



Policy No: **110.02**  
Revision Date: 3/29/2017  
Effective Date: 2/1/2011

## UNIVERSITY POLICIES & PROCEDURES

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Category:	Research
Title:	<b>RESPONDING TO ALLEGED MISCONDUCT IN RESEARCH</b>
Applicability:	Thomas Jefferson University (Center City)

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### I. INTRODUCTION

#### A. General Policy

Thomas Jefferson University, Center City (“TJU”) is committed to fostering a climate conducive to the conduct of health-related research. This commitment entails an obligation by the University, all of its employees, and other members of the University community to conduct all research-related activities with honesty, integrity and professionalism. Occasionally, the research environment may give rise to allegations of scientific misconduct. When such allegations are made, the academic collaborative process is jeopardized, and the public trust and pursuit of scientific truth are endangered. Accordingly, the University is obligated to fully investigate such allegations and take all necessary corrective actions. This policy serves as a formal framework to address and resolve allegations of scientific misconduct.

#### B. Scope

This policy and implementing procedures apply to all individuals at TJU engaged in research at TJU Center City, from the proposal stage through the conclusion, regardless of funding status. This includes any person paid by, or under the control of TJU, such as scientists, trainees, technicians and other staff members, students, fellows, guest researchers, or collaborators.

This policy will be followed when an institutional official receives any written allegation of possible misconduct in science. However, particular circumstances in an individual case may dictate variation from these procedures. Any change from these procedures must ensure fair treatment to the subject of the inquiry or investigation and must be approved by the Associate Provost for Research Conduct and Compliance (APRCC) who also serves as the Institutional Research Integrity Officer (RIO). The scope of this policy does not apply to authorship or collaboration disputes and applies only to allegations of research misconduct.

### II. DEFINITIONS

A. **Research Integrity Officer (“RIO”)** means the institutional official responsible for: (1) assessing allegations of research misconduct to determine if they fall within the definition of research misconduct and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified; (2) overseeing inquires and investigations; and (3) the other responsibilities described in this policy.

**B. *Research record*** means any data, document, computer file, computer diskette, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an allegation of scientific misconduct. A research record includes, but is not limited to, any grant or contract applications; grant or contract progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; X-ray films; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

**C. *Retaliation*** means any action taken by TJU or an employee that adversely affects the employment or other institutional status of an individual because the individual has in good faith made an allegation of scientific misconduct or of inadequate TJU response thereto, or has cooperated in good faith with an investigation of such an allegation.

**D. *Scientific misconduct*** is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Fabrication is making up data or results and recording or reporting them. Falsification is 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. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. Research misconduct does not include honest error or differences of opinion. In order for the conduct to constitute scientific misconduct, the conduct must have been committed intentionally, knowingly or recklessly and be a significant departure from the accepted practices of the relevant research community. The allegation of scientific misconduct must be proven by a preponderance of the evidence.

### **III. GENERAL POLICIES AND PRINCIPLES**

#### **A. Responsibility to Report Misconduct**

Individuals should report observed, suspected, or apparent misconduct in science to the RIO or other institutional officials. Institutional officials shall promptly advise the RIO of any and all reports received. The allegation must be reported in writing, be detailed and specific, and be accompanied by any supporting documentation. Ideally, the allegation should be signed and dated by the individual making the charge but it may be made anonymously. If an individual is unsure whether a matter involves scientific misconduct, he/she may contact the RIO to discuss the matter informally.

#### **B. Confidentiality**

It is the RIO responsibility, with the assistance of Office of Legal Affairs (OLA) to ensure confidentiality to the fullest extent possible. Only those persons with a need to know shall be told of the allegation or information about the inquiry/investigation. Individuals who make, receive, or learn of an allegation of scientific misconduct must maintain confidentiality throughout the process. Each participant in the proceedings will be required to sign a Confidentiality Agreement.

The RIO may determine that the need for confidentiality in a particular case is outweighed by factors such as patient safety or security. In such cases, the need to disclose specific information will be discussed in advance if possible, with all of the pertinent parties.

### **C. Protecting the Complainant / Whistleblower**

Regardless of whether or not TJU determines that scientific misconduct occurred, the RIO and OLA will undertake reasonable efforts throughout and after the inquiry and / or investigation process to protect individuals from retaliation in the terms and conditions of their employment or other status at TJU. These individuals might include Complainants who make allegations of scientific misconduct in good faith, persons who are critical of the institutional response thereto, and others who cooperate in good faith with inquiries and/or investigations of such allegations. All instances of alleged retaliation will be reviewed for appropriate action. Employees should immediately report any alleged or apparent retaliation as per TJU Policy 107.06, Prohibition Against Retaliation for Good Faith Reporting of Noncompliance.

### **D. Protecting the Respondent**

Inquiries and investigations will be conducted in a manner that reasonably ensures fair treatment and confidentiality to the fullest extent possible. Respondents may retain at their own expense personal legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case). An advisor or legal counsel may accompany the Respondent to any Investigation Committee meeting where the Respondent's presence is required, but may not participate in or interrupt the investigative hearings in any way. Advisors or legal counsel are not permitted to attend Inquiry Committee meetings.

If TJU finds no misconduct after the inquiry and/or investigation process and ORI concurs, the RIO in consultation with the Respondent and the appropriate Institutional officials such as the Department Chair and/or Dean of the relevant college, will undertake reasonable efforts to restore the Respondent's reputation. See ORI's Sample Policy and Procedures for Responding to Allegations of Scientific Misconduct for further guidance.

### **E. Cooperation with Inquiries and Investigations**

Institutional employees will cooperate with the RIO, OLA, and other TJU officials in the review of allegations and the conduct of inquiries and investigations.

### **F. Preliminary Assessment of Allegations**

Upon receiving an allegation of scientific misconduct, the RIO will review the written allegation and supporting documentation and determine whether the allegation falls within the definition of scientific misconduct, whether an inquiry is warranted, and whether PHS support or PHS applications for funding are involved. Upon completion of this review, the RIO may determine that an inquiry is not warranted but that administrative or other remedial measures should be taken. Accordingly, the RIO will refer the matter to the appropriate institutional officials for implementation of administrative or other remedial measures. If an inquiry is warranted, the RIO will notify the Office of Research Integrity (ORI) immediately if:

1. There is an immediate health hazard involved;
2. There is an immediate need to protect Federal funds or equipment;
3. There is an immediate need to protect the interests of the Complainant or Respondent, as well as his/her co-investigators and associates, if any;
4. It is probable that the alleged incident is going to be reported publicly;
5. The allegation involves a public health sensitive issue, *e.g.*, a clinical trial; or
6. There is a reasonable indication of a possible Federal criminal violation. In this instance, the institution must inform ORI within twenty-four (24) hours of obtaining that information.

## **G. Sequestration of Research Records**

If an inquiry is planned, the RIO along with OLA must ensure that all pertinent research records and relevant materials are immediately secured. Additional guidance on sequestration is available from the ORI Sample Procedures on Responding to Allegations of Scientific Misconduct.

## **IV. CONDUCTING THE INQUIRY**

### **A. Initiation and Purpose of the Inquiry**

The RIO will identify the original allegation and any related issues to be evaluated. The purpose of the inquiry is to make a preliminary evaluation of the available evidence and the Committee, at its discretion, may hear testimony of the Respondent, Complainant, key witnesses or others to determine whether there is sufficient evidence of scientific misconduct to warrant an investigation. The purpose of the Inquiry Committee is **not** to reach a final conclusion about whether misconduct occurred but to ascertain whether scientific misconduct **may** have occurred.

### **B. Appointment of the Inquiry Committee**

Within ten (10) days of receipt of an allegation, the RIO, in consultation with the Chair of the Committee on Research, will appoint an inquiry Committee consisting of no less than three individuals: two members of the Committee on Research and at least one faculty member with competence in a relevant scientific area. The Committee will be chaired by the Chair of the Committee on Research and provided staff support by the RIO's ' office. None of the Committee members shall be from the same department or work as collaborators with either the Complainant or the Respondent.

On appointment of the Committee, the RIO will provide to the Respondent and his/her applicable Department Chair and/or Dean written notice detailing the nature of the allegation and the Committee membership. The Respondent will be provided with a copy of this policy and must provide the Committee with a written response to the allegation within fifteen (15) days. The Respondent may also submit a written objection to any Committee member or expert (engaged in accordance with subsection D below) based on bias or conflict of interest within five (5) days of appointment or engagement. The RIO will determine whether to replace any challenged member or expert with a qualified substitute.

### **C. Charge to the Committee and the First Meeting**

The RIO, in consultation with OLA, will prepare a charge for the Committee describing the allegations and any related issues and explaining the purpose of the Committee. At its first meeting, the RIO and OLA will review the charge, review inquiry procedures, assist the Committee with organizing plans for the inquiry, and answer any questions. The RIO may be present and the RIO and OLA will be available throughout the inquiry to advise the Committee, as needed.

### **D. Inquiry Process**

The Committee shall be empowered to review all records and materials. The Committee may engage experts or others to assist it at its discretion. The Respondent may be interviewed and given an opportunity to mount evidence at the inquiry level at the discretion of the Inquiry Committee. Before reaching a determination, the Committee will evaluate the evidence and any testimony obtained during the inquiry. After consultation with the RIO and OLA, the Committee will decide whether there is

sufficient evidence of possible scientific misconduct to recommend further investigation. If the Committee determines that further evaluation is not warranted, documentation sufficient to permit assessment of the reasons why a formal investigation was deemed unwarranted shall be confidentially maintained in the office of the RIO.

## **V. THE INQUIRY REPORT**

### **A. Elements of the Inquiry Report**

A written inquiry report must be prepared that lists:

1. The name and position of the Respondent;
2. The name and title of the Committee members and experts;
3. A description of the allegation(s);
4. Any funding support of the respondent;
5. A summary of the inquiry process;
6. A list of the research records reviewed;
7. Summaries of any testimony; and
8. A description of the evidence in sufficient detail to demonstrate whether an investigation is warranted or not.

The Inquiry Committee's written report shall recommend one (1) of three (3) possible actions to the RIO:

1. Dismissal of Allegation: The allegation of misconduct in research is false and/or frivolous. The Inquiry Committee must provide justification of this conclusion in its report.
2. Administrative Action: The allegation does not warrant further investigation but issues were identified that require administrative actions. The RIO will consult with the appropriate Department Chair and/or Dean that will determine what administrative remedies are available and implement them as necessary. If a Department Chair is involved, the determination and imposition of administrative remedies fall under the purview of the Provost.
3. An Investigation is required: A more detailed investigation of the allegation is warranted.

### **B. Inquiry Decision and Notification**

The Committee's final report will be submitted to the RIO who will forward a copy of it to the Respondent within seven (7) days. Any comments received from the Respondent within seven (7) days of his/her receipt of the report will be made a part of the record as an addendum. The RIO will forward a copy of the report to the Provost who will determine in writing whether an investigation is warranted. The inquiry is completed when the Provost makes this determination. If an investigation is required, the Provost will direct the RIO to appoint an Investigation Committee in accordance with Section VI, subsection C below. If PHS funds are involved, TJU's decision to initiate an investigation must be reported in writing to the Director, ORI, on or before the date the investigation begins. If the Provost decides that an investigation is not warranted, the RIO shall secure and maintain sufficiently detailed documentation of the inquiry in accordance with Section X below to permit a later assessment by ORI of the reasons why an investigation was not conducted. These documents must be provided to ORI or other authorized HHS personnel upon request. See ORI's Sample Policy and Procedures for Responding to Allegations of Scientific Misconduct for further guidance.

### **C. Time Limit for Completing the Inquiry Report**

The Committee will complete the inquiry and submit its report in writing to the RIO no more than sixty (60) calendar days following its first meeting, unless the RIO approves an extension for good cause. The RIO must document the reason for any extension and notify the Respondent.

## **VI. CONDUCTING THE INVESTIGATION**

### **A. Purpose of the Investigation**

The purpose of the investigation is to explore the allegation and evidence in depth, and to determine specifically whether misconduct was committed. The investigation will also determine whether there are additional instances of possible misconduct that justify broadening the scope beyond the initial allegations.

### **B. Sequestration of the Research**

At the time the decision is made to conduct further investigation, the RIO, with the assistance of OLA, will immediately sequester any additional pertinent research records that were not previously sequestered during the inquiry.

### **C. Appointment of the Investigation Committee**

The RIO, in consultation with other institutional officials, as appropriate, will appoint an Investigation Committee and the Committee chair within twenty (20) days of the receipt of the Inquiry Report. The Committee shall consist of at least two (2) senior TJU faculty members with sufficient scientific expertise to analyze the research issues, at least one (1) scientist with sufficient scientific expertise from outside the university, and other members as appropriate. None of the members of the Committee shall have any personal responsibility for or involvement in the research under investigation or have served on the Inquiry Committee. The Committee shall be staffed by the office of the APRCC and be advised by OLA. The RIO and the OLA representative will serve on the Investigation Committee *ex officio*.

### **D. Notification of the Respondent**

The RIO shall provide written notice to the Respondent that an investigation is being undertaken and of the proposed Committee membership within five (5) days of the Committee's appointment. In addition, other appropriate parties shall be provided written notification that an investigation is being undertaken.

If the Respondent submits a written objection to any appointed member of the Investigation Committee or expert (engaged in accordance with subsection F below) based on bias or conflict of interest within five (5) days of receipt of notice, the RIO will determine whether to replace the challenged member or expert with a qualified substitute.

### **E. Charge to the Committee and the First Meeting**

The RIO, in collaboration with OLA, will draft a written charge that: (1) describes the allegations and related issues identified during the inquiry, (2) defines scientific misconduct, and (3) identifies the Respondent. The charge will state that the Committee is to evaluate the evidence and any testimony. The RIO, with the assistance of OLA, will convene the first meeting within thirty (30) days of the

appointment of the Committee. At the first meeting, the Committee will be instructed to review the charge, the inquiry report, and the prescribed procedures for conducting the investigation.

## **F. Investigation Process**

The Investigation Committee shall undertake a thorough examination of all allegations, including a review of all relevant evidence. The Committee may engage experts or others to assist it at its discretion. The Respondent shall be afforded the opportunity to be interviewed and to present evidence to the Investigation Committee, to review its report, and to have the advice of and advisor or counsel but not their participation as described in §III.D. The Committee will maintain appropriate records of the proceedings, which may include written summaries, transcripts, videotape, or any other such record that the Committee may deem acceptable. Written summaries of all testimony shall be maintained, provided to the testifying party for comment, and included as part of the investigation file. The Respondent shall be furnished copies of summaries of all testimony and copies of all documentary evidence considered by the Committee.

## **VII. THE INVESTIGATION REPORT**

### **A. Elements of Investigation Report**

The final investigative report must:

1. Describe the nature of the allegation of research misconduct, including identification of the Respondent;
2. Describe and document the funding support, including, for example, the numbers of any grants that are involved, grant applications, contracts, and publications listing funding support;
3. Describe the specific allegation(s) of research misconduct considered in the investigation;
4. Identify and summarize the research records and evidence reviewed and identify any evidence taken into custody but not reviewed;
5. Include a statement of findings for each allegation of research misconduct identified during the investigation. Each statement of findings must: (1) identify whether the research misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (2) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by respondent to establish by a preponderance of the evidence that he or she did not engage in research misconduct because of honest error or a difference of opinion; (3) identify the specific funding support; (4) identify whether any publications need correction or retraction; (5) identify the person(s) responsible for the misconduct; and (6) list any current support or known applications or proposals for support that the respondent has pending with non-PHS federal agencies.
6. Describe the policies and procedures governing the investigation;
7. Describe how and from whom information was obtained;
8. State the findings of the Committee, the basis for the findings, and where appropriate, state the Committee's recommendations for administrative actions or sanctions, as appropriate.

The Committee report must reach one (1) of three (3) possible conclusions:

1. No misconduct in research was proven; or

2. No misconduct in research was proven, but issues were identified that require administrative remedies; or
3. Misconduct in research was proven.

OLA will review the report for legal sufficiency.

#### **B. Dissemination of Report**

Upon completion of the investigation, the Committee will forward a copy of its written report to the RIO who will provide a copy to the Respondent. The Respondent will be allowed seven (7) days to review and comment on the report, and those comments will be attached to the report as an addendum. The Complainant will also receive those portions of the investigation report that address his/her role in the investigation. After comments have been received and the necessary changes or amendments have been made to the draft report, the Investigation Committee shall submit the Committee's report with attachments to the RIO.

#### **C. Time Limit for Completing the Investigation Report**

An investigation should be completed within one hundred and twenty (120) days of the first meeting of the Investigation Committee. This includes conducting the investigation, preparing the report, submitting the report to the Respondent for comment, submitting the report to the RIO, submitting the report to the Provost for review, and submitting the report to the Office Research Integrity (ORI).

If the Committee determines that it will not be able to complete the investigation in one hundred twenty (120) days, the RIO will submit to the ORI a written request for an extension that explains the delay, reports on the progress to date, estimates the date of completion of the report, and describes other necessary steps to be taken. If the request is granted, the RIO will file periodic progress reports as requested by the ORI.

#### **D. Institutional Review and Decision**

The RIO will submit the final report to the Provost for his/her review. The Provost will make the final determination whether to accept the investigation report, its findings, and the Committee's recommended actions. If the Provost decides not to accept the Investigation Committee's report, he/she will explain in detail the basis for that decision in writing. The Provost may also return the report to the Investigation Committee with a request for further fact-finding or analysis. The Provost's determination, together with the Investigation Committee's report, constitutes the final investigation report.

When a final decision has been reached, the RIO will notify the Respondent of the final determination in writing. In addition, the RIO will notify the ORI and determine whether other relevant parties should be notified of the outcome of the case, including funding or sponsoring agencies.

### **VIII. ADJUDICATION OF FINDINGS**

#### **A. Dismissal of Allegations**

If the Provost concurs with the decision of the Investigation Committee to dismiss the allegations, TJU shall use all diligent efforts to restore the reputation of the Respondent, to protect his/her position, and to protect the reputation of the Complainant if it was determined that the complaint was made in good faith.

## **B. Issues Identified Requiring Administrative Remedies**

If the Committee finds that misconduct in research was not proven but identifies issues for administrative action, the Committee may recommend actions to be taken and if the Provost concurs, he/she will confer with the RIO and the Respondent's Department Chair and/or Dean, as applicable to determine and implement the most appropriate administrative actions. The Provost shall make a determination as to whether the administrative remedies recommended are substantially supported by the evidence in the record.

Administrative remedies imposed upon the Respondent may be appealed to the Provost within seven (7) days. The decision of the Provost is final.

## **C. Sanctions for Scientific Misconduct**

Sanctions for misconduct may include but are not limited to dismissal, suspension, probation or re-evaluation of faculty status which may include salary and/or rank reduction, removal from a research project, letter of reprimand, special monitoring of future work, or other sanctions consistent with the relevant college bylaws. The Provost shall forward the findings of the Committee to the appropriate Department Chair and/ or Dean for imposition of sanctions. If the Respondent is a Department Chair or Dean, the Provost shall consider the Committee's recommendations, but will ultimately determine the appropriate sanctions. For non-faculty, the Provost and/or the appropriate Department Chair and/or Dean may recommend the imposition of sanctions as permitted under TJU's disciplinary policies and procedures.

Additionally, the RIO may institute the following actions, where applicable, as may be recommended by the Committee and/or the Provost and the appropriate Department Chair and/or Dean, or as required by law:

1. The agency providing grants for the research in question will be notified of the findings of the Investigation Committee and the sanctions imposed;
2. Institutions and granting agencies will be notified if there is reason to believe that previous research may be questionable;
3. State or federal agencies will be notified as required by law;
4. Restitution of funds as appropriate may be initiated;
5. Journal editors will be notified in writing to the extent the research resulted in tainted publications and / or pending abstracts and papers may need to be amended or withdrawn;
6. State licensing boards will be notified, if applicable; and
7. A record of the Committee's report and sanctions imposed shall be placed in the individual's faculty record.

## **D. Appeal of the Findings of the Investigation**

Other than those findings in Section VIII.B above, the Respondent may appeal the findings of the Investigation Committee by notifying the Provost in writing of his/her intention to do so not more than seven (7) days after the receipt of the Investigation Committee report. The appeal itself must be filed within seven (7) days of the notification and shall set forth the reasons for which it is contended that the findings contained in the report of the Investigation Committee should be overturned or invalidated. Failure of the Respondent to appeal the Committee report within the above referenced timeframe shall be deemed a waiver of the right to appeal by the Respondent. The grounds for appeal will be limited to the

following: (1) the adequacy of the procedures followed (2) the appropriateness of the disciplinary action taken and (3) whether the evidence of record supports the findings.

Should a notification of intent to appeal be received, it is the responsibility of the RIO to notify ORI of the status of the Investigation and request an extension. The notification to ORI should explain the delay, report on the progress to date, estimate the date of completion of the report, and describe other necessary steps to be taken. If the request is granted, the RIO will file periodic progress reports as requested by the ORI.

In considering the appeal, the Provost may review and consider:

1. The Respondent's and/or Complainant's statement(s),
2. The report of the Committee,
3. The summaries of all witness testimony, documentary evidence reviewed, and
4. Any such other materials or interviews he/she may deem appropriate.

Within thirty (30) days after the notice of appeal is filed, or, as soon as reasonably practicable, the Provost shall decide the appeal. The Provost shall make a determination as to whether the findings set forth in the Committee's report; the adequacy of the procedures followed and/or the disciplinary action taken are substantially supported by the evidence in the record.

If the Provost denies the appeal, then he/she shall promptly notify the Respondent that the appeal has been denied and that no further recourse with respect to the investigation or its outcome shall be available. This appeal will constitute a final adjudication.

If the Provost grants the appeal, then he/she shall promptly notify the Respondent accordingly and take such action with respect to the investigation and its outcome as he/she deems necessary or appropriate. Such action will be final and binding and may include, but shall not be limited to determining that the investigation should be reopened and pursued further in certain respects, which the Provost may specify, either by the existing Committee or by a new one appointed by the Provost.

## **IX. OTHER CONSIDERATIONS**

### **A. Termination of Employment or Resignation Prior to Completing Inquiry or Investigation**

The termination of the Respondent's employment, by resignation or otherwise, before or after an allegation of scientific misconduct has been reported, will not preclude or terminate the misconduct procedures. If the Respondent refuses to participate in the process after resignation, the relevant Committee will use its best efforts to reach a determination concerning the allegations, noting in its report the Respondent's failure to cooperate and its effect on the Committee's review of all the evidence.

### **B. Allegations Not Made in Good Faith**

If the Provost concludes that the Complainant's allegations of scientific misconduct were not made in good faith, the Provost will determine whether any administrative action should be taken against the Complainant.

## **X. RECORD RETENTION**

The RIO will maintain a complete file, including the records of any inquiry or investigation, and copies of all documents and other materials furnished to the RIO or Committees in accordance with TJU's Policy on Retention of University Records (Policy #102.39) or as more fully set forth in this Policy. The RIO will maintain and provide to ORI upon request records of research misconduct proceedings, which include the inquiry report and final documents produced in the course of preparing that report, including the documentation of any decision not to investigate and the investigation report and all records in support of that report including the recordings or transcripts of each interview conducted and the complete record of any institutional appeals. See, 42 CFR § 93.317. Unless custody has been transferred to HHS or ORI has advised in writing that the records no longer need to be retained, records of research misconduct proceedings will be maintained in a secure manner for seven (7) years after completion of the proceeding or the completion of any ORI, HHS or PHS proceeding involving the research misconduct allegation, whichever is later. See, 42 CFR § 93.317(b). The RIO is also responsible for providing any information, documentation, research records, evidence or clarification requested by ORI or DHHS to carry out its review of an allegation of research misconduct or of the institution's handling of such an allegation. ORI or other authorized DHHS personnel will be given access to the records upon request, if warranted and within their jurisdiction.

## **XI. ADDITIONAL REQUIREMENTS FOR REPORTING TO ORI**

A. If TJU plans to terminate an inquiry or investigation for any reason without completing all relevant requirements of the PHS regulations, the RIO will submit a report of the planned termination to ORI, including reasons for the proposed termination.

B. When PHS funding or applications for funding are involved and an admission of scientific misconduct is made, the RIO will contact ORI for consultation and advice. Generally, the Respondent will be asked to sign a statement attesting to the occurrence and extent of misconduct. When the case involves PHS funds, TJU shall not accept an admission of scientific misconduct as a basis for closing a case or not undertaking an investigation without prior approval from ORI.

C. The respondent shall be given the opportunity to admit that research misconduct occurred and that he/she committed the research misconduct. With the advice of the RIO and/or other institutional officials, the Provost may terminate the institution's review of an allegation that has been admitted, if the institution's acceptance of the admission and any proposed settlement is approved by ORI.

**Revision Date(s):** 06/01/97, 04/23/2002, 02/01/2011,06/18/14, 3/29/17  
**Review Date(s):** 2/17/2017

**Responsibility for maintenance of policy:** Associate Provost for Research Conduct and Compliance

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**Approved by:**  
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