Institutions, that receive Public Health Service biomedical research funding, must have written policies and procedures for addressing allegations of research misconduct and must respond to each allegation (§93.300(a-b)).

DEFINITION OF RESPONDENT: Respondent means the person against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding (§93.225).

MISCONDUCT MUST BE PROVEN BY EVIDENCE
Allegations of research misconduct must be proven by a preponderance of evidence (§93.104(c)).

ACCESS TO RESEARCH RECORDS
Where appropriate, the institution must give the respondent copies of, or reasonable, supervised access to the research records (§93.305(b)).

PROTECTING THE RESEARCH RECORD
Taking custody of all the research records and evidence needed to conduct the research misconduct proceeding by the institution (§93.305(a)) is done to protect the integrity of the evidence and to develop a complete record of relevant evidence (§93.304(m)).

NOTICE OF INVESTIGATION
Notify the respondent in writing of the allegations within a reasonable amount of time after determining that an investigation is warranted, but before the investigation begins (§93.310(c)).

NOTICE OF NEW ALLEGATIONS
The institution must give the respondent written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of investigation (§93.310(c)).

COMMENTING ON INVESTIGATION REPORT
The institution must provide the respondent an opportunity to review and comment on the draft investigation report, and attach any comments received to the report (§93.310(c)).

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