

Policy on Integrity in Research and Publication

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I. POLICY INFORMATION

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

Policy Owner: Vice President for Academic Affairs

Responsible Official: Vice President for Academic Affairs (system); Vice Chancellor for Research (UIUC and UIC); 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, TBD@uillinois.edu; Chicago, RIO@uic.edu; Springfield, ora@uis.edu; Urbana-Champaign, rsofficer@uillinois.edu

II. SCOPE AND COVERAGE

The University of Illinois system (“system” or “University of Illinois”) *Policy on Integrity in Research and Publications* (“this policy”) applies to all Institutional Members. This policy focuses on misconduct that affects the evaluation, conduct, or reporting of research 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 are referred to the appropriate unit or policy administrator for further action. Other system and university policies (see Section XIII) should be consulted as appropriate. Codes of student conduct and other campus specific policies (e.g., Graduate College By-Laws) address matters of academic misconduct by students and should be consulted 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 research, and reporting research results with integrity, respect, fairness, and transparency at all organizational levels.

Research Misconduct 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 does not relieve Institutional Members from their responsibilities to comply with applicable law, professional standards, ethical guidelines, and other system and university policies.

IV. DEFINITIONS

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

A. Adjudication means the formal and final decision of the Chancellor regarding the Allegations of Research Misconduct, including the imposition of Sanctions and Corrective Actions, if any.

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- B. **Assessment** means the initial evaluation to determine whether the Allegation falls within the scope of this policy.
- C. **Allegation** means a disclosure of possible Research Misconduct through any means of communication to an institutional or other official.²
- D. **Complainant** means a person who makes an Allegation of Research Misconduct.³
- E. **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.
- F. **Evidence** means any element of the Research Record and documents, tangible items, or testimony offered or obtained during a Research Misconduct Proceeding that tends to prove or disprove the existence of an alleged fact.⁴
- G. **Fabrication** means making up data or results and recording or reporting them.¹
- H. **Falsification** means 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.¹
- I. **Good Faith**, as applied to a Complainant or witness, means having a belief in the truth of one's Allegation or testimony that a reasonable person in the Complainant's or witness's position could have based on the information known to the Complainant or witness at the time. Cooperation with a Research Misconduct Proceeding is not in Good Faith if it is made with knowing or reckless disregard for information that would negate the Allegation or testimony. Good faith as applied to an Inquiry Team or Investigation Panel member means cooperating with the purpose of helping an institution 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.⁵
- J. **Inquiry** means a preliminary information-gathering and fact-finding conducted to determine whether an Investigation is warranted.⁶
- K. **Inquiry Team** means a group of at least two Institutional Members charged with conducting the Inquiry.
- L. **Institutional Member** means a person 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, agents and contractors, subcontractors, and subawardees and their employees.⁷
- M. **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
- N. **Interim Actions** means any actions of the university taken prior to Adjudication to comply with laws or regulations, or for one or more of the following reasons:

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1. to protect the public, research community, research subjects, or patients, including their health and safety;
 2. to protect the interests of students, faculty, or staff;
 3. to preserve Evidence;
 4. to protect university, state, or federal resources or interests, including contractual obligations; or,
 5. to protect the interests of those involved in the Research Misconduct Proceedings.⁹
- O. **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.¹⁰
- P. **Investigation Panel** means a group of at least two Institutional Members and one non-Institutional Member charged with conducting the Investigation.
- Q. **Plagiarism** means the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.¹
- R. **Preponderance of Evidence** means proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.¹¹
- S. **Proceeding** means an Assessment, Inquiry, Investigation, Adjudication, or other action undertaken pursuant to this policy.¹²
- T. **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
- U. **Research Integrity** means the conduct of research in an honest and professional manner while maintaining rigorous adherence to professional standards. Practicing Research Integrity means planning, performing, reporting, and reviewing research in accordance with objectivity, honesty, openness, accountability, fairness, and stewardship.¹⁴ Practicing Research Integrity includes, but is not limited to:^{15,16}
1. employing appropriate research methods for the field and experimental question;
 2. basing the conclusions on critical objective analysis of data;
 3. managing conflicts of interest and commitment;
 4. designing research to be replicable, when possible;
 5. promoting open access and sharing data as specified in institutional, sponsor, and publisher policies, or standard practices in the field;
 6. promoting intellectual and professional growth of mentees and adherence to the mutual responsibilities of mentors and trainees;
 7. protecting research subjects;
 8. maintaining a safe and inclusive research environment;
 9. conducting peer review in an unbiased, transparent manner;
 10. attributing authorship based on appropriate authorship criteria;
 11. attributing credit for work and ideas through proper acknowledgement and citation;
 12. respecting the ethical obligations regarding the societal impacts of research; and,

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13. complying with research regulations and guidelines.

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

1. Fabrication;
2. Falsification;
3. Plagiarism;
4. 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;
5. misleading statistical analyses or data processing;
6. serious Interference in the research of another;
7. 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;
8. misleading or false reporting of credentials and related information;
9. breach of confidentiality with respect to unpublished materials;
10. misappropriation of research materials;
11. 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,
12. 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.

W. **Research Record** means the record of experimental methods, data, and results, whether in physical or electronic form, that embodies the facts related to and resulting from scientific inquiry. The Research Record includes but is not limited to research proposals, laboratory notebooks and records, progress reports, abstracts, theses, oral presentations, internal reports, and journal articles.¹⁷

X. **Respondent** means the person against whom an Allegation of Research Misconduct is directed or who is the subject of a Research Misconduct Proceeding.

Y. **Retaliation** means an adverse action taken against a Complainant, witness, Inquiry Team member, or Investigation Panel member by this institution 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.¹⁸

Z. **Sanctions** means consequences imposed in the final disposition of the Proceeding.

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.

A RIO will:

1. assist Institutional Members in complying with this policy;

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2. oversee sequestration of Research Records and Evidence and maintain chain of custody;
3. 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;
4. ensure that Respondent receives all notices and opportunities provided for under this policy;
5. maintain the records of Research Misconduct Proceedings confidentially and securely;
6. advise and assist during the Proceedings, including the preparation of reports;
7. be the university point of contact with interested stakeholders related to these Proceedings; and,
8. 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

A. 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.

B. 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, 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.

C. Allegations involving System Officials

Allegations concerning a system official 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 university Responsible Official will assign responsibility for handling the Allegation to a RIO who has no conflicts of interests and who does not directly or indirectly report to the Respondent. The Executive Vice President and Vice President for Academic Affairs will serve as the final adjudicator 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.

D. Confidentiality

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.

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E. 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.

F. 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.

G. *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 Record of Research Misconduct Proceedings.

H. 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.

I. 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 Record of Research Misconduct Proceedings.

J. Notice to Third Parties

The Responsible Official will decide whether third parties, such as research 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.

K. 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 participant has not told the truth, such a finding may be the basis for disciplinary, personnel, or other appropriate action in accordance with University of Illinois policies.

L. 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 and it shall be included in the 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.

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M. 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.

N. Protecting the Respondent

The RIO and other institutional 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.

O. Record Keeping

Disposition of the Record of Research Misconduct Proceedings shall be managed consistent with the relevant laws and University of Illinois policy.

P. 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.

Q. Special Circumstances and 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.⁹ 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.

R. Termination of University Employment

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

S. 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.¹⁹ At any stage of these Proceedings and as permitted by law, an Allegation may be dismissed upon a finding that the facts giving rise to the Allegation of Research Misconduct occurred more than six years before receipt of the Allegation.

VII. RECEIPT OF 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 an Allegation to a RIO, or to the UEO, each of whom will promptly notify the other of the Allegation.

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The RIO shall initiate the processes under this policy upon receiving an Allegation of Research Misconduct, regardless of whether the Allegation originates within or without the University of Illinois and whether presented electronically, in writing or orally.

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

The original Allegations will be treated as confidential to the extent reasonably possible and in most instances will be shared only among the RIO, the UEO, and the individuals charged with assessing the Allegations to determine whether they fall within the jurisdiction of this policy and to identify the specific Allegations, if any, to be brought forward in an Inquiry.

VIII. PROCEDURES

Each of the three universities in the system will develop procedures to implement this policy. The procedures shall be approved and reviewed at the university level. 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.

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.

A. Obligation to Produce Records and other Evidence

The destruction of, absence of, or Respondent's failure to provide, records adequately documenting the questioned research is Evidence of Research Misconduct where the university establishes by a Preponderance of Evidence that (1) the Respondent possessed such records and intentionally, 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.

B. Access to Sequestered Research Records and Evidence by Inquiry Team and Investigation Panel

All Research Records and Evidence sequestered will be made available to the Inquiry Team and Investigation Panel.

C. 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 Respondent's written request.

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X. FINDING OF RESEARCH MISCONDUCT

A. Elements Required for Finding of Research Misconduct

A finding of Research Misconduct by the Chancellor requires that:¹

1. The Allegation meets the definition of Research Misconduct; and,
2. The Research Misconduct was committed intentionally, knowingly, or recklessly; and,
3. The Allegation is proven by a Preponderance of Evidence.

B. 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

Findings of Research Misconduct are subject only to an appeal 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 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 university 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 from the appointed adjudicator'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 of Illinois 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 violation(s) of Research Integrity or finding(s) of Research Misconduct.

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

XIII. LEGAL AND POLICY AUTHORITIES

Federal
White House Office of Science and Technology Policy, Federal Policy on Research Misconduct, 65 FR 76260–76264 (Dec. 6, 2000).
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 (Nov. 2, 2005).
Department of Energy, Allegations of Research Misconduct, 10 C.F.R. part 733.

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Department of Labor, Research Misconduct, Statement of Policy, 69 Fed. Reg. 75218 (Dec. 15, 2004).
Department of Defense, Research Integrity and Misconduct, DoD Instruction #3210.7 (May 14, 2004).
Department of Agriculture, Research Institutions Conducting USDA-funded Extramural Research; Research Misconduct, 2 C.F.R. part 422.
National Aeronautics and Space Administration, Policy on Research Misconduct, 14 C.F.R. part 1275.
National Endowment for Humanities, Research Misconduct Policy, https://www.neh.gov/grants/manage/research-misconduct-policy .
Department of Transportation, Implementation Guidance for Executive Office of the President Office of Science and Technology Policy "Federal Policy on Research Misconduct," (Feb. 2002).
Title IX of the Education Amendments of 1972, 20 U.S.C. §1681-1688; 34 C.F.R. part 106.
Illinois
State Records Act, 50 Ill. Comp. Stat. 205.
University of Illinois
University of Illinois Statutes
University of Illinois, The General Rules Concerning University Organization and Procedure

XIV. REFERENCES

1. Exec. Office of the President, Federal Policy on Research Misconduct, 65 Fed. Reg. 76260,76262 (Dec. 6, 2000)
2. 42 CFR §93.201
3. 42 CFR §93.203
4. 42 CFR §93.208
5. 42 CFR §93.210
6. 42 CFR §93.212
7. 42 CFR §93.214
8. Ryan, K.J., et al., *Integrity and Misconduct in Research: Report of the Commission on Research Integrity* at 13 (1995).
9. 42 CFR §93.318
10. 42 CFR §93.215
11. 42 CFR §93.219
12. 42 CFR §93.223
13. 42 CFR §93.317
14. National Academies of Sciences Engineering and Medicine (U.S.). Committee on Responsible Science, *Fostering Integrity in Research*. 2017, Washington (DC): The National Academies Press.
15. *Singapore Statement on Research Integrity, 2nd World Conference on Research Integrity, 21-24 July, 2010, Singapore*. Available from: <http://www.singaporestatement.org/statement.html>.
16. *The University of Illinois at Urbana-Champaign General Principles on the Ethical Conduct of Research and Scholarship, adopted March 12, 2018*.

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17. 42 CFR §93.224
18. 42 CFR §93.226
19. 42 CFR §93.105