Policy on Integrity in Research and Scholarly Activities

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I. POLICY INFORMATION

Policy Title: University of Illinois System Policy on Integrity in Research and ~~Publication~~Scholarly Activities

Policy Owner: Vice President for Academic Affairs

Responsible Official: Vice President for Academic Affairs (system); Vice Chancellor for Research (UIC); Vice Chancellor for Research and Innovation (UIUC); Vice Chancellor for Academic Affairs (UIS)

Approved by: University of Illinois Board of Trustees

Date Approved: TBD

Effective Date: TBD

Targeted Review Date: Above +5 years

Contact: System, vpacadaff@uillinois.edu; Chicago, RIO@uic.edu; Springfield, ora@uis.edu; Urbana-Champaign, rsofficer@illinois.edu

II. SCOPE AND COVERAGE

The University of Illinois system ("system" or "University of Illinois") *Policy on Integrity in Research and ~~Publications~~Scholarly Activities* ("this policy") applies to all Institutional Members. This policy focuses on misconduct that affects the evaluation, conduct, or reporting of Research and Scholarly Activities as distinct from misconduct that occurs in the Research setting but that does not affect the integrity of the Research process or results.[1] Reports of conduct that deviate from the practice of Research Integrity but that do not rise to the level of Research Misconduct, including Complaints involving Detrimental Research Practices, are referred to the appropriate unit, policy, code of conduct, or bylaws administrator for further action.

Other regulations and system and University policies (see Section XIV) may be applicable. ~~should be consulted as appropriate.~~ Codes of student conduct and other campus specific policies (e.g., Graduate College Bylaws) address matters of academic misconduct by students and should be considered in cases where students are involved.

III. STATEMENT OF POLICY

The University of Illinois is committed to fostering a world-class research enterprise that provides a safe and professional environment for learning, conducting responsible Research, and reporting Research results with integrity, respect, fairness, and transparency at all organizational levels.

The University promotes excellence through Research Integrity and does not tolerate Research Misconduct, as it violates the principles of integrity and negatively impacts the work of other researchers who rely on their colleagues to provide honest accounts of their Research methods and findings. In addition, Research Misconduct erodes the public trust in researchers and the institutions for which they work.

This policy describes Research Integrity and Research Misconduct and outlines the framework for adjudicating Allegations of Research Misconduct. This policy does not relieve Institutional Members from their responsibilities to comply with applicable law, professional standards, ethical guidelines, and other system and University policies. Nothing in this policy diminishes or replaces the procedural rights of Institutional Members under the University of Illinois Statutes.

Policy on Integrity in Research and Scholarly Activities

IV. DEFINITIONS

This policy uses defined terms with specific meanings. Defined terms begin with capital letters wherever they appear.

1. **Accepted Practices of the Relevant Research Community** means those practices established by federal regulations as well as commonly accepted professional codes or norms within the overarching community of researchers and institutions.[42 CFR §93.200]
2. **Adjudication** means the formal and final decision of the Institutional Deciding Official~~Chancellor~~ regarding the Allegations of Research Misconduct, including the imposition of Sanctions and Corrective Actions, if any.
3. **Allegation** means the statement of the activity or conduct of concern identified as potential Research Misconduct.
4. **Assessment** means the initial evaluation to determine whether the Allegation falls within the scope of this policy, including the review of readily accessible information relevant to the Allegation.
5. ~~**Allegation**~~**Complaint** means a disclosure of possible Research Misconduct through any means of communication to a University of Illinois or other official.
6. **Complainant** means a person who makes ~~an Allegation~~a Complaint of Research Misconduct.[~~3~~42 CFR §93.206]
7. **Corrective Action** means any action determined to be necessary to address Research Misconduct or other departures from Research Integrity. For example, Corrective Actions could include retraction of published manuscripts, return of funded grants to the agency, withdrawal of submitted grant applications, withdrawal of manuscripts submitted for publication, withdrawal of abstracts submitted for presentation at meetings, or other actions short of dismissal.
8. **Detrimental Research Practices** mean adverse practices involving Research or Scholarly Activities that are counter to the definition of Research Integrity and that do not fall within the definition of Research Misconduct.
9. **Evidence** means any ~~element of the Research Record and~~ hard copy or electronic documents, tangible items~~, or~~ and information, and testimony offered or obtained during a Research Misconduct Proceeding that tends to prove or disprove the existence of an alleged fact.[42 CFR §93.210]
10. **Fabrication** means making up data or results and recording or reporting them.[1]
11. **Falsification** means manipulating materials, equipment, or processes, or changing or omitting data or results such that the Research or Scholarly Activity is not accurately represented in the Research Record.[1]
12. **Good Faith**, as applied to a Complainant or witness, means having a reasonable 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. Cooperation with a Research Misconduct Proceeding is not in Good Faith if it is made with ~~knowing~~knowledge of or reckless disregard for information that would negate the Allegation or testimony. Good Faith as applied to an Institutional Member, Inquiry Team or Investigation Panel member means cooperating with the purpose of helping the University of

Illinois meet its responsibilities under this policy. An Inquiry Team or Investigation Panel member does not act in Good Faith if their acts or omissions on the Inquiry Team or Investigation Panel are dishonest or influenced by personal, professional, or financial conflicts of interest with those involved in the Research Misconduct Proceeding.42 CFR §93.214

13. **Inquiry** means a preliminary information-gathering and fact-finding conducted to determine whether an Investigation is warranted.42 CFR §93.215
14. **Inquiry Team** means a group of at least two Institutional Members charged with conducting the Inquiry.
15. **Institutional Deciding Official** means the University of Illinois official who makes final determinations on Allegations of Research Misconduct. The Chancellor serves as the Institutional Deciding Official for their respective university within the system. The Vice President for Academic Affairs serves as the Institutional Deciding Official for the System Office. The same individual cannot serve as the Institutional Deciding Official and the Research Integrity Officer.42 CFR §93.218
16. **Institutional Member** means ~~a person~~an individual who is employed by, is an agent of, or is affiliated by contract or agreement with the University of Illinois. Institutional Members may include, but are not limited to, officials, tenured and untenured faculty, teaching and support staff, researchers, research coordinators, ~~clinical~~ technicians, postdoctoral and other fellows, volunteers, students, subject matter experts, consultants, attorneys, employees, agents of contractors, subcontractors, or subawardees. ~~and their employees.~~42 CFR §93.219
17. **Institutional Record** means:
    a. the Research Record and Evidence secured for a Proceeding pursuant to this policy, except to the extent the Research Integrity Officer determines and documents that those records are not relevant to the Proceeding or that the records duplicate other records that have been retained, including but not limited to:
        1. the documentation of the determination of irrelevant or duplicate records;
        2. the Inquiry Report and final documents (not drafts of the report or other records) produced in the course of preparing that report, including the documentation of any decision not to investigate;
        3. the Investigation Report and all records (not drafts of the report or other records) in support of the report, including any recordings or transcripts of each interview conducted;
        4. decision(s) by the Institutional Deciding Official, such as the written decision from the Institutional Deciding Official;
        5. the complete record of any appeal within the system from the finding of Research Misconduct
    b. a single index listing all the Research Records and Evidence compiled during the Research Misconduct proceeding, except records that were not considered or relied on; and
    c. a general description of the records that were sequestered but not considered or relied upon.42 CFR §93.220
18. **Intentionally** means to act with the aim of carrying out the act.42 CFR §93.221 ~~**Interference** means intentional, unauthorized taking, sequestering, or materially damaging any research~~

~~related apparatus, reagents, biological materials, writings, data, hardware, software, or any other substance or device used or produced in the conduct of research.[8]~~

19. **Interim Actions** means any actions of the University of Illinois taken prior to Adjudication to comply with laws or regulations, or for one or more of the following reasons:
    a. to protect the public, research community, research subjects, or patients, including their health and safety;
    b. to protect the interests of students, faculty, or staff;
    c. to preserve Evidence;
    d. to protect University of Illinois, state, or federal resources or interests, including contractual obligations; or,
    e. to protect the interests of those involved in the Research Misconduct Proceedings.
20. **Investigation** means the formal development of a factual record by exploring the Allegations in detail and examining the Evidence in depth, leading to recommended findings on whether Research Misconduct has been committed, by whom, and to what extent.42 CFR §93.222
21. **Investigation Panel** means a group of at least two Institutional Members and one non-Institutional Member charged with conducting the Investigation.
22. **Knowingly** means to act with awareness of the act.42 CFR §93.223
23. **Notice** means written or electronic communication served in person or sent by mail or its equivalent to the last known street address, facsimile number, or email address of the addressee.42 CFR §93.224
24. **Plagiarism** means the appropriation of another's ideas, processes, results, or words without giving appropriate credit.[1] 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. 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.42 CFR §93.227
25. **Preponderance of the Evidence** means proof by ~~information~~Evidence that, compared with ~~that~~Evidence opposing it, leads to the conclusion that the fact at issue is more ~~probably~~likely true than not.~~11~~42 CFR §93.228
26. **Proceeding** means an Assessment, Inquiry, Investigation, Adjudication, or other action undertaken pursuant to this policy.42 CFR §93.235 ~~**Record of Research Misconduct Proceedings** means: (1) the Research Record and Evidence secured for a Proceeding pursuant to this policy, except to the extent the Research Integrity Officer determines and documents that those records are not relevant to the Proceeding or that the records duplicate other records that have been retained; (2) the documentation of the determination of irrelevant or duplicate records; (3) the Inquiry Report and final documents (not drafts) produced in the course of preparing that report, including the documentation of any decision not to investigate; (4) the Investigation Report and all records (other than drafts of the report) in support of the report, including any recordings or transcripts of each interview conducted;~~

and (5) the complete record of any appeal within the institution from the finding of Research Misconduct.[13]

27. **Recklessly** means to act with indifference to a known risk of potential Research Misconduct.[42 CFR §93.231]

28. **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).[42 CFR §93.232]

29. **Research Integrity** means the conduct of Research or Scholarly Activities in an honest and professional manner while maintaining rigorous adherence to professional standards. Practicing Research Integrity means planning, performing, reporting, and reviewing Research or Scholarly Activities in accordance with objectivity, honesty, openness, accountability, fairness, and stewardship.[2] Practicing Research Integrity includes, but is not limited to:[3,4]

    a. employing appropriate research methods, statistical approaches, and any other analytical techniques for the field and experimental research or scholarly question;
    b. basing the conclusions on critical objective analysis of data;
    c. managing conflicts of commitment and interest;
    d. designing Research to be replicable, when possible;
    e. promoting open access and sharing data as specified in system, sponsor, and publisher policies, or standard practices in the field;
    f. promoting intellectual and professional growth of mentees and adherence to the mutual responsibilities of mentors and trainees;
    g. protecting research subjects;
    h. managing the appropriate use of Research materials;
    i. maintaining a safe and inclusive environment for Research and Scholarly Activities;
    j. conducting peer review in an unbiased, transparent, and confidential manner;
    k. reporting accurate and honest credentials and related information;
    l. attributing authorship based on appropriate authorship criteria;
    m. attributing credit for work and ideas through proper acknowledgement and citation;
    n. respecting the ethical obligations regarding the societal impacts of Research; and,
    o. ensuring appropriate use of generative Artificial Intelligence (AI) technology; and complying with Research or Scholarly Activities regulations and guidelines, such as those governing conflict of commitment or interest, human subjects, laboratory animals, new drugs, radioactive materials, genetically altered organisms, security, and safety.

30. **Research Misconduct** (or "Misconduct") means a significant departure from Research Integrity while proposing Research or Scholarly Activities, performing Research or Scholarly Activities, reviewing Research or Scholarly Activities, or in reporting Research results or Scholarly Activities. Research Misconduct does not include honest error or difference of opinion.[1] Research Misconduct includes, but is not limited to:

    a. Fabrication;
    b. Falsification; or
    c. Plagiarism.

1. not retaining or maintaining data, code, or other information or materials underlying research results for the period of time necessary to meet all relevant legal obligations and professional standards;
2. misleading statistical analyses or data processing;

3. ~~serious Interference in the research of another;~~
4. ~~evasion of or failure to comply with research regulations, such as those governing conflict of interest or commitment, human subjects, laboratory animals, new drugs, radioactive materials, genetically altered organisms, and safety;~~
5. ~~misleading or false reporting of credentials and related information;~~
6. ~~breach of confidentiality with respect to unpublished materials;~~
7. ~~misappropriation of research materials;~~
8. ~~unethical or biased treatment of others that impedes or diminishes the research productivity of others that is not covered by other university or system policies; or,~~
9. ~~any other conduct that constitutes a significant departure from accepted Research Integrity standards or from accepted practices of the relevant research community, ethical guidelines, or professional standards in scholarship and research that affects the integrity of the conduct, evaluation, or reporting of research.~~

31. **Research Record** means the record of ~~experimental methods,~~ data~~, and~~ or results~~, whether in physical or electronic form,~~ that ~~embodies~~embody the facts ~~related to and~~ resulting from scientific inquiry. ~~The Research Record includes~~Data or results may be in physical or electronic form. Examples of items, materials, or information that may be considered part of the Research Record include, but are not limited to, Research proposals, raw data, processed data, clinical Research records, laboratory records, study records, laboratory notebooks ~~and records~~, progress reports, manuscripts, abstracts, theses, records of oral presentations, ~~internal~~online content, lab meeting reports, and journal articles.[42 CFR §93.236]
32. **Respondent** means the individual against whom an Allegation of Research Misconduct is directed or who is the subject of a Research Misconduct Proceeding.[42 CFR 93.237]
33. **Responsible Official** is defined in Section I of this policy.
34. **Retaliation** means an adverse action taken against a Complainant, witness, Inquiry Team member, or Investigation Panel member by this system or one of its Institutional Members in response to (1) a Good Faith Allegation of Research Misconduct or (2) Good Faith cooperation with a Research Misconduct Proceeding.[42 CFR §93.238]
35. **Sanctions** means consequences imposed in the final disposition of the Proceeding.
36. **Scholarly Activities** encompass the broader advancement and dissemination of knowledge through public engagement via scholarly and/or creative works.
37. **University** means one of the three system universities (University of Illinois Chicago, University of Illinois Springfield, University of Illinois Urbana-Champaign).

V. THE RESEARCH INTEGRITY OFFICER

The Responsible Official will appoint at least one Research Integrity Officer (RIO) responsible for assuring compliance with this policy. A RIO will be a tenured faculty member or administrative officer who has an appropriate level of experience in Research, compliance, or both. The RIO is the University of Illinois official responsible for administering this policy and any procedures for addressing Allegations of Research Misconduct in compliance with this policy.[42 CFR §93.233] The RIO may be part of multiple stages of a Proceeding and is not considered to have a conflict of interest due to participation in any part of a Proceeding after a Complaint is received.

A RIO will:

a. assist Institutional Members in complying with this policy;
b. oversee sequestration of Research Records and Evidence and maintain chain of custody;
c. provide information about the status of the Proceedings to, and respond to inquiries from, the Dean, the Unit Executive Officer (UEO), the Respondent, and the Complainant to the extent required by law and this policy;
d. ensure that Respondent receives all Notices and opportunities provided for under this policy;
e. maintain the ~~records of Research Misconduct Proceedings~~Institutional Record confidentially and securely;
f. advise and assist during the Proceedings, including the preparation of reports;
g. be the University point of contact with interested stakeholders related to these Proceedings; and,
h. request legal advice as needed from the Office of University Counsel with respect to application and interpretation of this policy and applicable laws.

VI. GENERAL PROVISIONS

1. Academic Freedom

It shall be a prime concern of all persons who implement this policy to protect the principles of academic freedom and tenure that are fundamental to the academic enterprise; however, academic freedom and tenure afford no license for Research Misconduct.

2. Admission and Agreed Statement of Facts

If at any time prior to the initiation of an Investigation the Respondent admits in writing to the facts alleged in the Allegation or provides a written statement of facts that establishes Research Misconduct, the Responsible Official shall decide whether to order an immediate Investigation in lieu of continuing the Inquiry or Assessment. If an Investigation is ordered, the Respondent's written statement may serve as the Inquiry Report.

3. Allegations involving System Officials

Allegations concerning a system ~~official~~officer[5] should be communicated to the ~~Executive Vice President and~~ Vice President for Academic Affairs. The ~~Executive Vice President and~~ Vice President for Academic Affairs in consultation with the Responsible Official at the appropriate University will assign responsibility for handling the Complaint~~Allegation~~ to a RIO who has no conflict of interest and who does not directly or indirectly report to the Respondent. The ~~Executive Vice President and~~RIO will follow the relevant procedures of the University where the Research Misconduct was alleged to have occurred. The Vice President for Academic Affairs will serve as the ~~final adjudicator~~ Responsible Official and Institutional Deciding Official for Allegations involving system officials. ~~If the Allegation involves the Executive Vice President and Vice President for Academic Affairs, then the President is the final adjudicator. If the Allegation involves the President, then the Board of Trustees will appoint a final adjudicator.~~

If the Allegation involves the Vice President for Academic Affairs, then the President will serve as both the Responsible Official and Institutional Deciding Official. If the Allegation involves the President, then the Allegation will be forwarded to the University of Illinois Ethics and Compliance Office and the Board of Trustees. The Board of Trustees will appoint an unconflicted RIO to implement appropriate procedures for the University where the Research Misconduct was alleged to have occurred; the Chair of the Board of Trustees will serve as the Responsible Official and Institutional Deciding Official.

4. Confidentiality and Need to Know

All persons involved in Proceedings under this policy shall keep confidential, to the extent reasonably possible, the identities of Complainants, witnesses, and Respondents, limiting any disclosures to those who have a need to know and as allowed by applicable law or as provided in this policy, including Respondent's right of consultation. Except as may otherwise be prescribed by applicable law, confidentiality must be maintained for any records or Evidence from which research subjects may be identified. Disclosure of any such records or Evidence from which these persons may be identified is limited to those who have a need to know to carry out a Research Misconduct Proceeding, Interim Actions, Sanctions, or Corrective Actions.

Those who may need to know include institutional review boards, compliance committees, compliance staff, journals, editors, publishers, co-authors, collaborators, collaborating institutions, funding agencies, and institutions to which a Respondent plans to move or at which the Respondent currently is employed.

The limitation to disclosure of the identity of Complainants, Respondents, and witnesses no longer applies once the University has made a final determination, including consideration of a Respondent's appeal. The limitations of confidentiality also do not prohibit the management of published data or acknowledging that data may be unreliable.

5. Conflict of Interest

If anyone charged with responsibility under this policy has a potential or actual unresolved personal, professional, or financial conflict of interest with a Complainant, Respondent, or witness, that person shall disclose such conflict to the RIO. If the RIO has such a conflict, the RIO will inform the Responsible Official. The Responsible Official will have the discretion to handle conflicts of interest identified in this process, and the Responsible Official's decision will be final. If any administrator has such a conflict of interest, the next higher administrator will appoint a replacement.

6. Cooperation with Research Misconduct Proceedings

All Institutional Members shall cooperate in all Proceedings conducted under this policy. Institutional Members, including Respondents, have an obligation to provide Evidence relevant to Research Misconduct Allegations and participate in any Interview or other requests that are part of a Proceeding.

7. *Ex Parte* Communications

To preserve the integrity of Proceedings, participants in the Proceedings may communicate about the matter only within the processes implemented in accordance with this policy.

Communications outside the defined processes are *Ex Parte* Communications. The recipient of an *Ex Parte* Communication must disclose the communication to the RIO in order to make it a part of the Institutional Record. ~~of Research Misconduct Proceedings.~~

8. Exceptions to the Policy

Upon written request of the RIO, the Responsible Official will consider and either approve or deny any proposed exceptions to this policy.

9. Interviews

Any individual interviewed by the Inquiry Team or Investigation Panel will have the opportunity to review recordings and correct transcripts, if made, of the interview. Interview recordings and transcripts, if made, will be included in the Institutional Record ~~of Research Misconduct Proceedings~~.

The only individuals that may be present at an interview are the individual being interviewed, a consultant as specified in §VI.16, the Inquiry Team or Investigation Panel members, the RIO, RIO support personnel, and University Counsel. The Respondent is not permitted to be present for the interviews of any other individuals.

10. Notice to Third Parties

The Responsible Official will decide whether third parties, such as sponsors, collaborators, or journals, should be notified of the Proceedings. The RIO will be responsible for notification and compliance with any Notice requirements. Nothing in this policy is intended to inhibit Institutional Members from fulfilling mandated reporting requirements or otherwise reporting unethical or improper activities to appropriate authorities.

11. Obligations of the Respondents, Witnesses, Complainants, and Others

Although not under oath during Proceedings related to this policy, all participants are obliged to tell the truth and cooperate in the Proceedings. If at any stage in the Proceedings it is determined that any Institutional Member~~participant~~ has not told the truth, such a ~~finding~~ false statement may be the basis for disciplinary, personnel, or other appropriate action in accordance with system policies.

12. Prompt Resolution

All processes and Proceedings should be conducted expeditiously. Nevertheless, after consultation with the RIO, the Responsible Official may extend any timeline to ensure a Respondent's right to due process or for other good cause. The RIO shall document the reason for any extension in writing, and it shall be included in the Institutional Record ~~of Research Misconduct Proceedings~~. In cases where federal agencies are involved, deadline extensions granted by federal agencies will take priority to the extent permitted by law.

13. Protection of the Complainant, Witnesses, and Other Participants

The RIO, the UEOs, the Deans, and all other persons involved in administering this policy will undertake all reasonable and practical efforts to protect the position and reputation of, and to counter potential or actual Retaliation against, any Complainant who made Allegations of Research Misconduct in Good Faith and of any witnesses and Inquiry Team or Investigation Panel members who cooperate in Good Faith with the Research Misconduct Proceeding.

14. Protecting the Respondent

The RIO and other University of Illinois officials shall make all reasonable and practical efforts to protect or restore the reputation of Respondents against whom no finding of Research Misconduct is made.

15. Record Keeping

Disposition of the Institutional Record ~~of Research Misconduct Proceedings~~ shall be managed consistent with the relevant laws and system policy.

16. Right of Consultation

At any stage of the Proceedings, a Respondent may consult with individuals of their choosing who do not otherwise have a role in the Proceedings. A Respondent may consult with private legal counsel and may be accompanied and advised by an advisor at any interview or meeting conducted under this policy. An advisor may, but need not, be an attorney. The advisor shall not present the case or otherwise directly participate in the Proceeding. The RIO may request the presence of an attorney from the Office of University Counsel at any meeting or interview conducted pursuant to this policy. Nothing in this policy is intended to prohibit any Institutional

Member from seeking personal advice or guidance from a professional in a privileged relationship.

17. Interim Actions

At any time after an Allegation is made, the RIO, Dean, or the UEO, with the Responsible Official's approval, may take Interim Actions they determine to be necessary. Any Interim Action should be fashioned so as to comply with applicable laws and system and University policies. The Proceedings under this policy shall not be suspended as a result of Interim Actions.

18. Termination of University Employment

The termination of Respondent's employment at the University, by resignation or otherwise, shall not be cause to terminate or avoid Proceedings under this policy.

19. Time Limitation

No Allegation shall be heard or reviewed under this policy regarding conduct alleged to have occurred six years or more before the date of receipt of the Allegation, except as specified by law.[42 CFR §93.104] At any stage of these Proceedings and as permitted by law, an Allegation may be dismissed upon a finding that the relevant facts giving rise to the Allegation of Research Misconduct occurred six years or more before receipt of the Allegation.

20. Redaction

Any Institutional Record may be redacted when provided to the Respondent or other parties in order to protect individuals involved in Proceedings or for other reasons of confidentiality. The unredacted and redacted copies of the Institutional Record will be maintained by the University.

VII. RECEIPT OF COMPLAINT~~ALLEGATIONS~~

Any Institutional Member who has information related to potential Research Misconduct has an ethical obligation—and for those in a position with supervisory responsibilities, a duty—to report in Good Faith such information as a Complaint~~n Allegation~~ to a RIO, or to the UEO, each of whom will promptly notify the other of the Complaint~~Allegation~~.

1. Initiation of Proceedings

The RIO shall initiate the processes under this policy upon receiving a~~n~~ Complaint~~Allegation~~ of Research Misconduct, regardless of whether the Complaint~~Allegation~~ originates within or outside the system and whether presented electronically, in writing, or orally.

2. Anonymous Complainant

A Complainant may request to remain anonymous. Reasonable effort ~~should~~will be taken to maintain anonymity, but anonymity cannot be assured.

The original Complaint~~Allegations~~ will be treated as confidential to the extent reasonably possible and in most instances will only be shared, without redaction, among the RIO, the UEO, and the individuals charged with assessing the Complaint~~Allegations~~ to determine whether it falls within the jurisdiction of this policy and to identify the specific Allegations, if any, to be brought forward in an Inquiry.

The University is not obligated to notify a Complainant who requests to remain anonymous.

VIII. PROCEDURES

Each University in the system and the System Office will develop procedures to implement this policy~~. The procedures shall be approved and reviewed at the university level~~ to address

Allegations of Research Misconduct. The procedures shall be consistent with federal law and guidance and shall include four phases of a Research Misconduct Proceeding: Assessment, Inquiry, Investigation, and Adjudication.

IX. SEQUESTRATION OF RESEARCH RECORDS AND EVIDENCE

On or before the date on which the Respondent is notified of an Inquiry, the RIO shall undertake reasonable and practical steps to secure all Research Records and other Evidence needed to conduct a Research Misconduct Proceeding, to inventory those materials, and to sequester them in a secure manner. Custody may be limited to copies of the Research Records in cases where the RIO determines that the evidentiary value of those copies is substantially equivalent to the evidentiary value of the original records.[42 CFR 93.305]

The RIO shall undertake all reasonable and practical efforts to secure additional Research Records and Evidence discovered during the course of the Research Misconduct Proceedings, including at the Assessment, Inquiry, or Investigation stages, or if new Allegations arise.

1. Obligation to Produce Records and Other Evidence

A Respondent's destruction of~~, absence of, or Respondent's failure to provide,~~ Research Records ~~adequately~~ documenting the questioned Research is Evidence of Research Misconduct where the University establishes by a Preponderance of the Evidence that ~~(1)~~ the Respondent ~~possessed such records and~~ Intentionally~~,~~ or Knowingly~~, or recklessly (a)~~ destroyed ~~them, (b) had the opportunity to maintain the records but did not do so, or (c) maintained the records and failed to produce them in a timely manner and that (2) the Respondent's conduct constitutes a significant departure from accepted practices of the relevant professional community.Access to Sequestered~~ records after being informed of the Research ~~Records and Evidence by Inquiry Team and Investigation Panel~~Misconduct Allegations. A Respondent's failure to provide Research Records documenting the questioned Research is Evidence of Research Misconduct where the Respondent possesses the records but refuses to provide them upon request.

2. Access to Sequestered Research Records

Whenever practicable, the RIO will make all sequestered Research Records and Evidence ~~sequestered will be made~~ available to the Inquiry Team and Investigation Panel. ~~Access to Sequestered Research Records by Respondent~~ Whenever practicable, the RIO shall give the Respondent reasonable supervised access to, or copies of, sequestered Research Records upon the Respondent's written request.

X. FINDING OF RESEARCH MISCONDUCT

1. Elements Required for Finding of Research Misconduct

A finding of Research Misconduct by the ~~Chancellor~~Institutional Deciding Official requires that:[1]

a. There is a significant departure from Accepted Practices of the ~~definition of~~ Relevant Research ~~Misconduct~~Community; and,
b. The ~~Research Misconduct~~alleged action was committed ~~intentionally, knowingly~~Intentionally, Knowingly, or ~~recklessly~~Recklessly; and,
c. The Allegation is proven to meet the definition of Research Misconduct by a Preponderance of the Evidence.

2. Affirmative Defense

The Respondent has the burden of proving, by a Preponderance of Evidence, any defenses to the Allegations of Research Misconduct, such as honest error or difference of opinion.

XI. APPEAL

Research ~~Misconduct~~Misconduct Proceedings are subject to an appeal only by the Respondent to the President on procedural grounds. Appeals on such grounds must be made in writing and filed in the President's Office within ~~10 business~~14 calendar days after the Respondent receives Notice of the decision. The sole matter to be raised on appeal shall be whether Proceedings conducted in the Respondent's case deviated from this policy or U~~u~~niversity procedures to the extent that the Respondent was denied due process. The President shall within 30 calendar days after receipt of the appeal either affirm or vacate the decision~~,~~ and shall notify the appellant Respondent and all concerned of this ruling which shall be final and binding. In cases where the President is the Respondent, then any appeal of the ~~appointed adjudicator's~~Institutional Deciding Official's decision will be presented to the Board of Trustees.

XII. VIOLATIONS

Regardless of whether or not there is a finding of Research Misconduct, the University may impose Corrective Actions and Sanctions on Institutional Members consistent with applicable policies and practices. The nature of Corrective Actions and Sanctions shall correspond to the nature and extent of violation(s) of Research Integrity or finding(s) of Research Misconduct. Decisions by federal agencies, non-federal sponsors, journals or publishers are made independently of the University's decisions, Corrective Actions, and/or Sanctions related to Research Misconduct under the University's policy.

XIII. INTERIM POLICY REVISIONS

This policy will be reviewed periodically as directed by the Vice President for Academic Affairs, who may approve interim revisions in response to updates in Federal Law or regulations, Illinois State Law, The University of Illinois Statutes, or The General Rules Concerning University Organization and Procedure.

XIV. FEDERAL ASSURANCES

The University of Illinois System and/or the Universities shall maintain assurances with federal sponsors and regulators as required by federal regulations, guidelines, policies, and laws.

XV. LEGAL AND POLICY AUTHORITIES

~~Nothing in this policy diminishes or replaces the procedural rights of Institutional Members under the University Statutes.~~

Federal
White House Office of Science and Technology Policy, Federal Policy on Research Misconduct, 65 FR 76260–76264.
Department of Health and Human Services, Public Health Service Policies on Research Misconduct, 42 C.F.R. part 93.

National Science Foundation, Research Misconduct, 45 C.F.R. part 689.
Department of Education, Policy on Research Misconduct, 70 Fed. Reg. 66371.
Department of Energy, Allegations of Research Misconduct, 10 C.F.R. part 733 & 2 C.F.R. part 910.132.
Department of Labor, Research Misconduct, Statement of Policy, 69 Fed. Reg. 75218.
Department of Defense, Research Integrity and Misconduct, DoD Instruction #3210.7.
Department of Agriculture, Research Institutions Conducting USDA-funded Extramural Research; Research Misconduct, 2 C.F.R. part 422.
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