

CALTECH RESEARCH MISCONDUCT POLICY

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Research Misconduct

General

Caltech's [mission](#) is to expand human knowledge and benefit society through bold, innovative, and impactful research integrated with education. In pursuing this mission, Caltech strives for the highest levels of integrity, public trust, and responsible conduct of research and promotes the [Eleven Principles](#) comprising its code of conduct.

All Caltech personnel, on campus, at its Jet Propulsion Laboratory (JPL), and off site, are expected to conduct research with honesty, rigor, and transparency. Each member of the Caltech Community is responsible for contributing to an organizational culture that establishes, maintains, and promotes research integrity and the responsible conduct of research.

Caltech aims to reduce the risk of research misconduct, support all good-faith efforts to report suspected misconduct, promptly and thoroughly address all allegations of research misconduct, and rectify the scientific record and restore researchers' reputations, as applicable.

Research misconduct is contrary to the interests of Caltech, the health and safety of the public, the integrity of research, and the conservation of public and other sponsor funds. Both Caltech and its researchers have an affirmative duty to protect sponsor funds from misuse by ensuring the integrity of all research conducted on behalf of Caltech. Research misconduct also harms the credibility and reputation of all members of the Caltech community, erodes the public trust, and hinders scientific inquiry.

Caltech is committed and obligated to handle allegations or evidence of research misconduct thoroughly, fairly, competently, and objectively in accordance with this policy, applicable federal regulations, and all sponsored research requirements.

Caltech is responsible for establishing, maintaining and ensuring that this policy and associated procedures for addressing allegations of research misconduct are compliant with applicable federal regulations and satisfy all sponsored research requirements. Caltech will ensure the Caltech Community is aware of this policy and procedures and will make them publicly available on its website.

Scope

This policy applies to all members of the Caltech Community, including faculty, post-doctoral scholars, staff, and students, as well as anyone who, at the time of the alleged misconduct, was employed by, a student at, an agent of, an appointee of, was otherwise affiliated by contract or agreement, or who was a volunteer, guest, or visitor of the California Institute of Technology, including its Jet Propulsion Lab (JPL).

This policy applies to research proposed, conducted, or reported¹ by any member of the Caltech Community on campus, JPL, or at any Caltech off-campus facilities, as well as to research proposed,

¹ For purposes of this policy "proposed, conducted, or reported" includes, but is not limited to research in (1) applications or proposals to support research or research training, or activities related to that research or research training; (2) research; (3) training programs; (4) activities related to research or research training such as, but not limited to, the operation of tissue and data banks or the dissemination of research information; (5) research records produced during sponsored research, training or activities; (6) research proposed, performed,

conducted, or reported elsewhere by members of the Caltech community as part of their institute-related duties or activities. Caltech may apply this policy to research proposed, conducted, or reported elsewhere where it is claimed or implied to have been done at Caltech or by a member of the Caltech community.

This policy applies only to research misconduct occurring within six years of the date Caltech (or a Research Sponsor) receives an allegation of research misconduct, subject to the following exceptions:

- The six-year time limitation does not apply if the Respondent continues or renews any incident of alleged research misconduct that occurred before the six-year period through the use of, republication of, or citation to the portion(s) of the research record alleged to have been fabricated, falsified, or plagiarized, for the potential benefit of the Respondent (“subsequent use exception”).
For alleged research misconduct that appears subject to this subsequent use exception, but Caltech determines is not subject to the exception, Caltech will document its determination that the subsequent use exception does not apply and will retain this documentation for the later of seven years after completion of the Caltech proceeding or the completion of any federal agency or sponsor proceeding.
- The six-year time limitation also does not apply if a federal agency or Research Sponsor or Caltech, following consultation with the federal agency or Research Sponsor, determines that the alleged research misconduct, if it occurred, would possibly have a substantial adverse effect on the health or safety of the public.

Definitions

Accepted practices of the relevant research community. The commonly accepted professional codes or norms within the overarching community of researchers and institutions that apply for and receive sponsored research awards. The definition also includes those practices as set forth by regulation (e.g., practices established by 42 CFR Part 93) or Sponsored Research Requirements.

Administrative record. Caltech’s Institutional Record, which is created during its research misconduct proceedings, and provided to and/or combined with a federal agency’s or Research Sponsor’s records regarding the research misconduct proceedings.

Allegation. A disclosure of possible research misconduct through any means of communication and brought directly to the attention of Caltech or a federal agency or Research Sponsor.

Assessment. The consideration of whether an allegation of research misconduct appears to fall within the definition of research misconduct, is within the scope of this policy, and is sufficiently credible and specific so that potential evidence of research misconduct may be identified. The assessment only involves the review of readily accessible information relevant to the allegation.

Caltech. The California Institute of Technology, including its Jet Propulsion Laboratory (JPL) and all campus and off campus sites.

reviewed, or reported, as well as any research record generated from that research, regardless of whether an application or proposal for sponsored funds resulted in an awarded grant, contract, cooperative agreement, subaward, or other form of sponsored research support.

Caltech Community. All personnel at Caltech who engage in the proposing, conducting or reporting of research. It includes faculty, post-doctoral scholars, staff, and students, as well as anyone who, for purposes of this policy was, at the time of the alleged misconduct, employed by, a student at, an agent of, an appointee of, was otherwise affiliated by contract or agreement, or who was a volunteer or guest or visitor of Caltech.

Complainant. An individual who makes a good faith allegation of research misconduct.

Designated Official. An individual with sufficient knowledge of a scientific field who is appointed by the Research Integrity Officer to conduct an Assessment or an inquiry.

Evidence. Anything offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact. Evidence includes documents, whether in hard copy or electronic form, information, tangible items, and testimony.

Fabrication. Making up data or results and recording or reporting them.

Falsification. 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.

Good faith. (a) Good faith, as applied to a Complainant or witness, means having a reasonable belief in the truth of one's allegation or testimony, based on the information known to the Complainant or witness at the time. An allegation made or one's cooperation in a research misconduct proceeding is not in good faith if made with knowledge of, or reckless disregard for, information that would negate the allegation or testimony. (b) Good faith, as applied to Caltech or an investigation committee member, means that they cooperate and impartially carry out the duties assigned for the purpose of helping Caltech meet its responsibilities pursuant to this policy. Caltech or an investigation committee member is not acting in good faith if their acts or omissions during the research misconduct proceedings are dishonest or influenced by personal, professional, or financial conflicts of interest with any involved in the research misconduct proceeding.

Inquiry. A preliminary information gathering and preliminary fact-finding that meets the criteria and follows the procedures described in this policy, federal regulations, and Sponsored Research Requirements. The purpose of an inquiry is to determine whether or not an investigation is warranted.

Institutional Certifying Official (ICO). The Caltech official responsible for assuring, on behalf of Caltech, that Caltech has written policies and procedures for addressing allegations of research misconduct, in compliance with this part; and complies with its own policies and procedures and the requirements of this part. The Institutional Certifying Official is Caltech's President.

Institutional Deciding Official (IDO). The Caltech official who makes final determinations on allegations of research misconduct and any institutional actions to correct the research record and comply with federal regulations, this policy and Sponsored Research Requirements. The IDO for Caltech is the Provost on campus and the Director at JPL.

Institutional record. The institutional record comprises: (a) The records that Caltech compiled or generated during the research misconduct proceeding, except records Caltech did not consider or rely on. These records include but are not limited to (1) documentation of the assessment (2) if an inquiry is conducted, the inquiry report and all records (other than drafts of the report) considered or relied on

during the inquiry, including, but not limited to, research records and the transcripts of any transcribed interviews conducted during the inquiry, information the Respondent provided to the institution, and the documentation of any decision not to investigate; (3) if an investigation is conducted, the investigation report and all records (other than drafts of the report) considered or relied on during the investigation, including, but not limited to, research records, the transcripts of each interview conducted, and information the Respondent provided to the institution; (4) decision(s) by the Institutional Deciding Official, such as the written decision from the Institutional Deciding Official (5) the complete record of any Caltech appeal; (b) a single index listing all the research records and evidence that Caltech compiled during the research misconduct proceeding, except records the Caltech did not consider or rely on; and (c) a general description of the records that were sequestered but not considered or relied on.

Intentionally. To act with the aim of carrying out the act.

Investigation. The formal development of a factual record and the examination of that record that meets the criteria and follows the procedures described in this policy, federal regulations and Sponsored Research Requirements. The purpose of the investigation is to determine whether research misconduct occurred.

Knowingly. To act with awareness of the act.

Plagiarism. Plagiarism means the appropriation of another person's ideas, processes, results, or words, without giving appropriate credit. (a) 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. (b) 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.

Preponderance of the evidence. Proof by evidence that, compared with evidence opposing it, leads to the conclusion that the fact at issue is more likely true than not.

Research Sponsor. Research Sponsor means any federal agency, local, private entity that provides sponsor support.

Research Sponsor Support. All federal, state, local, private sponsor, or other Caltech funding used to support research, research training, or activities related to that research or training. Includes applications or proposals for sponsor funding to Research Sponsors to be used to support research, research training, or activities related to that research or training.

Recklessly. To act recklessly means to propose, perform, or review research, or report research results, with indifference to a known risk of fabrication, falsification, or plagiarism.

Research Integrity Officer (RIO). The Research Integrity Officer (RIO) refers to the institutional official responsible for administering the institution's written policies and procedures for addressing allegations of research misconduct in compliance with this policy, federal regulations, and sponsor requirements. The RIO for Caltech is the Vice Provost for Research on campus and the Chief Scientist at JPL.

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

Research misconduct does not include honest error or differences of opinion, nor does it encompass violations of Caltech policies or federal regulations not relating to research misconduct. Disputes over authorship or collaboration shall first be reviewed in accordance with Caltech's [Authorship Disputes](#) process; however, may subsequently be considered a research misconduct allegation, depending on the facts and circumstances of the dispute.

A finding of research misconduct requires that the alleged misconduct be a significant departure from accepted practices of the relevant research community and that the misconduct was committed intentionally, knowingly, or recklessly. Each allegation must be proven by the standard of a preponderance of the evidence.

NSF PAPPG 2025: RESEARCH MISCONDUCT means fabrication, falsification, or plagiarism, whether committed by an individual directly or through the use or assistance of other persons, entities, or tools, including artificial intelligence (AI)-based tools, in proposing or performing research funded by NSF, reviewing research proposals submitted to NSF, or in reporting research results funded by NSF.

Research misconduct proceeding. Any actions related to alleged research misconduct taken under this policy, including allegation assessments, inquiries, investigations, adjudication, and reporting to research sponsors.

Research record. Research record means the record of data or results that embody the facts resulting from scientific inquiry. 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, progress reports, manuscripts, abstracts, theses, records of oral presentations, online content, lab meeting reports, and journal articles.

Respondent. Respondent means the individual against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding.

Retaliation. Retaliation means an adverse action taken against a Complainant, witness, or committee member by an institution or one of its members in response to (a) a good faith allegation of research misconduct or (b) good faith cooperation with a research misconduct proceeding.

Special Circumstances. Special Circumstances are any unusual or concerning circumstances that may require immediate notice to a federal agency or Research Sponsor. 42 CFR 93.305(g) defines special circumstances when an institution has reason to believe that any of the following conditions exist: (1) Health or safety of the public is at risk, including an immediate need to protect human or animal subjects. (2) agency resources or interests are threatened. (3) Research activities should be suspended. (4) There is reasonable indication of possible violations of civil or criminal law. (5) Federal action is required to protect the interests of those involved in the research misconduct proceeding. (6) An agency may need to take appropriate steps to safeguard evidence and protect the rights of those involved.

Sponsored Research Requirements. All federal, state, local, and private research sponsor regulations, policies, and contractual terms and conditions with which Caltech must comply as a condition of receiving Research Sponsor Support.

Roles and Responsibilities

Caltech Community

Responsibility to Report Misconduct

All members of the Caltech Community, including those at JPL and all off campus facilities, have a responsibility to report observed, suspected, or apparent research misconduct. Allegations of research misconduct may be presented by any means of communication to the Vice Provost for Research, the Associate Vice Provost for Research Policy and Compliance, the Office of Research Policy, a Division Chair, the JPL Chief Scientist, the JPL Associate Chief Scientist, the JPL “Directors For” (“D4s”), the JPL Ethics Office, the Office of the General Counsel, Audit Services and Institute Compliance, the [Caltech Hotline](#), or the [JPL Ethics Help Line](#). Allegations of research misconduct may be reported anonymously.

When a person is unsure whether a particular incident may be research misconduct or not, they may contact or meet with the Associate Vice Provost for Research Policy and Compliance or the JPL Ethics Office to discuss the incident informally to help the individual decide whether an allegation is appropriate. This discussion may be anonymous or based on hypothetical facts. If the incident could not meet the definition of research misconduct, but should otherwise be handled, the individual or allegation may be referred to another, more appropriate office with responsibility for handling such an incident.

Responsibility to Cooperate in Research Misconduct Proceedings

All members of the Caltech Community, including those at JPL or based at off-campus facilities, have a responsibility to cooperate in the review of allegations of research misconduct during an assessment, inquiry or investigation. This responsibility includes providing all relevant information, research records, and evidence and maintaining confidentiality, when appropriate.

Responsibility to Maintain Confidentiality

To the extent possible, Caltech will limit disclosure of the identity of Respondents, Complainants, and witnesses while conducting the research misconduct proceedings to those who need to know², as determined by Caltech, and consistent with conducting a thorough, competent, objective and fair research misconduct proceeding. Notwithstanding the foregoing, Caltech must disclose the identity of Complainants, Respondents, witnesses and other relevant persons as required by applicable federal regulations or directives, when requested for federal agency reviews of a Caltech research misconduct proceeding, or as otherwise required by any Sponsored Research Requirements.

This limitation on disclosure of the identity of Respondents, Complainants and witnesses no longer applies once Caltech has made a final determination of research misconduct findings.

Unless otherwise required by applicable law, any records or evidence from which research subjects might be identified must always be kept confidential, and disclosure is limited to those who have a need to know to carry out the research misconduct proceeding.

² Those who need to know, other than the persons conducting or managing the research misconduct proceedings may include institutional leadership, institutional review boards, journals, editors, publishers, co-authors, and collaborating institutions.

Prohibition on Retaliation and Protection or Restoration of Reputation

Caltech prohibits retaliation against anyone who makes a good faith allegation of suspected research misconduct, in accordance with its [Whistleblower Policy](#). Any potential or actual retaliation against a Complainant, Respondent, witness, or research misconduct inquiry or investigation committee member should be reported to the Research Integrity Officer and handled as described in the Caltech Whistleblower Policy. The Research Integrity Officer will review the alleged retaliation and, when warranted, take steps to protect or restore the position and reputation of the person against whom the retaliation was directed.

If a Complainant makes an allegation that is not in good faith³, the Research Integrity Officer will inform the Provost (on campus) or the JPL Director who will refer the matter for possible disciplinary action.

When requested and as appropriate, Caltech will make all reasonable and practical efforts to protect or restore the reputation of Respondents alleged to have engaged in research misconduct, but against whom no finding of research misconduct was made.

Conflicts of interest

No person may participate in the Assessment, inquiry, or investigation (other than the Complainant, Respondent, and witnesses) if they have unresolved personal, professional or financial conflict of interest with the Complainant, Respondent, or any witness. Similarly, and consistent with Caltech's [Conflicts of Interest Policy](#), a person with an unresolved conflict with regard to the research misconduct proceeding, should not participate in the assessment, inquiry or investigation.

Institutional Responsibilities

General Institutional Responsibilities

Caltech will maintain an active Assurance on file with the Office of Research Integrity and will file annual reports, as required.

Caltech will maintain and inform the Caltech Community about these policies and procedures and make these policies and procedures publicly available.

Caltech will respond to each allegation of research misconduct in a thorough, competent, objective, and fair manner and will take all reasonable and practical steps to ensure the cooperation of Respondents and other Caltech Community members with research misconduct proceedings, including, but not limited to, their providing information, research records, and other evidence.

Caltech is responsible for determining who the Research Sponsors are for the alleged misconduct. Caltech will review all Sponsored Research Requirements and regulations, and coordinate with Research Sponsors if there is more than one set of applicable regulations or Sponsored Research Requirements.

³ 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.

Caltech will provide notices and communicate with federal agencies or Research Sponsors as required by regulation or Sponsored Research Requirements. Caltech will promptly notify the federal agency, or Research Sponsor if required, of any Special Circumstances that may arise.

Caltech will cooperate with federal agencies or any Research Sponsor, as required by regulation or Sponsored Research Requirements, during any research misconduct proceeding or compliance review. This includes addressing deficiencies or additional allegations in the institutional record if directed by a federal agency or other Research Sponsor. Caltech will also assist in administering and enforcing any administrative actions imposed on members of the Caltech community by federal agencies or Research Sponsors.

Caltech may take steps to manage published data or acknowledge that data may be unreliable.

Institutional Responsibilities Regarding Evidence and the Institutional Record

Before or at the time of notifying the Respondent of the allegation(s) and whenever additional items become known or relevant, Caltech will promptly take all reasonable and practical steps to obtain all research records and other evidence and sequester them securely. Caltech will ensure that the institutional record contains all required elements, i.e., research records that were compiled and considered during the proceedings, assessment documentation, and inquiry and/or investigation reports.

Upon completion of the inquiry or the research misconduct proceedings, Caltech will transmit the inquiry report or the institutional record, as applicable, to federal agencies and Research Sponsors, if required.

Caltech will maintain the institutional record and all sequestered research records and other evidence in a secure manner for seven years after completion of the institutional and/or any related federal proceeding.

Caltech will provide information related to the alleged research misconduct and proceedings to federal agencies upon request and as required by regulation or Sponsored Research Requirements. If required, Caltech will transfer custody or provide copies of the institutional record or any component of it and any sequestered evidence to a federal agency, regardless of whether the evidence is included in the institutional record.

Institutional Responsibilities to Complainants, Respondents, Witnesses and Committee Members

Confidentiality: Caltech will provide confidentiality consistent with this policy for all Complainants, Respondents, and Witnesses in a research misconduct proceeding.

Free from Conflict: Caltech will take precautions to ensure that individuals responsible for carrying out any part of the research misconduct proceeding do not have potential, perceived, or actual personal, professional, or financial conflicts of interest with the Complainant, Respondents, or Witnesses in a research misconduct proceeding.

Protect Position and Reputations of Individuals: Caltech agrees to take all reasonable and practical steps to protect the positions and reputations of Complainants, Witnesses and Committee Members and to protect these individuals from retaliation by Respondents and/or other institutional members consistent

with this policy. Finally, Caltech will make all reasonable, practical efforts, if requested and as appropriate, to protect or restore the reputation of Respondents against whom no finding of research misconduct is made.

Institutional Responsibilities to the Respondent(s) During Research Misconduct Proceedings

Caltech will make a good-faith effort to notify the Respondent(s) in writing of the allegations being made against them.

Caltech is responsible for giving the Respondent(s) copies of or supervised access to the sequestered research records.

Caltech will notify the Respondent whether the inquiry found that an investigation is warranted, provide the Respondent an opportunity to review and comment on the inquiry report, and attach their comments to the inquiry report.

If an investigation is commenced, Caltech will notify the Respondent, give written notice of any additional allegations raised against them not previously addressed by the inquiry report, and allow the Respondent(s) an opportunity to review the witness transcripts.

Caltech will give the Respondent(s) an opportunity to read and comment on the draft investigation report and any information or allegations added to the institutional record, and Caltech will give due consideration to admissible, credible evidence of honest error or difference of opinion presented by the Respondent.

Caltech will bear the burden of proof, by a preponderance of the evidence, for making a finding of research misconduct.

Institutional Responsibilities to the Committee Members

Caltech will ensure that a committee or person acting on Caltech's behalf is familiar with and conducts research misconduct proceedings in compliance with this policy.

Research Integrity Officer

Caltech's Research Integrity Officers (RIO) are Caltech's Vice Provost for Research and JPL's Chief Scientist. The RIOs have primary responsibility for implementing Caltech's policy and procedures for addressing allegations of research misconduct in compliance with this policy, any federal regulations, and sponsor requirements. The same individual will not serve as both the RIO and the Institutional Deciding Official (IDO).

The RIOs' responsibilities may include:

- meeting with people in confidence who are unsure if they should bring an allegation;
- receiving allegations of research misconduct;
- assessing or appointing a Designated Official to assess allegations of research misconduct to determine whether an inquiry is warranted;
- sequestering and maintaining relevant data and other evidence;

- communicating with Respondents, Complainants, and witnesses regarding the process, allegation, evidence, and reports as described herein;
- conducting an inquiry or appointing another Designated Official to conduct the inquiry if the Division Chair or inquiry committee has a conflict of interest;
- appointing a chair and other members of the investigation committee;
- ensuring that no person with an unresolved potential or actual conflict of interest is involved in the process;
- protecting persons from retaliation or helping restore the positions or reputations of Complainants and witnesses acting in good faith;
- informing the Provost and, if the alleged misconduct occurred at JPL, the JPL Director, and others who need to know the status of research misconduct proceedings;
- notifying and providing reports to federal agencies and other sponsors;
- ensuring that Caltech's administrative actions are enforced and notifying other relevant parties of those actions; and
- maintaining the records of the research misconduct process.

The RIOs may delegate some or all their responsibilities, as they deem appropriate, and must not participate in research misconduct proceedings if they have an actual or potential conflict of interest as described above. The RIOs may conduct the assessment and inquiry independently or delegate their responsibilities during the assessment and inquiry stages to the appropriate Division Chair or other appropriate designated institutional official (Designated Official).

The Associate Vice Provost for Research Policy and Compliance, in consultation with the Office of the General Counsel, will support the RIOs and their delegates to ensure the RIO responsibilities are fulfilled. In the investigation stage, the RIOs typically delegate their responsibilities to the Associate Vice Provost for Research Policy and Compliance on campus and a member of the Ethics Office at JPL, to oversee the investigation process. The Associate Vice Provost for Research Policy and Compliance and the member of the JPL Ethics Office will work together, as appropriate.

Complainant

The Complainant means a person who, in good faith, makes an allegation of research misconduct. Complainants are not limited to members of the Caltech Community. An allegation is made in good faith when the Complainant has a reasonable belief in the truth of their allegation or testimony, based upon information known to the Complainant at that time.

Apart from bringing the allegation, the Complainant's responsibilities include maintaining confidentiality, and unless the Complainant is anonymous, cooperating with the assessment, inquiry and investigation. In certain circumstances, such as when an allegation is brought anonymously, there is no Complainant.

Respondent

The Respondent means a person against whom an allegation of research misconduct is directed, or who is the subject of a research misconduct proceeding. Additional Respondents may be identified during an inquiry or investigation. The Respondent's responsibilities include maintaining confidentiality and cooperating with the inquiry and investigation.

The Respondent has the burden of going forward with and proving, by a preponderance of evidence, any affirmative defenses raised. The Respondent's destruction of research records documenting the questioned research is evidence of research misconduct where a preponderance of evidence establishes that the Respondent intentionally or knowingly destroyed records after being informed of the research misconduct allegations. The Respondent's failure to provide research records documenting the questioned research is evidence of research misconduct where the Respondent claims to possess the records but refuses to provide them upon request.

The Respondent will not be present during the witnesses' interviews but will be provided with a transcript of the interview after it takes place. The Respondent will have opportunities to (a) view and comment on the inquiry report, (b) view and comment on the investigation report, and (c) submit any written comments on the draft inquiry report to Caltech within a clearly specified time period (not less than 5 calendar days) of receipt and submit any written comments to the draft investigation report to Caltech within 30 days of receipt.

If admitting to research misconduct, the Respondent will sign a written statement specifying the affected research records and confirming the misconduct was falsification, fabrication, and/or plagiarism; committed intentionally, knowingly, or recklessly; and a significant departure from accepted practices of the relevant research community.

Committee Members

Committee members are experts who act in good faith to cooperate with the research misconduct proceedings by impartially carrying out their assigned duties for the purpose of helping Caltech meet its responsibilities pursuant to this policy, applicable federal regulations and other sponsor requirements. Committee members will have relevant scientific expertise and be free of real or perceived conflicts of interest with any of the parties involved. A committee may be formed for an inquiry, if needed; however, a committee will always be formed to carry out a research misconduct investigation at Caltech.

Committee members or anyone acting on behalf of Caltech will conduct research misconduct proceedings consistent with this policy, applicable federal regulations and other Sponsored Research Requirements. During an investigation, committee members participate in recorded interviews of each Respondent, Complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the Respondent(s). They will also determine whether or not the Respondent(s) engaged in research misconduct and document the decision in the investigation report. They consider Respondent and/or Complainant comments on the draft inquiry/investigation report(s) and document that consideration in the investigation report.

An investigation into multiple Respondents may proceed with one committee including the same investigation committee members or anyone acting on behalf of Caltech, but will issue separate investigation reports and separate research misconduct determinations for each Respondent. Committee members may serve for more than one investigation, in cases with multiple Respondents. Committee members may also serve for both an inquiry (as needed) and the investigation.

Witnesses

A witness is any available person who has been reasonably identified as having information regarding any relevant aspect of an investigation. Witnesses provide information for review during research

misconduct proceedings. Witnesses will cooperate with the research misconduct proceedings in good faith and have a reasonable belief in the truth of their testimony, based on the information known to them at the time.

To the extent possible, witnesses shall be interviewed during the proceedings, provided with a transcript of their own interviews, and given a reasonable period of time to make corrections to the transcript to be included in the record.

Institutional Deciding Official

The Institutional Deciding Official (IDO) makes the final determination of research misconduct findings. The IDO cannot serve as the RIO. The IDO documents their determination in a written decision that includes whether research misconduct occurred, and if so, what kind and who committed it, and a description of the relevant actions Caltech has taken or will take to correct the research record. The IDO's written decision becomes part of the institutional record.

Research Misconduct Proceedings

The research misconduct proceedings will consist of an assessment to determine whether an inquiry is necessary and, if necessary, the inquiry will be conducted to determine whether an investigation must be conducted. The following sections describe each of these phases of the proceedings, including responsibilities of individuals involved and the institute.

If multiple Respondents are involved, each will be given the same rights and opportunities as the others. If a new Respondent is added later in the proceedings, they will be given the same rights and opportunities as the initial Respondent, including being provided an opportunity to respond to the allegations against them. Typically, only allegations specific to a particular Respondent will be included in correspondence with or reports provided to that Respondent.

When allegations involve research conducted at multiple institutions, Caltech can decide to conduct a joint research misconduct proceeding with the other institutions. If this is the case, one institution will be designated as the lead institution. In a joint research misconduct proceeding, the lead institution should obtain research records and other evidence pertinent to the proceeding, including witness testimony, from the other relevant institutions. By mutual agreement, the joint research misconduct proceeding may include committee members from each of the institutions involved. The determination of whether an inquiry and/or investigation is warranted, whether research misconduct occurred, and the institutional actions to be taken may be made by the institutions jointly or tasked to the lead institution.

Typically, sponsors are not notified until it is decided that a set of allegations will move to investigation; however, immediate notice may be required should there be Special Circumstances, as defined herein. Additionally, if there is a reasonable indication of possible criminal violations, relevant authorities must be informed and Caltech may take appropriate institutional action to protect the public health, federal funds and equipment, and the integrity of the research process.

Caltech is required to report to government agencies with applicable regulations when it appears a research misconduct proceeding has been made public prematurely so that the agency may take appropriate steps to safeguard evidence and protect the rights of those involved. Agencies may take interim actions, such as suspending an existing award; suspending eligibility for federal awards;

proscribing or restricting particular research activities, for example, to protect human or animal subjects; requiring special certifications, assurances, or other, administrative arrangements to ensure compliance with applicable regulations or terms of an award; requiring more prior approvals; deferring funding action on continuing grant increments; deferring a pending award; and restricting or suspending participation as an reviewer, advisor, or consultant.

The Office of Research Policy on campus or the JPL Ethics Office at JPL will provide administrative and procedural support and the Office of General Counsel will provide legal support for the research misconduct proceeding.

Respondent Admissions

A Respondent may make an admission of research misconduct. Caltech will have to carefully consider the admission and decide whether Respondent's admission fully addresses the scope of the misconduct, before considering closing the research misconduct proceedings.

If required by any regulation or Sponsored Research Requirements, Caltech will promptly notify an agency or Research Sponsor, in advance, if at any point during the proceedings (including the assessment, inquiry, or investigation stage) it plans to close a research misconduct case because the Respondent has admitted to committing research misconduct or a settlement with the Respondent has been reached. If the Respondent admits to research misconduct, Caltech will not close the case until providing the agency or Research Sponsor, as applicable, with the Respondent's signed, written admission. The admission must state the specific fabrication, falsification, or plagiarism that occurred, which research records were affected, and that it constituted a significant departure from accepted practices of the relevant research community. Further, Caltech must not close the case until providing the agency or Research Sponsor, as applicable, a written statement confirming the Respondent's culpability and explaining how Caltech determined that the Respondent's admission fully addresses the scope of the misconduct. The agency or Research Sponsor, as applicable, may approve or conditionally approve the admission and closure of the case, direct Caltech to continue the proceedings, or direct Caltech to address deficiencies in the institutional record.

The Assessment

Conducting an Assessment

The purpose of the assessment is to determine whether an allegation warrants an inquiry.

When an allegation of research misconduct is received by an official other than a Research Integrity Officer, it should be immediately brought to the Research Integrity Officer's (RIO) attention. The RIO may conduct the assessment or delegate their responsibility to the appropriate Division Chair or to an appropriate JPL personnel (Designated Official).

The RIO or their Designated Official will promptly assess the allegation to determine whether the allegation (1) falls within the definition of research misconduct; (2) falls within scope of this policy, and (3) is sufficiently credible and specific enough so that potential evidence of research misconduct may be identified. When all these criteria are met, an inquiry must be conducted.

If the allegation is true but does not fall within the definition of research misconduct, the RIO or the Designated Official, as appropriate, will provide counsel to the Complainant and try to resolve the issue through a satisfactory means other than this policy.

The RIO may engage the Office of Research Policy or the JPL Ethics Office for administrative or procedural support and the Office of General Counsel for legal support for the duration of the research misconduct proceeding.

Inquiry Required

If an inquiry is required, the RIO or their Designated Official will (a) document the Assessment, (b) initiate sequestration of evidence, and (c) promptly initiate the inquiry. Caltech must retain the assessment documentation securely for seven years after completion of the research misconduct proceedings.

Inquiry Not Required

If an inquiry is not required, the RIO or their Designated Official will document the assessment and keep sufficiently detailed documentation to permit later agency or Research Sponsor reviewers to understand the reasons why Caltech did not conduct an inquiry. The research misconduct proceedings are complete, and Caltech must retain the assessment documentation securely for seven years after completion of the research misconduct proceedings.

The Inquiry

Purpose and Timeline

The purpose of the inquiry is to conduct an initial review of the evidence to determine whether an allegation warrants an investigation. The inquiry does not require a full review of all the evidence related to the allegation.

Caltech will notify the Respondent of the allegations, and the inquiry will begin.

Caltech will complete the inquiry within 90 days of initiating it unless circumstances warrant a longer period, in which case, Caltech will sufficiently document the reasons for exceeding the time limit in the inquiry report.

Caltech will notify Respondent(s) that an investigation is warranted, after the inquiry is complete, and within 30 days of determining that an investigation is warranted, but before an investigation begins. If an investigation is not warranted, Caltech will notify Respondent(s) and end the research misconduct proceedings.

As required by regulation or Sponsored Research Requirements, all relevant federal agencies and other Research Sponsors should receive notice of the investigation and be provided with any required documentation. The time scale for informing agencies and Research Sponsors is as prescribed by each agency or Research Sponsor. For example, in the case of research funded by Public Health Service, the Office of Research Integrity must be provided with the final inquiry report (including the determination to proceed to an investigation and this policy) within 30 days. In the case of research funded by the

National Aeronautics and Space Administration, the Office of the Inspector General must be notified as soon as possible once it has been determined that the inquiry supports a formal investigation.

Initiating an Inquiry

When Caltech's Assessment of an allegation of research misconduct leads to the determination that an inquiry is necessary, the Division Chair, or JPL Chief Scientist (as applicable) will typically serve as the Designated Official responsible for initiating and conducting an inquiry. The Designated Official must use subject matter experts, as needed, to assist in the inquiry.

In some circumstances, it may be appropriate for Caltech or the RIO to appoint someone other than the Division Chair or the JPL Chief Scientist as the Designated Official, or to appoint a committee to conduct the inquiry. Such circumstances could include, for example, when there is an actual or potential conflict of interest, more than one Division is involved, or where specific scientific expertise is sought.

The RIO may also wish to notify the Provost, JPL Director, and/or President of the pending inquiry at this stage.

Conducting an Inquiry

The Research Record and Other Evidence

Sequestration

Whenever possible, Caltech must obtain the research records or other evidence:

- (1) Before or at the time the institution notifies the Respondent of the allegation(s); and
- (2) Whenever additional items become known or relevant to the inquiry or investigation.

Before or at the time of notifying Respondent of the inquiry, Caltech will promptly take all reasonable and practical steps to obtain all research records and other evidence, which may include copies of the data or other evidence so long as those copies are substantially equivalent in evidentiary value, needed to conduct the research misconduct proceeding; inventory the research records and other evidence; and sequester them in a secure manner. Where the research records or other evidence are located on or encompass scientific instruments shared by multiple users, Caltech will obtain copies of the data or other evidence from such instruments, so long as those copies are substantially equivalent in evidentiary value to the instruments. Caltech will obtain, inventory, and securely sequester evidence whenever additional items become known or relevant to the inquiry or any subsequent investigation.

Access to research records

Where appropriate, Caltech will give the Respondent copies of, or reasonable supervised access to, the research records that are sequestered in accordance with this section.

Maintenance of sequestered research records and other evidence

Caltech will maintain the sequestered research records and other evidence for seven years after completion of the Caltech research misconduct proceeding or for seven years after the completion of any federal agency or other sponsor proceeding involving the research misconduct allegations and proceedings, whichever is longer.

Notifying the Respondent

The inquiry begins when Caltech, usually through the Designated Official or inquiry Committee, makes a good-faith effort to notify the Respondent, in writing, that an allegation(s) of research misconduct has been raised against them, that the relevant research records have or are being sequestered, and that an inquiry will be conducted to decide whether to proceed with an investigation. The Respondent will be given an opportunity to respond to the allegations in writing. (Typically 5-7 days).

If additional allegations are raised, Caltech will notify the Respondent in writing. When appropriate, Caltech will give the Respondent copies of, or reasonable supervised access to, sequestered materials. The Respondent is entitled to receive a copy of this research misconduct policy.

If additional Respondents are identified, Caltech will provide written notification to the new Respondents. All Respondents will be given the same rights and opportunities. Only allegations specific to a particular Respondent will be included in the notification to that Respondent and each Respondent will have an opportunity to respond to the allegations against them. Typically, any reports sent to an individual Respondent will only include allegations and analysis specific to that Respondent.

Notifying the Complainant

At the discretion of the RIO, and when it would be helpful to the inquiry, the Complainant may be notified that an inquiry was warranted based on their allegation.

Designated Official and Committee Neutrality

Caltech will confirm that the Designated Official appointed to conduct the inquiry or, in the case of the appointment of an inquiry Committee, does not/do not have conflicting interests. Caltech will ensure that the Designated Official and, as applicable, all inquiry committee members, understand(s) their commission, will keep the identities of Respondents, Complainants, and witnesses confidential, and will conduct the research misconduct proceedings in compliance with this policy, applicable federal regulations, or sponsor requirements.

The Inquiry

The Designated Official or inquiry Committee conducting the inquiry will conduct a preliminary review of the evidence. In the process of fact-finding, the Institutional Official or inquiry Committee may interview the Respondent, Complainant, and/or witnesses.

If additional allegations are raised against an existing Respondent and/or new Respondents are added during the inquiry, Caltech will ensure that all Respondents are provided with notice as provided in this

policy. Should a new research institution become involved, Caltech will coordinate with the new institution, in accordance with this policy.

The Designated Official or inquiry Committee will not determine whether research misconduct occurred, nor assess whether the alleged misconduct was intentional, knowing or reckless; such a determination is not made until the case proceeds to an investigation.

Witnesses

Interviews of Respondent or witnesses can be conducted if they would provide additional information for Caltech's review.

Determining Whether an Investigation is Warranted

Preliminary evidence, including the testimony obtained during the inquiry, will be evaluated. Based on this evaluation the Designated Official or inquiry Committee will recommend whether an investigation is warranted.

An investigation is warranted if (a) there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct under this policy, (b) the research falls within the scope of this policy, and (c) the preliminary information-gathering and fact-finding indicates that the allegation may have substance.

The Institutional Official or inquiry Committee cannot determine if research misconduct occurred, nor assess whether the alleged misconduct was intentional, knowing, or reckless; such a determination is not made until the case proceeds to an investigation.

The Inquiry Report

At the conclusion of the inquiry, regardless of whether an investigation is warranted, the Institutional Official or the inquiry Committee will prepare a written inquiry report. The contents of a complete inquiry report will include:

1. the name, professional aliases, and position of the Respondent and Complaint(s)
2. a description of the allegations of research misconduct
3. the funding source/sponsor (including, for example, grant numbers, grant applications, contracts and publications listing the support),
4. the name of the Designated Official or the names of the inquiry Committee members, as applicable, as well as their position(s) and subject matter expertise
5. an inventory of sequestered research records and other evidence and description of how sequestration was conducted
6. transcripts of interviews (if transcribed)
7. the inquiry timeline and procedural history
8. Any scientific or forensic analyses conducted
9. the basis for recommending that the allegations warrant an investigation
10. the basis on which any allegations do not warrant an investigation
11. any comments provided on the Draft inquiry Report by the Respondent or Complainant(s)
12. documentation of potential evidence of honest error or difference of opinion
13. any other sponsor-required elements

14. any institutional actions implemented, including internal communications or external communications with journals or funding agencies

Draft Inquiry Report

A draft inquiry Report will be generated including elements 1-10, and 12-14, if available. Caltech will give the Respondent a copy of the draft inquiry report for review and comment along with a copy of this Policy. Caltech will provide the Respondent with a clearly specified timeframe (not less than five calendar days) in which to review and provide their comments in writing.

At the discretion of the RIO, if it would be helpful to the inquiry, Caltech may provide relevant portions of the Draft inquiry Report to Complainant(s) for comment.

Final Inquiry Report

When appropriate, the Final inquiry Report may be revised in response to comments on the Draft inquiry Report received from the Respondent and Complainant(s), if any, and will also include, in an attachment, those comments on the draft inquiry report provided by the Respondent and/or Complainant(s). The final inquiry report will also include any institutional actions implemented, including internal communications or external communications with journals or funding agencies or sponsors.

Include a copy of the Caltech policy in force at the time, an inventory of the research record, evidence reviewed and relevant documents, and any Special Circumstances that may exist with the final inquiry report.

Conclusion of the Inquiry

The inquiry is concluded when the RIO receives the final inquiry report (including revisions as described above) and provides their determination, in writing, as to whether an investigation is warranted.

Investigation is Warranted

If the RIO determines that an investigation is warranted, Caltech must:

- (a) Notify Respondent: Within 30 days of determining whether an investigation is warranted, but before the investigation begins, Caltech will provide written notice to the Respondent(s) of the decision to conduct an investigation of the alleged misconduct. The notice should include any allegations of research misconduct not addressed during the inquiry. Respondent(s) will receive a copy of the final inquiry report, a copy of any applicable federal regulations or sponsor requirements, and a copy of this policy; and
- (b) Notify Sponsor: As required by regulation or Sponsored Research Requirements, all relevant federal agencies and other Research Sponsors should receive notice of the investigation and be provided with any required documentation including, for example, a copy of the inquiry report. The time scale for informing agencies and Research Sponsors is as prescribed by each agency⁴ or Research Sponsor.

⁴ PHS requires notice within 30 days, including a copy of the final inquiry report, copies of Caltech policies and notify ORI of any Special Circumstances.

- (c) Notify Complainant, if desired: On a case-by-case basis, Caltech may choose to notify the Complainant that there will be an investigation of the alleged misconduct. Such notification is not required; however, should Caltech provide notice to a Complainant, it must provide the same notification to all Complainants in cases where there is more than one Complainant.

Investigation is Not Warranted

If the RIO determines that an investigation is not warranted, the research misconduct proceeding ends. Caltech will keep sufficiently detailed documentation to permit a later review by a federal agency or sponsor as to why Caltech did not proceed to an investigation, store these records in a secure manner for at least seven years after the termination of the inquiry, and provide them to appropriate federal agencies or sponsors upon request.

The Investigation

Purpose and Timeline

The purpose of an investigation is to formally develop a factual record, pursue leads, examine the record, and recommend finding(s) to the Institutional Deciding Official (IDO), who will make the final decision, based on a preponderance of evidence, on each allegation and determine any institutional actions to correct the research record. As part of its investigation, Caltech will pursue diligently all significant issues and relevant leads, including any evidence of additional instances of possible research misconduct, and continue the investigation to completion.

Within 30 days of determining that an investigation is warranted, Caltech will provide notice to the Respondent and the investigation will begin.

All relevant federal agencies and Research Sponsors should be informed of the investigation as required by regulation or Sponsored Research Requirements.

Caltech will complete all aspects⁵ of the investigation within 180 days of initiating it. If unable to complete the investigation in 180 days, Caltech will request an extension from the relevant agency or Research Sponsor, if required, in writing and include the circumstances or issues warranting extra time. The reasons for exceeding 180 days must be included in the final investigation report. Grants of extension may require progress reports to the agency or Research Sponsor.

Initiating an Investigation

Within 30 days from the determination that an investigation is warranted, Caltech must begin the investigation. All relevant federal agencies and other Research Sponsors should be informed as required by regulation or Sponsored Research Requirements.

⁵ All aspects of the investigation includes conducting the investigation, preparing the draft investigation report for each Respondent, providing the draft report to each Respondent for comment, obtaining the decision by the Institutional Deciding Official (IDO), and transmitting the institutional record including the final investigation report and decision by the IDO, to a research sponsor, in accordance with regulation or sponsor agreement.

When an investigation is initiated, interim administrative action may be required to protect the interests of Complainants, Respondents, students, faculty, staff, colleagues, human subjects, sponsors, or Caltech while the investigation proceeds. Possible administrative actions include implementing administrative leaves and temporary suspension of the research.

Conducting an Investigation

Notifying Respondent

Caltech will notify the Respondent(s), in writing, of the allegations to be investigated within 30 days of determining that an investigation is warranted and before the investigation begins. Caltech will also give the Respondent(s) written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue any allegations not addressed during the inquiry or in the initial notice of the investigation.

If any additional Respondent(s) are identified during the investigation, Caltech will notify them of the allegation(s) and provide them an opportunity to respond to the allegations, consistent with this policy, all applicable federal regulations, and any Sponsored Research Requirements. Caltech may choose to either conduct a separate inquiry for each new Respondent or add the new Respondent(s) to the ongoing investigation.

Sequestering Evidence

Caltech will obtain the original or substantially equivalent copies of all research records and evidence needed to conduct the research misconduct proceeding that were not previously sequestered during the inquiry (as well as whenever additional items become known or relevant to the investigation). The need for additional sequestration of records for the investigation may occur for any number of reasons, including a decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry and Caltech will inventory sequestered materials, store them in a secure manner, and retain them for seven years after Caltech's research misconduct proceeding or any federal sponsor proceeding, whichever is later.

Convening an Investigation Committee

The RIO, in consultation with the Division Chair and other Caltech administrators, as appropriate, will propose an investigation committee and a committee chair.

The investigation committee should include individuals with the appropriate scientific expertise to evaluate the evidence and issues related to the allegation, interview the Respondent and Complainant and any relevant witnesses, and conduct the investigation. If applicable, members of an inquiry committee may also be appointed to the investigation committee, and the investigation committee may include people from outside of the Caltech community.

The investigation committee must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with the individuals involved in the investigation or any other conflicts relevant to the investigation. The RIO, at their discretion, may provide the Respondent

with the names of the potential investigation committee members and solicit Respondent's comments, to be provided in writing within 3 calendar days, on the suitability of the proposed members before the committee is finalized.

After vetting investigation committee members for appropriate scientific expertise, and conflicts of interest, the RIO will provide the committee with a formal written charge. The charge will:

- a. describe the allegations and related issues identified during the inquiry;
- b. identify the Respondent(s);
- c. provide the inquiry report;
- d. inform the committee that it must conduct the investigation as prescribed by this policy and pursue diligently all significant issues and leads that are determined relevant to the investigation, including any evidence of additional instances of possible research misconduct. Diligent pursuit includes conducting interviews, and examining all research records and other evidence that are determined relevant to reaching a decision on the merits of the allegations;
- e. define research misconduct;
- f. identify any applicable federal regulations;
- g. inform the committee that it must evaluate the evidence and testimony to determine for each allegation, whether, based on a preponderance of the evidence, they will recommend a finding of research misconduct and, if so, the type of research misconduct and who was responsible;
- h. inform the committee that, in order to recommend a finding of research misconduct, they must find that:
 - i. the Respondent's conduct is a significant departure from accepted practices of the relevant research community;
 - ii. the Respondent committed the research misconduct intentionally, knowingly, or recklessly; and
 - iii. the allegation of research misconduct, as defined in this policy, is proven by a preponderance of the evidence (Respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion);
- i. inform the committee that it must prepare or direct the preparation of a written investigation report, including their recommended findings, consistent with this policy.

The RIO will convene the committee to provide the written charge and ensure that the members understand their responsibility to conduct the research misconduct proceedings in compliance with this policy and all applicable regulations or sponsor requirements.

Conducting the Investigation

The investigation committee will pursue diligently all significant issues and leads that are determined relevant to the investigation, including any evidence of additional instances of possible research misconduct. In this pursuit, the committee will conduct interviews, pursue leads, and examine all research records and other evidence relevant to reaching a decision on the merits of the allegation(s).

If additional allegations are raised against an existing Respondent and/or new Respondents are added during the investigation, Caltech will ensure that all Respondents are provided with notice as provided in this policy. Should a new research institution become involved, Caltech will coordinate with the new institution, in accordance with this policy.

The investigation committee must ensure that the investigation is thorough and sufficiently documented and that it includes examination of all research records and evidence relevant to reaching a decision on the merits of each allegation. The investigation committee must take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical.

The investigation committee will complete all aspects of the investigation, including conducting the investigation, preparing the draft investigation report for each Respondent, providing the draft investigation report(s) to each Respondent, allowing each Respondent to comment, and submitting the investigation report to the IDO for final determination. The IDO must complete their evaluation, make a decision regarding findings of research misconduct, prescribe any institutional actions to correct the research record, and have Caltech provide the findings and all required documentation to sponsors, as necessary. The entire investigation, including the investigation report, IDO decision, and conveyance of documentation to sponsors, is to be completed in 180 days. If additional time is required, see Purpose and Timeframe, above.

Conducting Interviews

The investigation committee will interview each Respondent, Complainant(s), and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the Respondent. Caltech will number all relevant exhibits and refer to any exhibits shown to the interviewee during the interview by that number. Caltech will record and transcribe interviews during the investigation and make the transcripts available to the interviewee for correction. Caltech will include the transcript(s) with any corrections and exhibits in the institutional record of the investigation. The Respondent will not be present during the witnesses' interviews, but Caltech will provide the Respondent with a transcript of each interview, with redactions as appropriate to maintain confidentiality.

Burden of Proof

The investigation committee has the burden of proof for recommending that Caltech make a finding of research misconduct. A finding of research misconduct must be proved by a preponderance of the evidence.

- A Respondent's destruction of research records documenting the questioned research is evidence of research misconduct where Caltech establishes by a preponderance of the evidence that the Respondent intentionally or knowingly destroyed records after being informed of the research misconduct allegations.
- A Respondent's failure to provide research records documenting the questioned research is evidence of research misconduct where the Respondent claims to possess the records but refuses to provide them upon request.

The Respondent has the burden of going forward with and proving, by a preponderance of the evidence, all affirmative defenses raised. In determining whether Caltech has carried the burden of proof imposed by this part, the finder of fact shall give due consideration to admissible, credible evidence of honest error or difference of opinion presented by the respondent.

The Respondent has the burden of going forward with and proving, by a preponderance of the evidence, any mitigating factors relevant to a decision to impose administrative actions after a research misconduct proceeding.

The Investigation Report

Once it has reached its conclusion, the investigation committee must prepare a draft investigation report, incorporating the elements 1-9 and 11, as specified below for the investigation Report.

The final investigation report must include:

1. a description of the nature of the allegation(s) of research misconduct, including any additional allegation(s) addressed during the research misconduct proceeding;
2. the current and former funding sources, including, for example, grant numbers, grant applications, contracts and publications listing the support, as well as any pending proposals;
3. a description of the specific allegations of research misconduct considered in the investigation of the Respondent;
4. composition of investigation committee, including name(s), position(s), and subject matter expertise;
5. an inventory of the sequestered research records and evidence reviewed, except records the institution did not consider or rely on. This inventory will include manuscripts and funding proposals that were considered or relied on during the investigation. The inventory will also include a description of how any sequestration was conducted during the investigation;
6. transcripts of all interviews conducted;
7. identification of the specific published papers, manuscripts submitted but not accepted for publication (including online publication), sponsor funding applications, progress reports, presentations, posters, or other research records that contain the allegedly falsified, fabricated, or plagiarized material;
8. any scientific or forensic analyses conducted;
9. a copy of this policy;
10. any comments made by the Respondent and Complainant on the draft investigation report and the investigation committee's consideration of those comments;
11. a statement for each separate allegation of whether the investigation committee recommends a finding of research misconduct.; and
12. As applicable, the investigation committee should also provide a list of any current support or known applications or proposals for support that the Respondent has pending with sponsors.

If the committee recommends a finding of research misconduct for an allegation, the investigation report must, for that allegation: (1) identify the individual(s) who committed the research misconduct, (2) indicate whether the research misconduct was falsification, fabrication, and/or plagiarism, (3) indicate whether the research misconduct was committed intentionally, knowingly, or recklessly, (4) identify any significant departure from the accepted practices of the relevant research community and that the allegation was proven by a preponderance of the evidence, (5) summarize the facts and the analysis which support the conclusion and consider the merits of any explanation by the Respondent, (6) identify the specific funding sources supporting the research, and (7) identify whether any publications need correction or retraction.

If the investigation committee does not recommend a finding of research misconduct for an allegation, the investigation report must provide a detailed rationale.

Draft Investigation Report

Caltech will give the Respondent a copy of the draft investigation report and, concurrently, a copy of, or supervised access to, the research records and other evidence that the investigation committee considered or relied on. The Respondent will submit any comments on the draft report to Caltech within 30 days of receiving the draft investigation report.

When it would be helpful to the investigation and, at Caltech's discretion, Caltech may share a copy of the draft investigation report or relevant portions of it with the Complainant(s) for comment. In such case, the Complainant's comments will be submitted within 30 days of the date on which they received the report.

Caltech will add any comments received to the final investigation report.

In some instances, the Respondent and Complainant may be asked to sign a confidentiality agreement before receiving the draft report. The Respondent and Complainant comments will be included in the record, considered, and when appropriate, addressed in the Final investigation Report.

Final Investigation Report

Before drafting the final report, the committee must consider any comments received from the Complainant or Respondent and revise the report, if appropriate. The final investigation report must also include comments on the draft investigation report by the Respondent and Complainant, if any, in an attachment.

Conclusion of the Investigation

Institutional Decision

The investigation committee will transmit the final investigation report to the Institutional Deciding Official (IDO). The IDO, at their discretion, may consult with the investigation committee regarding the report and recommended institutional action(s).

The IDO will review the final investigation report and make a final written determination of whether Caltech finds research misconduct and, if so, who committed the misconduct. In this written statement, the IDO will include a description of relevant institutional actions taken or to be taken to correct the research record and notify research sponsors, as required.

Appropriate institutional actions include, but are not limited to, withdrawal or correction of all pending or published abstracts and papers emanating from the research where research misconduct was found, retraction or correction of submitted grant applications with data emanating from the research where research misconduct was found, and restitution of funds to the grantor federal agencies or other sponsors, as appropriate.

When it is determined that there is no finding of research misconduct, the IDO, in consultation with the RIO and other institutional leadership, should decide what steps need to be taken to correct the record and protect or restore the reputation of all parties involved. In addition, when the allegation was made

in good faith, the IDO, in consultation with the RIO and other institutional leadership should determine what steps might be necessary to prevent retaliatory action against the Complainant.

Finally, the IDO will forward the investigation report to the President, along with the full record of the inquiry and investigation, institutional actions taken, and recommendations for disciplinary action regarding Respondent, if any. Possible disciplinary actions against the Respondent include, but are not limited to, removal from the project, a letter of reprimand, additional oversight, probation, suspension, demotion, salary reduction, termination, and revocation of a degree conferred based on the research misconduct.

Completing and Transmitting the Institutional Record

After the IDO has made a final determination of research misconduct findings, Caltech will add the IDO's written decision to the investigation report and organize the institutional record in a logical manner.

The institutional record consists of the records that were compiled or generated during the research misconduct proceeding, except records the institution did not rely on. These records include documentation of the assessment, a single index listing all research records and evidence, the inquiry report and investigation report, and all records considered or relied on during the investigation. The institutional record also includes the IDO's final decision and any information the Respondent provided to the institution. The institutional record must also include a general description of the records that were sequestered but not considered or relied on.

Once complete, the institutional record should be transmitted to the appropriate federal agency or research sponsor as appropriate.

Records Retention

Caltech must maintain the institutional record and all sequestered evidence including physical objects (regardless of whether the evidence is part of the institutional record) in a secure manner for seven years after completion of the proceeding or the completion of any federal research misconduct proceeding involving the research misconduct allegation, whichever is later, unless custody has been transferred to the federal agency, as described below, or unless the federal agency authorizes, in writing, earlier destruction.

On request, Caltech must transfer custody, or provide copies, of the institutional record or any component of the institutional record and any sequestered evidence (regardless of whether the evidence is included in the institutional record) to a federal agency to conduct its oversight review, develop the administrative record, or present the administrative record in any federal research misconduct proceeding.

Common Sponsor Research Misconduct Policies for Grantees and Contractors

1. Public Health Service [42 CFR Part 93](#); [Grants Policy Statement 4.1.28](#) (March 2026)
2. National Science Foundation [45 CFR Part 689](#); [PAPPG, Chapter XII.C](#) (January 2026)

3. National Aeronautics and Space Administration [14 CFR Part 1275; Grants and Contracts Manual 16.15](#) (March 2025)
4. Department of Energy [2 CFR Part 910 Subpart B §910.132](#)
5. Department of Defense [DoDI 3210.7](#) (October 2018)
6. Private Sponsors:
 - a. [American Heart Association](#) (2026)