You’re the New RIO – Now What?

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Handling Research Misconduct Allegations

- Background
- Definitions
- Process
- Best Practices
RM Definitions - FFP

- **Falsification**
  - 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

- **Fabrication**
  - Making up data or results and recording or reporting them

- **Plagiarism**
  - Appropriating another person’s ideas, processes, results, or words without giving appropriate credit
Not RM

- **Authorship disputes**
- Misuse of grants
- Data management
- Conflict of interest disclosure
- Rigor in research
- ‘Toxic culture’ / Supervision
- IRB/IACUC/IBC non compliance
- Sexual harassment
- HR issues
Damatis Personæ

- **RIO / ARIO** – Research Integrity Office / Assistant Research Integrity Officer

- **Respondent (R)**: A person who is the subject of an allegation

- **Complainant (C)**: A person who makes an allegation

- **Witness (W)**: Person who is pertinent to the RM case
RM Allegation: Review Process

- Allegation Review (assessment)
- Inquiry
- Investigation

If not RM, it could be Detrimental (or Questionable) Research Practices (DRPs or QRPs) – these stray from the norms and appropriate practices of science
Possible Paths

a. Allegation → Assessment → Case Closed

b. Allegation → Assessment → Inquiry → Case Closed

c. Allegation → Assessment → Inquiry → Investigation → No RM Finding → RM Finding
Finding of RM – Assessment Stage

• RIO:
  • Whether the Complainant has alleged acts or omissions that fall within the definition of Research Misconduct (FFP); and
  • Whether the relevant research or research-related activity is of the type covered by the Policy; and
  • Whether the Allegation is sufficiently credible and specific so that potential evidence of Research Misconduct may be identified.
Finding of RM – Inquiry Stage

• Charge:
  
  • A reasonable basis for concluding that the allegation falls within the definition of Research Misconduct; and

  • Preliminary information-gathering and preliminary fact-finding indicates that the allegation may have substance
Finding of RM – Investigation Stage

• Allegation proven by preponderance of the evidence
  AND

• Significant departure from accepted practices of relevant research community;
  AND

• Misconduct committed intentionally, knowingly, or recklessly

Note - does not include honest error or differences of opinion
Inheriting an Ongoing Inquiry or Investigation

- Identify applicable policy/operating procedures
  - Check to insure confidentiality agreements and hold notices are in place
  - Confirm no Col among committee/expert with Respondent, Complainant, witnesses

- Determine status of sequestration
  - If supplemental sequestration: ID team (coordinate with legal counsel; team may include campus police); identify paper vs. electronic sequestration; prepare forms/storage; consult with IT for forensic copy of electronic storage devices

- Determine need for extension of time if PHS policy applies
Finding Help at your University

- Legal Counsel
- Campus police
- Information Technology
- Sponsored Projects
- Human Research Protection Office
- HR
- Subject Matter Expert
Working with your University Team

- Dean’s Office
- Accounting
- Research Compliance or similar office
- Academic Senate (Vice-Provost for Academic Resolutions or equivalent)
- Forensic imaging
Working Outside of Your university

- ARIO or regional groups
- Other RIOs
- RIO boot camps
Working with ORI or Equivalent

• Develop relationship NOW; don’t wait until you have a complaint

• Inviting feds to regional ARIO meetings or retreats
Presenters

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