# RIOS:

### REMINDERS FOR HANDLING

## **ALLEGATIONS OF RESEARCH MISCONDUCT**







# REPAR

ORI

Know your policies and establish procedures for handling allegations and whistleblower protections **before you have a case**.

**Coordinate** with your institution's general counsel, IT, PR, security, and other compliance offices.



**NOTIFY** 

Inform ORI:

- Before an investigation begins. §93.304(d)
- Before closing a case.
  893.316(a)
- When exigent circumstances arise. §93.318

Ensure proper oversight of proceedings

Notify respondent in writing:

At the time of or before beginning an inquiry. §93.307(b)

RESPONDENT

- ➤ If an investigation is warranted. §93.308(a)
- Describing the allegations before the investigation begins. §93.310(c)
- Describing all new allegations that may arise. §93.310(c)

Uphold respondent's right to respond to allegations

#### INQUIRIES If an INVEST

Complete



§93.307(g)

If an **INVESTIGATION** is warranted...

Begin Investigation & Notify ORI



§93.310(a) §93.309(a)

Complete

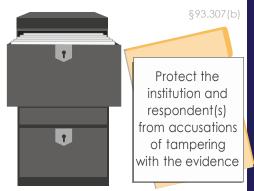


§93.311(a)

# **SEQUESTER**

At the time of or before beginning an inquiry:

- Promptly take all reasonable steps to obtain custody of relevant research records and evidence.
- Inventory and sequester the records and evidence in a secure manner.





Ensure fair proceedings and safeguard the rights of those involved



**Pursue all leads** relevant to the investigation.

# Determine if research misconduct extends beyond the initial allegation(s).

IS THERE ENOUGH EVIDENCE FOR A FINDING?

1

Is there a **significant departure** from accepted practices of the relevant research community?

2

Was the misconduct committed **knowingly**, **intentionally**, or **recklessly**?



893.104

Can the allegation be proven by a preponderance of the evidence?

IF IN DOUBT, ASK ORI: ori.hhs.gov/rrta | askori@hhs.gov | @HHS\_ORI

Website

Fmail

Twitter

REMEMBER: Research misconduct can occur while proposing, performing, reporting, or reviewing research.