3. Determination that Research Misconduct occurred, following an Investigation (see sections III.F & G.);
4. Acceptance of Respondent's written and signed admission of wrongdoing specifically identifying the data in the Research Record that was Falsified, Fabricated and/or Plagiarized, and acknowledging that this constitutes Research Misconduct, following the RIO's prior consultation with the Research Sponsor if so required; or
5. Negotiation, at any time during the Research Misconduct Proceeding, of a settlement agreement with the Respondent, following prior: a) consultation with Research Sponsor if so required; b) consultation with appropriate administrators; and c) compliance with UC policies on settlement agreements.

Following the IDO's acceptance of an admission of wrongdoing or a settlement agreement, if any, the RIO will implement, where appropriate, provisions of section III.G., including determining that Research

Misconduct has occurred and taking steps to ensure that retractions and corrections of any publications are completed.

The RIO has a continuing duty, following the closure of a Research Misconduct Proceeding, to:

- Preserve and maintain Evidence and the record of the Research Misconduct Proceeding (see section III.C.);
- Protect participants in the Research Misconduct Proceeding;
- Communicate and cooperate with Research Sponsors (see section III.I.) including, at their request, reopening a closed Research Misconduct Proceeding when necessary; and
- Cooperate with other University officials to ensure the imposition of sanctions and discipline, if any (see section III.G.).

I. RIO's Obligation to Report and Respond to External Agencies Throughout a Research Misconduct Proceeding

Of equal importance to the RIO's duty to administer Policy 993 and this Procedure are duties to external institutions, including Research Sponsors, which arise immediately upon receipt of an Allegation and continue during and after a Research Misconduct Proceeding.

1. Reporting and Implementation Duties to Research Sponsors

The RIO will advise Research Sponsors as required by federal regulations and Research Sponsor policy, of the following:

- a. Inquiry Committee's conclusion that an Investigation is warranted;
- b. Investigation report's findings;
- c. IDO's determination whether Research Misconduct occurred;
- d. Completed or pending or University actions resulting from IDO's determination;
- e. Information requested by Research Sponsors;
- f. Prior to closing a case, if the Respondent admits wrongdoing, a settlement is tentatively reached, or for any other reason, but not when the IDO closes a case at the Assessment or Inquiry stage where an Investigation was not warranted (see sections III.B. & H.);
- g. A need for an extension to complete an Inquiry or Investigation;
- h. Immediately if at any time there is reason to believe as a result of a Research Misconduct Proceeding that: the health or safety of the public is at risk; there is an immediate need to protect human subjects or animals; federal resources or interests are threatened; Research activities should be suspended; there is reasonable indication of a possible violation of civil or criminal law; federal action is required to protect the interests of those involved in the Research Misconduct Proceeding; and
- i. Other information as a Research Sponsor may lawfully request.

2. Cooperating with Other Institutions

The RIO will coordinate UCLA's Research Misconduct Proceeding with that of any other institution that has a duty to investigate the same or related Allegation(s) of Research Misconduct or otherwise has some jurisdiction over the Research (including, but not limited to, an institution that employs individuals who have UCLA academic appointments, administers UCLA Research support, or provides space, facilities, and/or regulatory oversight of UCLA Research).

This includes such activities as:

- a. Notifying the RIO's counterpart at the other institution;
- b. Conducting a joint Inquiry and/or Investigation, with, where feasible, one institution taking the lead pursuant to its applicable policy and procedure; and
- c. Giving and obtaining timely notice of all steps in the joint Research Misconduct Proceeding, including final outcomes. However, UCLA must follow its own procedure for making a final determination of Research Misconduct and taking appropriate actions based thereon (see sections III.G. & H.).

3. Deferring to Governmental Processes

After consultation with a Research Sponsor if required, the IDO will suspend a Research Misconduct Proceeding if a governmental authority indicates that its continuation may interfere with the government's action.

IV. REFERENCES

1. UC Policy on Integrity in Research, June 19, 1990;
2. UCLA Policy 910, Management of Sponsored Projects;
3. UCLA Policy 993, Responding to Allegations of Research Misconduct;
4. Code of Federal Regulations, Title 42, Part 93: Public Health Services Policies on Research Misconduct, as modified, effective June 16, 2005;
5. Code of Federal Regulations, Title 45, Part 689: National Science Foundation Scientific Integrity Policies, and
6. [UCLA Policy 410 – Non-Consensual Access to Electronic Communications Records.](#)

Issuing Officer

Darnell M. Hunt
Executive Vice Chancellor & Provost

**Questions concerning this procedure should be referred to
the Responsible Department listed at the top of this document.**
