

## Appendix C: Summary of Protections and Obligations Applicable to the Respondent\*

During the course of a Research Misconduct Proceeding, the University will make all practical efforts to ensure that core procedural protections are afforded to the Respondent, consistent with obligations to funding agencies and other sponsors.

The Respondent has the right to receive Notice of an Allegation of Research Misconduct and an opportunity to respond to the Allegation. Coincident with those rights are the *responsibilities* of the Respondent, which are included in the following summary.

Specifically, the University will:

1. Make a good faith effort to provide written Notice of the Allegations to the Respondent at the time of, or before, beginning an Inquiry;
2. After Sequestration, except as may be deemed necessary by the RIO, provide the Respondent with copies of, or reasonable supervised access to, the Research Record;
3. Provide the Respondent an opportunity to comment on the Inquiry report and draft Investigation report and attach to the final report any written comments from the Respondent received within the comment period;
4. Notify the Respondent of the outcome of the Inquiry and provide a copy of the final Inquiry report with attachments;
5. Provide the Respondent with written Notice of any revised or new Allegations as they may be identified by the RIO, Inquiry committee, or Investigation committee;
6. Provide the Respondent a full opportunity to respond to the Allegation in writing, in an interview with the Inquiry or Investigation committee, or both (as the Respondent may choose);

NOTE: While the policy does not require that the Respondent be interviewed during an Inquiry, the Respondent may request an opportunity to respond to the Allegations in an interview with the Inquiry committee, and a timely request to do so will normally be granted, in the RIO's discretion. Any interview with the Respondent will be recorded or transcribed.

7. Interview any witness who has reasonably been identified by the Respondent (during the Investigation) as having information on relevant aspects of the Investigation. Interviews with witnesses will normally be recorded or transcribed;
8. Permit the Respondent, at his/her own expense and initiative, to retain and consult with legal counsel or other adviser (who is not also a witness in the proceedings). Respondent's legal counsel or other adviser may attend the Respondent's interview with an Inquiry or Investigation committee and provide advice to the Respondent during the interview, so long as the legal counsel or adviser does not address the committee directly or otherwise interfere with the proceedings.
9. When no finding of Research Misconduct is made, undertake all reasonable and practical efforts to protect or restore the reputation of such a Respondent, if requested and as appropriate, and in consultation with the Respondent;
10. Provide an opportunity for the Respondent to appeal – pursuant to the applicable appeal procedures – any Administrative Actions or Sanctions imposed as a result of a finding or admission of Research Misconduct.

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\* This appendix includes a summary of specific procedural protections and obligations related to the Respondent but does not replace or alter the specific requirements of the policy or applicable regulations.

Policy and Procedures on Responsible Conduct in Research and Scholarly Activities

During a Research Misconduct Proceeding, the Respondent must continue to comply with all applicable University rules and policies. The University expects that the Respondent will:

1. Conduct him/herself professionally and in accord with specific instructions of the RIO, DO, Chief Research Officer, or other University official implementing this policy;
2. Cooperate fully in the Research Misconduct Proceeding;
3. Provide the RIO with all requested information or evidence, including relevant aspects of the Research Record of which the RIO may not be aware, and assist the RIO in locating any evidence that may be relevant but not within the Respondent's immediate control; and
4. Refrain from any form of Retaliation against any Complainant known or suspected by the Respondent. Retaliation for making a Good Faith Allegation or for Good Faith participation in a Research Misconduct Proceeding is specifically prohibited by federal law and by this policy.
5. The Respondent should take care to avoid even the appearance of Retaliation against a person making an Allegation or cooperating with the Research Misconduct Proceeding. If the Respondent has a question about whether contemplated action might constitute prohibited Retaliation, he/she should seek the advice of the RIO.
6. If a Respondent believes that an Allegation has been made in bad faith, he/she should provide a written explanation of that concern to the RIO, who will follow this policy with respect to an Allegation made in bad faith. Raising a concern of bad faith does not entitle the Respondent to suspension or modification of ongoing Research Misconduct Proceedings.

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Respondent acknowledges receipt of Summary of  
Protections and Obligations Applicable to the Respondent

Date: \_\_\_\_\_

\_\_\_\_\_  
Research Integrity Officer

Date: \_\_\_\_\_