

Reporting Research Animal Concerns

Summary/Purpose: To provide procedures for reporting and investigating concerns about substandard research animal care or noncompliant research animal use.

I. POLICY

A. Purpose

1. The University of Mississippi strives to uphold the highest standards for care and use of research animals. The Institutional Animal Care and Use Committee (IACUC) has several routine oversight and monitoring procedures, based on federal regulations and AAALAC guidelines, for assuring these standards are met. This policy affords an additional means of care and use oversight – reporting by any person of perceived sub-standard care or noncompliant research animal use. This policy follows the federal regulations cited in B. below, which include protections for individuals who report concerns.
2. Concerned persons should consider first expressing their concerns directly to laboratory personnel involved with the animals or research in question in order to resolve the concerns. However, even when concerns are resolved in such a manner, they may still be reported as described below.

B. Pertinent Regulations

1. “The IACUC shall... review, and, if warranted, investigate concerns involving the care and use of animals at the research facility resulting from public complaints received and from reports of noncompliance received from laboratory or research facility personnel or employees.” *Animal Welfare Act* [9 CFR §2.31(c) (4)].
2. The University will ensure that individuals reporting deficiencies in animal care and treatment are not discriminated against or subject to any reprisal for reporting violations of regulations or standards. *Animal Welfare Act* [9 CFR §2.32(c) (4)].

II. DEFINITIONS

- A. *Good Faith Research Animal Concern Allegation* means an Allegation made with the honest belief that noncompliance or sub-standard care may have occurred. An Allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the Allegation.
- B. *Institutional Animal Care and Use Committee (IACUC)* is the committee charged with oversight of animal research and compliance with federal and state regulations.
- C. *Institutional Official* is the Vice Chancellor of Research and Sponsored Programs.

- D. *Research Animal Concern Allegation*** means an observation of perceived sub-standard care or noncompliant use of research animals concern which is communicated to an IACUC official orally or in writing.
- E. *Respondent*** means the person against whom a Research Animal Concern Allegation is directed or the person whose actions are the subject of the allegation. There can be more than one Respondent.
- F. *Retaliation*** means any action that adversely affects the employment or other institutional status of an individual that is taken by the institution or an employee because the individual has in good faith made a Research Animal Concern Allegation or of inadequate institutional response thereto.
- G. *Whistleblower*** means a person who makes a Research Animal Concern Allegation.

III. PROCEDURES

A. Submitting a Research Animal Concern Allegation

Concerns can be submitted anonymously, in person, in writing, or electronically to the Attending Veterinarian, the IACUC Chair, or the Institutional Official. At any time, an employee, student, or other observer may consult about research animal concerns and about reporting those concerns with any of these individuals.

B. Dissemination of Reporting Procedures

To assure that institutional employees are aware of the process for reporting concerns, the reporting procedures along with the name and contact information of the Attending Veterinarian, IACUC Chair and Institutional Official are posted in the University's animal facilities and on the IACUC website.

C. Initial Review of a Research Animal Concern Allegation

The IACUC Chair will present the Research Animal Concern Allegation to the IACUC Executive Committee (IEC), which includes the IACUC Chair, the Attending Veterinarian, the IACUC Research Compliance Specialist, and the Director of Research Integrity and Compliance for review to determine whether there are sufficient grounds to warrant an investigation. (All IEC members are members of the IACUC.)

D. Investigative Procedures and Outcomes

1. IACUC members who have a conflict of interest will recuse themselves from all procedures.
2. The IEC will inform the IACUC of all allegations and whether an investigation is warranted.

3. The Respondent(s) will be asked to attend investigation meetings to provide a response to the Allegation.
4. Results of the investigation will be presented to the IACUC in writing with recommendations for action. The IACUC will review the final actions.
5. Findings verifying noncompliant use of research animals will result in administrative actions to bring animal use and care into compliance through remedial education or other means and/or suspension of the research in accordance with AWA or PHS regulations. The IACUC will report verified concerns considered severe or continuing to the Institutional Official and to USDA and/or OLAW through the Institutional Official, if warranted. The Institutional Official may recommend sanctions commensurate with the noncompliance portions of the IACUC SOP Handbook.

E. Notification

When a decision on the Allegation has been reached at the initial review stage, the IACUC Chair will notify: the Whistleblower (if not anonymous), the Respondent(s), the IACUC, and the Institutional Official. When a final decision on the Allegation has been reached after the investigation stage, the IACUC Chair will notify: the Whistleblower (if not anonymous), the Respondent, and the Institutional Official.

IV. PROTECTIONS

A. Confidentiality

Any identifying information provided by a Whistleblower will be kept confidential by all individuals involved in the review and/or investigation.

B. Protecting the Whistleblower

The Director of Research Integrity and Compliance will monitor the treatment of institutional employees and students who bring Research Animal Concern Allegations or of inadequate institutional response thereto, and those who participate in investigations. The Director of Research Integrity and Compliance will ensure that these persons will not be retaliated against in the terms and conditions of their employment or other status at The University and will review instances of alleged Retaliation for appropriate action.

Employees and students should immediately report any alleged or apparent Retaliation to the Director of Research Integrity and Compliance. The institution will also protect the privacy of those who report Research Animal Concern Allegations in good faith to the maximum extent possible. For example, if the Whistleblower requests anonymity, the institution will make an effort to honor the request during the Allegation initial review or investigation within applicable policies and regulations and state and local laws, if any. The University will undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make Allegations.

C. Protecting the Respondent

Investigations will be conducted in a manner that will ensure fair treatment to the Respondent(s) and confidentiality to the extent possible without compromising the investigation. If the investigation finds no noncompliance, the Director of Research Integrity and Compliance will undertake reasonable efforts to restore the Respondent's reputation. Depending on the particular circumstances, the Director of Research Integrity and Compliance will consider notifying those individuals aware of or involved in the investigation of the final outcome.

V. ALLEGATIONS

D. Good Faith Allegations

If the investigation finds that the Allegation merits no corrective action or sanctions, but was made in "good faith," the investigation will conclude. No further action will be taken.

E. Allegations Not Made in Good Faith

A Research Animal Concern Allegation not made in "good faith" will be handled in accordance with established University policies and procedures.

VI. RECORDKEEPING

Details of the Good Faith Research Animal Concern Allegation, results of the review of the Allegation, and results of the investigation, if any, will be documented on the Animal Welfare Concerns Report form.

References:

- Animal Welfare Act [9 CFR §2.31(c) (4)]
- Animal Welfare Act [9 CFR §2.32(c) (4)]
- PHS Policy II
- U.S. Government Principle I