
Valdosta State University Institutional Animal Care & Use Committee

Standard Operating Procedure Number 005

**ADDRESSING ALLEGATIONS OF ANIMAL MISTREATMENT:
INJURIOUS OR NON-INJURIOUS NONCOMPLIANCE
AND/OR ADMINISTRATIVE NONCOMPLIANCE**

PURPOSE: As part of its mandate to ensure that all vertebrate animals are humanely cared for and used in accordance with the highest ethical standards, the Valdosta State University Institutional Animal Care and Use Committee (IACUC) reviews, approves, and monitors animal activity carried out under its auspices for conformance with all applicable laws, regulations, policies, and procedures. The IACUC is also responsible for reviewing and, if warranted, fully investigating any allegations of animal mistreatment and/or injurious or non-injurious noncompliance raised by the public, employees, or students.

The purpose of this Standard Operating Procedure (SOP) is to describe the procedures used to address allegations of animal mistreatment; to address noncompliance of an investigator/instructor with applicable laws, regulations, policies, procedures, and/or approved protocols which directly affects animals; and to address failure of the investigator/instructor to

Failing to report previously made minor modifications to the protocol as part the annual review (for example, substitution or addition of a qualified student or technician, addition of a qualified faculty collaborator, substitution or addition of students on an instructional protocol, or addition of another strain of the same animal species)
Failing to file final reports when protocols have been completed
Failing to follow administrative directives from the IACUC, the Attending Veterinarian, and/or the IACUC Administrator
Failing to follow standard laboratory practices
Failing to adhere to applicable environmental, health, and safety regulations and guidelines

Allegation – Any written or oral statement or other indication of possible animal mistreatment and/or injurious or non-injurious noncompliance made to a University official.

Animal – Any live non-human vertebrate animal used or intended for use in research, training, experimentation, testing, propagation, or related purpose, with the exclusion of embryos, tissue, and other biological samples.

- ♦ For embryos, the point in development at which oviparous, ovoviviparous, and viviparous species become regulated animals is specified by the Animal Welfare Act (AWA) and the Office of Laboratory Animal Welfare (OLAW). Viviparous and ovoviviparous species become regulated at parturition from the maternal animal. Oviparous species become regulated when they hatch from the egg. For fish, the VSU IACUC has determined a similar stage in development as the "buttoned-up" stage (when the embryo has fully absorbed the yolk sac and must forage on its own).
- ♦ For tissues and other biological samples, only those that have been collected from a live animal by a Valdosta State University investigator are regulated.

Animal Use Protocol (AUP) – The application form required by the Institutional Animal Care & Use Committee (IACUC) for approval of proposed research, testing, or instruction utilizing vertebrate animals.

Good Faith Allegation – An allegation made with the honest belief that animal mistreatment and/or injurious or non-injurious noncompliance 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.

Informant – The person who makes an allegation of animal mistreatment and/or injurious or non-injurious noncompliance.

Injurious Noncompliance – When an investigator/instructor conducts a painful, distressful, or invasive procedure on an animal without IACUC approval or when the investigator/instructor does not follow procedures approved by the IACUC, resulting in increased risk of animal pain, distress, morbidity, or mortality. Examples of injurious noncompliance include, but are not limited to:

Performing unauthorized surgery

Performing surgery or other painful procedures without proper anesthesia

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painful or distressful procedures

Failing to inform the Attending Veterinarian in a timely manner of unexpected adverse events that result in increased animal pain, distress, morbidity, or mortality

Where husbandry is the responsibility of the investigator/instructor, failing to provide

that frivolous or uninformed accusations are dismissed and that differentiation is made between willful animal mistreatment and/or noncompliance and carelessness or incompetence.

Principal Investigator –

The IACUC is administratively assisted in its work by the IACUC Administrator in the Office of Grants & Contracts.

2. The Informant

Any individual, whether internal or external to the institution, who observes or suspects animal mistreatment and/or injurious or non-injurious noncompliance at Valdosta State University has a legal and ethical obligation to report the suspected activity.

The informant will be given an opportunity to testify during preliminary review and/or investigation. He/she will be informed of the findings of the preliminary review and/or investigation and will be given the opportunity to comment on portions of reports of findings pertinent to his/her allegation or testimony.

The institution will protect the privacy of the informant who reports animal mistreatment and/or noncompliance in good faith to the maximum extent possible. For example, if the informant requests anonymity, the institution will make an effort to honor the request during the preliminary review (a)5a(i)-4.5 -7 (e)0.80r 36.408akeooim7 (k)ai p

the Attending Veterinarian, providing he/she has no conflict of interest, will chair the Investigative Subcommittee.

5. The Respondent

The respondent has the right to due process. Preliminary review and/or investigation of an allegation of animal mistreatment and/or injurious or non-injurious noncompliance will be handled promptly and expeditiously and with full attention to the respondent. (h)09-imss/lssf

Allegations found substantive by the IACUC Chair, the Attending Veterinarian, and/or IACUC Administrator will be considered formal allegations and will be referred for preliminary review.

3. Immediate Action

Upon receipt of an allegation, depending on the seriousness of that allegation and the potential for harm to the animals, the IACUC Chair or the Attending Veterinarian may immediately and indefinitely suspend the animal activity, either in full or in part, pending preliminary review and/or investigation, in accordance with the following:

referral of the investigator to printed and web resources, consultation and/or instruction from the IACUC Chair and/or Attending Veterinarian, requirement for additional hands-on animal care and use training, ongoing monitoring of procedures and/or conditions of the animals by the IACUC Chair and/or the Attending Veterinarian, and/or other appropriate interventions.

The preliminary review team will prepare a confidential written report that will be forwarded to the IACUC Administrator where it will be sequestered with IACUC records for a minimum of three (3) years. Copies of the report on the preliminary review will also be given to the respondent and his/her immediate supervisor as appropriate. The informant will also be notified of the outcome of the preliminary investigation. The case is then closed.

5. Investigation

If the preliminary review indicates sufficient evidence and justification for additional study of the matter, an investigation will be conducted. The purpose of the investigation is to determine if animal mistreatment and/or injurious or non-injurious noncompliance, as defined herein, has occurred and, if so, to recommend appropriate actions. The investigation will begin immediately and will be completed as soon as practicable but will not exceed more than thirty (30) days. (At the request of the respondent, with documentation of extreme extenuating circumstances and with approval of the IACUC Chair, the period of time for the investigation may be extended to give the respondent reasonable time to respond.)

The IACUC Chair will promptly notify in writing the respondent, his/her cognizant administrators (generally the department head and the dean), and, as appropriate, the respondent's immediate supervisor of the initiation of the investigation. At that time, all additional necessary administrative actions will be taken by the IACUC, on behalf of VSU, to ensure the welfare of the animals, the integrity of the research or instruction, the observance of legal requirements and responsibilities, and the continued protection of the rights and confidentiality of the informant and the respondent.

Consideration will be given to a review of all research and/or instruction conducted by the respondent in which animals are used. If the alleged animal mistreatment and/or noncompliance involve externally sponsored research or other activities, the IACUC Chair will first inform the Institutional Official (IO). If required by any regulatory or sponsoring agency, the IO will report the impending investigation to the agency according to its rules and regulations. (The regulatory and/or sponsoring agencies may reserve the right to initiate an investigation of its own.) If required, the IACUC and/or the IO may also consult with the University Attorney to develop and initiate any other procedures appropriate to the circumstances.

The formal investigation will be conducted by an IACUC Investigative Subcommittee comprised of not less than three (3) and not more than five (5) members appointed by the IACUC Chair, including the Attending Veterinarian who will serve as Chair of the Investigative Subcommittee. Any individual who has personal involvement in the issue at hand may not participate on the subcommittee. If the Attending Veterinarian has a conflict of interest, the IACUC Chair will appoint an alternate Subcommittee Chair. The IACUC Investigative Subcommittee will seek all relevant materials and documents, including, but not limited to, relevant research data or instructional information,

proposals, publications, electronic and paper correspondence, and memoranda of telephone calls. If, during the investigation, the Subcommittee finds the roles of any of the respondent's co-workers or supervisors suspect, those individuals will be advised of the concerns and, if appropriate, the Subcommittee will initiate a separate preliminary review for each person involved according to the procedures outlined herein.

Whenever possible, interviews will be conducted by the IACUC Investigative Subcommittee with all individuals involved either in making the allegation or against whom the allegation is made, as well as with other individuals who might have information regarding key aspects of the allegation. A complete summary of each interview will be prepared by the Investigative Subcommittee and provided to the

- ◆ Written warning (may or may not be entered into official personnel file)
- ◆ Written reprimand (may or may not be entered into official personnel file)
- ◆

Administrative infractions are most commonly identified by Office of Sponsored Programs & Research Administration (OSPRA) and are dealt with directly by the IACUC as part of its regular business. The IACUC Chair and the Attending Veterinarian individually have the authority to suspend animal activities at any time until the investigator/instructor remedies the administrative noncompliance.

The IACUC's actions in response to review and/or investigation of allegations of animal mistreatment and/or injurious or non-