Office of Research Compliance

- Export Control
- Committee Oversight (IBC, IACUC, IRB, RSC)
- Responsible Conduct of Research
- Conflict of Interest
Export Control

• Export laws and regulations are set in place by the U.S. Government for restricting use of and access to controlled information, goods, and technology for reasons of national security or protection of trade.

Export Control Regulations four main types that affect University activities:
• Transfers of controlled information
• Shipment of controlled physical items
• Verbal, written, electronic, or visual disclosures
• Travel to certain sanctioned or embargoed countries

Fundamental Research Exemption:
• Basic and applied research in science and engineering, where the resulting information is ordinarily published and shared broadly within the scientific community.
Research Committees

- Institutional Animal Care & Use Committee (IACUC)
- Radiation Safety Committee (RSC)
- Institutional Review Board (IRB)

Human Subjects
- Protected Class: Native Americans, Prisoners, Children etc.

- Institutional Biosafety Committee (IBC)
Research Misconduct

- Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results (Office of Science and Technology Policy).

- Note: To be considered research misconduct, the behavior must have been performed “intentionally, knowingly, or recklessly”
Fabrication

• Definition of Fabrication – is making up data or results and recording or reporting them (OSTP).

• Examples of Fabrication:
  • Creating fictional tables, graphs or figures that are placed in manuscripts, grant applications or posters presentations
Falsification

• Definition of Falsification – is 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 (OSTP).

• Examples of Falsification:
  – Manipulating fictional tables, graphs or figures that are placed in manuscripts, grant applications or posters presentations
Plagiarism

• Definition of Plagiarism is the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit (OSTP).

• Plagiarism can appear in a journal article, conference paper, or many other venues.

• Plagiarism occurs when someone else’s words or ideas are used, such as in a results or discussion section, without giving proper credit or attribution to the original author.
Counteracting Plagiarism

• In general, principles of good scholarship stipulate that when writing about the ideas of other people, unless they are considered to be common knowledge, authors must identify their source so that readers may consult the original information.

• When are citations required?
  – Ideas
  – Summarizing
  – Paraphrasing
Federal False Claims Act

- Federal law that imposes liability on persons and companies who defraud governmental programs.
- Civil & Criminal Penalties - fines of $5,000-$10,000 PER false claim
- Whistleblowers empowered to bring actions for false claims – can receive up to 30% of the settlement
Reporting Noncompliance

- MSU encourages employees to discuss suspected legal, regulatory or policy violations with his or her supervisor, Human Resources or other administrators responsible for the program that is the cause of concern.

Confidential Reporting

- MSU Compliance Hotline is available, through a third party provider (EthicsPoint), to provide an independent avenue for confidential reporting of concerns about suspected legal, regulatory or policy violations.
Responsible Conduct of Research (RCR)

• MSU POLICY
  – It is the policy of Montana State University-Bozeman to require the highest ethical standards in the research of its faculty and staff; to inquire into and, if necessary, investigate and resolve promptly and fairly all instances of alleged or apparent misconduct; and, as appropriate, to comply in a timely manner with requirements for reporting cases of possible misconduct to sponsoring agencies when sponsored research funds are involved. Misconduct in research shall be considered a breach of contract between the employee and the University.
MSU RCR Training Plan

- PI’s with federal funding must train all students in RCR
- How: CITI Training, Webinars, MSU
- Report to awarding agency
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<th>Course</th>
<th>Status</th>
<th>Completion Report</th>
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Conflict of Interest

• Defined: exists when an employee has a financial or personal interest in the outcome of an endeavor such that actions or decisions could be perceived as subject to influence in favor of the interest
COI Examples

- Relatives, personal relationships
- Outside employment or consulting
- Sponsored travel
- Equity, ownership
Personal Relationships

- Dating – Students/Professors
- Keep interactions professional
- Why: You are in a position to provide someone direct benefit or detriment via your MSU role
Outside Employment Conflicts

• Opportunities to work for companies that may be related to your MSU research
• Caution! May be asked to sign an agreement that all work for company is owned by the company, limiting your ability to publish your thesis
Supervisory Conflicts

- If your PI/Chair/Advisor has an interest in the company:
  - Disclosure required by PI
  - Management: Advisor switch or addition of Co-advisor
When is COI disclosed?

Whenever presented with a situation where public disclosure might lead an outside observer to believe a conflict exists.
When is COI disclosed?

In Sponsored Research -

a) Prior: e-Proposal clearance form

b) During: if Significant Financial Interest is acquired

*Grad students may fall under PHS definition of “investigator”
When in doubt, disclose!
Agreements

• Nondisclosure Agreement (NDA) and Material Transfer Agreement (MTA) are required when transferring material or information that is proprietary to MSU
• PI should inform you of confidentiality and transfer restrictions
• Work may lead to invention disclosure and intellectual property protection
Why Comply?

• Compliance Regulations are Federal Law
  – Both Criminal and Financial Liability
  – Willful non-compliance