

Arnold School of Public Health
Misconduct in Research and Scholarship
Approved June 2011

USC research policy RSCH 1.00 Misconduct in Research and Scholarship describes the process to report and investigate any charge of misconduct in research and scholarship. The formal policy describes three major steps: report of the alleged misconduct, preliminary investigation by division head, and formal investigation if deemed appropriate. In full compliance with the formal policy, the Arnold School will implement the following procedures for the preliminary investigation after any report of misconduct.

Action by Division Head (expands upon RSCH 1.00, Section II.B)

1. An important initial decision for the division head (department chair/director) is to determine whether or not it is appropriate for him or her to conduct the preliminary inquiry. If the division head is personally involved to any degree, then this preliminary inquiry must be conducted by the dean. Division heads will report any and all such charges to the dean and work with the dean or his/her designee to decide if the charge(s) has merit or is a frivolous charge. If merit is determined, the division head will form in consultation with the dean or his/her designee an ad hoc review committee composed of the division head, two Arnold School faculty members and one USC SAM designee to review the matter. The purpose of this preliminary inquiry is (a) to exclude frivolous accusations, (b) to distinguish between misconduct and carelessness and incompetence, and (c) to determine whether to conduct a full investigation. Therefore, an inquiry does not require a full review of all the evidence related to the allegation. If invalid results of research have been published, the need for further inquiry or investigation must be considered. The person accused of misconduct must be given an opportunity at this time to answer in writing the charge.

Further investigation is warranted if there is –

- a. A reasonable basis for concluding that the allegation falls within the definition of research misconduct under this part and involves PHS supported biomedical or behavioral research, research training or activities related to that research or research training, and
 - b. Preliminary information-gathering and preliminary fact-finding from the inquiry indicates that the allegation may have substance.
2. For this purpose, the review committee will be led by the division head. It may as a group interview aggrieved and charged faculty members individually and separately. No division head or committee member will be allowed to interrogate aggrieved or charged faculty members without the full review committee present to hear relevant charges, rebuttals and sequences/timelines of pertinent events. The committee should consult with the Director, Office of Research Compliance.
 3. If the division head *in consultation with the review committee and the dean* decides that there are no grounds for a charge of misconduct and that no further inquiry is necessary, a written report of the matter should be submitted to the dean, unless the division head feels that, to protect innocent parties, further communication is inappropriate. If no report is submitted to the dean, the division head must establish a confidential, sequestered file giving the findings of the departmental review and the reasons for not reporting them to the dean. The report (file) shall include what

evidence was reviewed, summaries of relevant interviews, and the conclusions of the inquiry. The file must be kept for a minimum of three years and be available to authorized DHHS personnel. A copy of this file must be sent to the Provost, also a copy of the inquiry report must be given to the accused, and any comments by the accused made part of the inquiry record. The case is then considered closed. Diligent efforts, as appropriate, should be taken at this time to restore the reputation of the accused, and to protect the position and reputation of the person who, in good faith, made the allegation of misconduct.

4. If the division head *in consultation with the review committee* decides that there is reason to suspect that misconduct has occurred, a report to the dean is mandatory. An early oral notification is encouraged, but this should be followed immediately by a written notification. It is desirable for the report to the dean to be prepared in consultation with the ORC and General Counsel of the University.
5. In either event, *the division head must promptly inform the* accused and the accuser of the action taken in the matter.