B. Alternative procedure for conducting the assessment

If the RIO is unavailable to expeditiously perform the assessment, is unable to discern whether an allegation warrants referral for inquiry, or has a potential conflict of interest that could undermine the integrity of the assessment, an ad hoc review committee will be appointed by the IO or the IO's designee to review and assess the allegation. If the ad hoc committee is not readily available to meet, then the allegations may be reviewed with other individuals as deemed appropriate by the IO.

C. Initiation and purpose of inquiry and sequestration of the research records

If the RIO determines that the criteria for an inquiry are met, he/she will immediately initiate the inquiry process. The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether the allegation warrants an investigation. An inquiry does not(at)16 (e) Tw [(a)-

G. Inquiry process

The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether an investigation is warranted. An investigation is warranted if:

1. there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct in the Policy, and

2. preliminary information-gathering and fact-finding from the inquiry indicate that the allegation may have sufficient substance to warrant an investigation, or the available research record is inadequate to make such a determination so that a more detailed analysis is required.

As part of the inquiry, the inquiry committee may interview the respondent, the complainant, and key witnesses as it deems necessary, and will examine relevant research records and materials. However, the committee [illegible]

- the name and position of the respondent
-

findings in the inquiry report are not supported by the information presented, the IO may remand the inquiry report to the inquiry committee chair and request that additional support be provided for the findings, or the IO may designate this function to the RIO.

The outcome of the inquiry will be one of the following:

a. A determination of insufficient evidence to warrant investigation. If there is not sufficient information presented indicating research misconduct to warrant proceeding with an investigation, the IO will notify the respondent of the dismissal of the matter, with a copy to the complainant.

b. A determination of sufficient evidence to warrant investigation. If there is sufficient information presented indicating research misconduct to warrant proceeding with an investigation, the IO will refer the inquiry report and all supporting documentation to the Standing Committee on Research Misconduct, along with the charge to initiate an investigation.

The inquiry is complete when the IO makes this determination. There is no appeal.

2. Notifications

The RIO or inquiry chair must notify the respondent in writing whether the inquiry found that an investigation is warranted. The notice must include a copy of the inquiry report, along with a copy of the Policy and these Procedures, as well as any applicable research sponsor research misconduct policy.

In addition, when the IO determines that an investigation is not warranted, any reference to the allegation in the personnel file of the respondent must be removed promptly

II. The Investigation

The purpose of the investigation is to develop a factual record by exploring the allegation(s) in detail and examining the evidence in depth, leading to recommended findings on whether research misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible research misconduct that would justify broadening the scope beyond the initial allegation(s). This is particularly important where the alleged research misconduct involves clinical trials or potential harm to human subjects, the general public or it if affects research that forms the basis for public, political, or clinical practice, or public health practice.

A. Initiation and notification

If the IO determines that an allegation warrants an investigation, the investigation must begin within 30 days of the determination. The IO, in consultation with other appropriate University officials, may suspend the respondent from further participation in the research project at issue or other institutional responsibilities, but only if the IO determines that serious harm to the respondent or others would be threatened by the respondent's continuance of the respondent's duties. Any such suspension is not alone grounds to interrupt payment of salary.

On or before the date on which the investigation begins, but no more than 30 days after the IO determines that an investigation is warranted, the RIO must notify research sponsors, as required under applicable federal regulations or award terms, of the decision to begin the investigation and, if required, provide them with a copy of the inquiry report. Within a reasonable time after determining that an investigation is warranted, but before the investigation begins, the RIO or chair of the Standing Committee on Research Misconduct must notify the respondent in writing of the allegation to be investigated.

Additional allegations of research misconduct related to the respondent that are raised during the investigation may be addressed by the investigation panel without necessarily having to go through the inquiry process outlined in these procedures. If additional allegations are raised, the respondent must be provided with timely notice of the additional allegations.

B. Sequestration of the research records

Before or at the time the respondent is notified of the investigation, the RIO must take all reasonable and practical steps to obtain custody of and secure any additional research records and evidence needed to conduct the investigation that were not previously sequestered. The sequestration must be consistent with the process set forth in these Procedures. If additional items become known or relevant during the investigation, the RIO must take custody of those records if possible.

C. Referral to Standing Committee and appointment of investigation panel

e. the timeline for completion of the investigation.

The RIO, chair of the Standing Committee, or other designee will meet with the investigation panel at its initial meeting when it receives the charge from the chair of the Standing Committee (or designee) to explain the Policy, the role of the investigation panel in the process, the conduct of the investigation, and the importance of confidentiality. The RIO will offer staff and other resources to support the Standing Committee investigation panel as needed. Examples of support that may be made available are assistance with scheduling, copying, and courier services.

Also at its initial meeting, the investigation panel will select a panel chair who will be responsible(s)-5 ((g)Tw

panel's recommendations are not binding on the Standing Committee or individuals responsible for implementing disciplinary or corrective action.

During the investigation, as with all of the research misconduct proceedings, all documents related to the investigation are treated as limited-access records which are confidential and exempt from disclosure under section 119.07(1), Florida Statutes; they may be released only as provided in section 1012.91(1)(b), Florida Statutes, and University Regulation USF10.017, Limited-Access Personnel Records.

F. Time for completion of investigation

The time for completion of an investigation, from start to finish, is 120 days. This period includes all aspects of the investigation: information gathering, deliberations, preparation of a draft investigation report, consideration of any comments received from the respondent and complainant, preparation of the final investigation report and submission of the report to the chair of the Standing Committee for review by the Standing Committee, consideration of the report and deliberations by the Standing Committee; decision of the Standing Committee a preparation and submission of the Standing Committee report to the [illegible]

H. The investigation report

1. The investigation panel is responsible for preparing a written draft investigation report that complies with the requirements outlined in the U.S. Public Health Service (PHS) regulations at 42 C.F.R. Part 93, except when special factors may suggest a different approach is necessary. These requirements apply to both draft and final investigation reports, which must:

   - Describe the type of research misconduct alleged (fabrication, falsification, or plagiarism) and identify the respondent;
   - Describe the specific allegations of research misconduct considered in the investigation;
   - Describe and document any federal or other external support for the research at issue, including, for example, grant or grant application, and contract numbers and publications listing the support;
   - Identify and summarize the research records and evidence reviewed and identify any evidence taken into custody but not reviewed; and,
   - Include a copy of the Policy and these Procedures as well as any other applicable University policies and procedures under which the investigation was conducted.

2. The statement of findings specific to each allegation must provide a decision as to whether research misconduct did or did not occur and if it did, must:

   - Identify whether the research misconduct was:
     - falsification, fabrication, or plagiarism;
     - a significant departure from accepted practices of the relevant research community; and
     - committed intentionally, knowingly, or recklessly;
   - 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 the respondent to establish by a preponderance of the evidence that the respondent did not engage in research misconduct

- List any current support or known applications or proposals for support that the respondent has pending with any federal or other research sponsors

Finally, if a majority of the investigation panel makes a finding of research misconduct, the investigation panel may include in its investigation report recommendations for corrective action, including sanctions, to the IO. However, such recommendations are not binding on the Standing Committee, the IO, or the individuals responsible for implementing disciplinary or corrective action.

I. Comments on the draft investigation report and access to evidence

The chair of the Standing Committee, the RIO, or designee must provide the respondent with a copy of the draft investigation report for comment and, concurrently, with a copy of or supervised access to the evidence on which the report is based, and may provide the complainant with a copy of the draft report or relevant portions of the draft report for comment. Both the respondent and complainant will have 10 days from the date the draft investigation report or relevant portions of the draft report are received to submit written comments, if any, to the chair of the Standing Committee. Comments received from the respondent and complainant will be considered by the investigation panel when preparing the final investigation report. Whether included in the final report or not,

nominate new investigation panel members for de novo review. If the case is remanded to the original investigation panel, the investigation panel must follow the Standing Committee’s instructions for further consideration or investigation and must prepare a supplemental report to the Standing Committee within 20 days of receiving the Standing Committee’s charge. If a new investigation panel is convened, the new investigation panel must follow the Procedures as set forth in II (The investigation).

Upon receipt of a supplemental report or a report from a newly convened investigation panel, the Standing Committee will proceed as set forth in II.J, including providing the respondent with the supplemental report or new report and inviting a response for the consideration of the Standing Committee in its review of the matter.

K. Standing Committee report

The Standing Committee’s report must be issued within 20 days after receipt of the respondent’s final response or within 20 days of the expiration of the response period, if no response is received. The report must include:

- a summm0.002180shs2 (a)-4 8 -1.21 (i)3 (s)9 (s)-1 (c)1 (e(s)Tj13 (e)1 (w0shs2 (14 (f)7 (t)6 panel;
- a summary of the respondent’s views;
- the Standing Committee’s findings based on the information, after consideration of the ... necesschane (s)9 (h)14 (avj3 (e)1 (b)4 (e)11 (e)1 (n)3.9 (m)e 5 (0d, 4 (e)1 a (t)6 (e)4 (t)6 (h) report, the chair of the Standing Committee or designee will transmit the final Standing Committee and incests99 reports with attachments, including the respondent's and compl(s)9 ainant's comments, if any to the RIO. The RIO mu(s)9 (s6 (t)1 ( )10 (h)e 6 (a)-1 (b)9 (m)-2 (e)1 (t)0.9 (h)-1 (e)-4 (m)2 (i)-2 (n report and the Standing Committee’s report and determine
inc.04 (it)(s)Tng:

1. whether the IO

If the IO's determination varies from the findings of the investigation panel, the IO will, as part of the IO's written determination, explain in detail the basis for rendering a decision different from the findings of the investigation panel.

Alternatively, the IO may return the report to the investigation panel with a request for further fact-finding or analysis.

The IO or IO's designee is responsible for ensuring compliance with all notification requirements of research sponsors. The IO or designee will, in consultation with other appropriate University officials, determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which fabricated, falsified, or plagiarized reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case.

At the IO's direction, the RIO will also notify the Dean of the School or College where the respondent is assigned, as well as the appropriate department chair. The IO or designee must report to the Provost and the Chief Compliance Officer in the USF Office of Compliance & Ethics on the full account of the research misconduct proceedings resulting in any formal finding of research misconduct that requires notification to external stakeholders, including, research sponsors, journals, and others, as appropriate.

N. Maintaining records for eview by r

If the University believes that criminal or civil fraud violations may have occurred, then it must promptly refer the matter to the appropriate investigative office or entity

V. Other considerations

A.

of research misconduct but may nonetheless affect the integrity of USF research and should be reported to Compliance

- 0-026, Compliance & Ethics Program
- 0-027&