PROCEDURES FOR INVESTIGATING AND REPORTING POSSIBLE MISCONDUCT IN SCIENCE

Radiation Therapy Oncology Group
1818 Market Street, Suite 1600
Philadelphia, PA  19103
215-574-3189
215-928-0153 fax

All persons engaged in research at The American College of Radiology (ACR) are responsible for adhering to the highest standards of intellectual honesty and integrity in research. Accordingly, the ACR has adopted the following policies and procedures for investigating and reporting possible misconduct in science. The policies and procedures are adopted pursuant to the requirements of 42 CFR Part 50, Subpart A.

The ACR will follow the notification requirements of the Federal regulation (42 CFR Part 50, Subpart A), Section 50.104(a) (1-7) for all reporting to the OSI.

1. ACR employees who receive or learn of an allegation of scientific misconduct are strongly encouraged to report the allegation to the Director of Scientific Affairs; the ACR designated Research Integrity Officer. The ACR Research Integrity Officer shall be responsible for conducting or designating others to conduct the inquiry. The ACR Research Integrity Officer will inquire immediately into an allegation or other evidence of possible fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. An inquiry is not required for honest error or honest differences in interpretations or judgments of data. The inquiry must be completed within sixty (60) calendar days of its initiation unless circumstances clearly warrant a longer period. A written report shall be prepared stating what evidence was reviewed, summarizing relevant interviews, and including conclusions of the inquiry. The individual(s) against whom the allegation was made shall be given a copy of the report of the inquiry. If the individual(s) comments on that report, their comments may be made part of the record. If the inquiry takes longer than sixty (60) days to complete, the record of the inquiry shall include documentation of the reasons for exceeding the sixty-day period.

2. The ACR will seek to protect, to the maximum extent possible, the privacy of those who in good faith report apparent misconduct in science.

3. The individuals against whom the allegation was made, the respondent, shall be afforded confidential treatment to the maximum extent possible. The individual(s) shall also be afforded a prompt and thorough investigation, and an opportunity to comment on allegations and findings of the inquiry and/or investigation. The ACR shall provide a copy of the report of the investigation to the respondent for comment.
4. The director of ORI will be notified immediately on the basis of the initial inquiry or during the investigation if any of the following conditions exist:

(a) there is an immediate health hazard involved;
(b) there is an immediate need to protect Federal funds or equipment;
(c) there is an immediate need to protect the interests of the person(s) making the allegation or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any;
(d) it is probable that the alleged incident is going to be reported publicly.

5. The ACR will notify the ORI within 24 hours of obtaining any reasonable indication of possible criminal violations, so that ORI may then immediately notify the Office of Inspector General of the Department of Health and Human Services.

6. Sufficient detailed documentation will be maintained of inquiries to permit a later assessment of the reasons for determining that an investigation was not warranted, if necessary. These records will be maintained in a secure manner for a period of at least three years after the termination of the inquiry, and shall be provided to authorized DHHS personnel, if requested by them.

7. If the ACR determines that an investigation will be initiated, the director of the Office of Research will be notified on or before the date the investigation begins.

8. The ACR will undertake an investigation within thirty (30) days of the completion of the inquiry, if findings from that inquiry provide sufficient basis for conducting an investigation. The investigation normally will include examination of all documentation, including but not necessarily limited to, relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. Whenever possible, interviews will be conducted of all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations; complete summaries of these interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file.

9. The ACR will secure the necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence in any inquiry or investigation.

10. Precautions will be taken against real or apparent conflicts of interest on the part of those involved in the inquiry or investigation.

11. The ACR will prepare and maintain documentation to substantiate the investigation's findings. This document shall be made available to the director of ORI who will decide whether the office will either proceed with its own investigation or will act on the ACR's findings.

12. The College will take interim administrative actions, as appropriate, to protect Federal funds and insure that the purposes of the Federal financial assistance are carried out.

13. The ACR will keep the ORI apprised of any developments during the course of the investigation which disclose facts that may affect current or potential Department of Health and Human Services funding for the individual(s) under investigation or that the
PHS needs to know to ensure appropriate use of Federal funds and otherwise protect the public interest.

14. If the ACR plans to terminate an inquiry or investigation prior to the completion of all the steps required by the PHS regulation, Research Integrity Officer will notify the ORI of the planned termination and the reasons therefore. The ORI will review the information provided and advise the ACR whether further investigation should be undertaken.

15. The ACR will complete the investigation and submit a report to the ORI within 120 calendar days of the initiation of the investigation. If the ACR is unable to complete the investigation within 120 days, they will submit a request for an extension in order to complete the investigation. The extension request should include an explanation for the delay, an interim report on the progress to date, an outline of what remains to be done, and an estimated date of completion.

16. The final report to the ORI will include a description of the policies and procedures under which the investigation was conducted, how and from whom information was obtained relevant to the investigation, the findings, and the basis for the findings, text or accurate summary of the views of any individual(s) found to have engaged in misconduct, and a description of any sanctions taken by the ACR.

17. The College will undertake diligent efforts, as appropriate, to restore the reputations of persons alleged to have engaged in misconduct when allegations are not confirmed, and also undertaking diligent efforts to protect the positions and reputations of those persons, who in good faith, make allegations.

18. The ACR will impose appropriate sanctions on individuals when the allegation of misconduct has been substantiated. Such sanctions may include oral admonishment, written reprimand, and recommendation for demotion, suspension or separation.

19. The College will notify the ORI of the final outcome of the investigation.