

All citations refer to Public Health Service Policies on Research Misconduct; Final Rule, 42 C.F.R. Part 93 (2005)

### PREPARE

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.

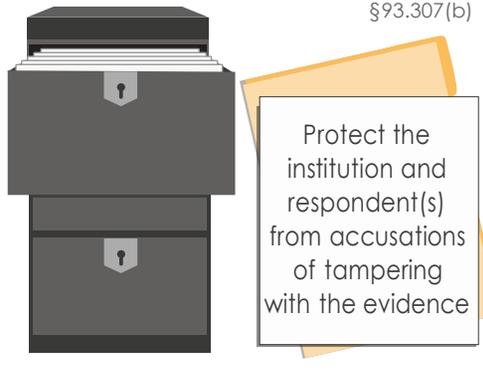


### SEQUESTER

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.**

§93.307(b)



Protect the institution and respondent(s) from accusations of tampering with the evidence



Maintain **confidentiality** to protect respondents, complainants, and research subjects. §93.304(a)

Prevent unresolved **conflicts of interest.** §93.304(b)

Protect complainants, witnesses, and committee members from retaliation. §93.304(l)

Ensure fair proceedings and safeguard the rights of those involved

### NOTIFY

**ORI**

Inform ORI:

- Before an investigation begins. §93.304(d)
- Before closing a case. §93.316(a)
- When exigent circumstances arise. §93.318

Ensure proper oversight of proceedings

**RESPONDENT**

Notify respondent in writing:

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

### SCOPE



**Pursue all leads** relevant to the investigation. §93.310(h)

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

### INQUIRIES

Complete	If an <b>INVESTIGATION</b> is warranted...	
within 60 days	Notify ORI & Begin Investigation	Complete
§93.307(g)	§93.309(a) §93.310(a)	§93.311(a)

### IS THERE ENOUGH EVIDENCE FOR A FINDING?

§93.104

- 1 Is there a **significant departure** from accepted practices of the relevant research community?
- 2 Was the misconduct committed **knowingly, intentionally, or recklessly**?
- 3 Can the allegation be proven by a **preponderance of the evidence**?