

1
2 **AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION**
3 **PROCEDURES FOR INVESTIGATING AND REPORTING**
4 **ALLEGATIONS OF SCIENTIFIC MISCONDUCT**
5
6
7

8 The American Speech-Language-Hearing Association (ASHA) is the professional, scientific, and
9 credentialing association for more than 130,000 members and affiliates who are audiologists,
10 speech-language pathologists, and speech, language, and hearing scientists. ASHA's mission is
11 to empower and support speech-language pathologists, audiologists, and speech, language, and
12 hearing scientists by 1) advocating on behalf of persons with communication and related
13 disorders, 2) advancing communication science, and 3) promoting effective human
14 communication.
15

16 These policies and procedures for investigating allegations of possible misconduct in research
17 concern ASHA applications to, or awards from, the U.S. Public Health Service (PHS) and
18 pertain to (1) any behavioral research, research training, or activities related to that research or
19 research training support by a grant, contract, cooperative agreement or other form of PHS
20 support; (2) any PHS-related research proposed, performed, reviewed, or reported, or any
21 research record generated from that research whether or not the application or proposal for PHS
22 funds resulted in a grant, contract, cooperative agreement, or other form of PHS support; and (3)
23 National Office staff, consultants, collaborators, scientists, student interns, technicians,

24 volunteers, contractors, subcontractors, subawardees, and their employees. These policies and
25 procedures do not pertain to grants awarded to the institutions of individual members of ASHA.

26
27 These policies and procedures are adopted pursuant to 42 C.F.R. Part 93 (May 17, 2005), entitled
28 *Public Health Service Policies on Research Misconduct*, which defines research misconduct and
29 explains that the Office of Research Integrity (ORI) within the U.S. Department of Health and
30 Human Services (DHHS) is responsible for the scientific misconduct and research integrity
31 activities of the PHS. Research misconduct inquiries and investigations pursuant to this policy
32 will also be guided by *Guidelines for the Responsible Conduct of Research: Ethics and the*
33 *Publication Process* (ASHA, 2007), approved by ASHA's Legislative Council in 2007.

34
35 These policies and procedures will apply when an allegation of possible research misconduct is
36 received by ASHA, unless the allegation is not supported by credible and specific allegations or
37 when the circumstances in an individual case dictate variation from these policies and procedures
38 and it is in the best interests of ASHA and PHS. Any variations from these policies and
39 procedures that arise from particular circumstances in an individual case must ensure fair
40 treatment of the subject of the inquiry or investigation, and must be approved by ASHA's
41 Research Integrity Officer (RIO) and Executive Director (ED).

42 43 **1. Submitting Research Misconduct Allegations**

44
45 All employees or individuals associated with ASHA should immediately report, orally or in
46 writing, any observed, suspected, or apparent misconduct in science to the RIO at ASHA's

47 National Office. The allegations must be specific and credible, and made in good faith.

48

49 **2. Conducting an Inquiry**

50

51 Upon receipt of a credible and specific allegation of research misconduct, the RIO will (1)
52 notify in writing the person against whom the allegation has been made, (2) take reasonable
53 steps to obtain custody of all research records and evidence, and (3) appoint an Inquiry
54 Committee. The Inquiry Committee will be an ad hoc committee of ASHA, not a standing
55 committee.

56

57 The Inquiry Committee will (1) undertake a preliminary evaluation of the available evidence
58 and testimony; (2) determine whether there is reasonably credible, specific, and sufficient
59 evidence of possible scientific misconduct to warrant an investigation; (3) write a report of its
60 findings and recommendations; and (4) submit its written report to the RIO.

61

62 **3. Conducting an Investigation**

63

64 The RIO, with the concurrence of the ED, will make the determination of whether findings
65 reported by the Inquiry Committee provided reasonably credible, specific, and sufficient
66 evidence of possible scientific misconduct to justify conducting an investigation. If an
67 investigation is warranted, the RIO will (1) notify in writing the person against whom the
68 allegation has been made, (2) notify the complainant of ASHA's intent to conduct an

69 investigation, and (3) appoint an Investigation Committee. The Investigation Committee will
70 be an ad hoc committee of ASHA, not a standing committee.

71

72 Within 30 days of finding that a research misconduct investigation is warranted, the ED must
73 report in writing to ORI that ASHA has decided to initiate an investigation. The ED should
74 also report in writing to ORI if ASHA intends to terminate an inquiry or investigation for any
75 reason without completing all relevant requirements of the PHS regulation, including a
76 description of the reasons for proposing to terminate an investigation

77

78 The Investigation Committee will (1) review the allegations; (2) examine the evidence in
79 depth, including both the written record and interviews with relevant witnesses; (3)
80 determine specifically whether misconduct has been committed, by whom, and to what
81 extent; (4) write a comprehensive report of the investigation; and (5) submit its report to the
82 RIO. During all stages of the investigation, the Investigation Committee will adhere to the
83 PHS Policy and will ensure that the evidence met the burden of proof before making a
84 finding of research misconduct.

85

86 The Investigation Committee's report will include the actual text or an accurate summary of
87 the views of the subject (against whom a research misconduct finding has been made), and
88 all witnesses, and will make recommendations as to the sanctions and administrative actions
89 to be taken by ASHA.

90

91 The RIO will (1) review the Investigation Committee report and (2) submit a written
92 summary with recommendations to the ED. In turn, the ED will (1) make the final
93 determination of whether to accept the report and (2) make the final determination regarding
94 sanctions and administrative actions by ASHA against the individual responsible for research
95 misconduct.

96 **4. Reporting to ORI**

97

98 ASHA has the following reporting obligations under the PHS policy:

99

- 100 a. Within 30 days of finding that a research misconduct investigation is warranted, the ED
101 must report in writing to ORI that ASHA has decided to initiate an investigation;
- 102 b. The ED should report in writing to ORI if ASHA intends to terminate an inquiry or
103 investigation for any reason without completing all relevant requirements of the PHS
104 regulation, including a description of the reasons for the proposed termination; and
- 105 c. Upon a finding of research misconduct, the ED must submit ASHA's final report to ORI.

106 In this final report, the ED must describe the policies and procedures under which the
107 investigation was conducted, describe how and from whom information relevant to the
108 investigation was obtained, state the findings, and explain the basis for the findings and
109 resulting recommendations.

110

111 **5. Responsibilities of Research Integrity Officer (RIO) and Executive Director (ED)**

112

113 ASHA's RIO will have primary responsibility for implementing these policies and

114 procedures, including (1) overseeing the evaluation of relevant evidence in an inquiry or
115 investigation; (2) ensuring that confidentiality is maintained; (3) assisting the Inquiry and
116 Investigation Committees in complying with the PHS policy; (4) consulting periodically with
117 the ED and any other appropriate staff; (5) receiving written reports from the Inquiry and
118 Investigation Committees; (6) reporting in writing, including making recommendations, to
119 the ED after receiving Inquiry and/or Investigation Committee reports; and (7) maintaining
120 secure files of all documents and evidence for at least 7 years after the termination of the
121 inquiry.

122
123 ASHA's ED will have ultimate responsibility for (1) reviewing the RIO's written summaries
124 along with the Inquiry and/or Investigation Committee reports, 2) determining whether to
125 conduct an inquiry, 3) determining whether to conduct an investigation, 4) determining
126 whether misconduct occurred, 5) determining whether to impose sanctions or whether to take
127 other appropriate administrative actions, and 6) meeting the regulatory reporting
128 requirements.

130 **6. Determining ASHA Actions in the Event of Scientific Misconduct**

131
132 When allegations of scientific misconduct are found to be proven, ASHA may take
133 whatever disciplinary action it deems appropriate in consultation with ORI. Disciplinary
134 actions may include issuing a warning or reprimand, or suspending or permanently barring
135 an individual and/or participating institution from further participation in ASHA research
136 or research-related activities.

137

138 If data are found to have been affected by the misconduct, these data shall not be used in any
139 analysis. Any analysis that has been done that includes the suspect data shall be revised, if
140 possible, based on a new analysis without the suspect data. Any publication on ASHA's
141 Web site that has been tainted by the data in question shall be removed and corrected, if
142 possible, before re-publication. Any manuscript that has been prepared using the suspect
143 data shall be withdrawn until a new data analysis can be done. If the manuscript has been
144 published, the journal will be notified and asked to publish an erratum or retraction.

145

146

147 **7. Protecting Reputations**

148

149 When allegations are not confirmed, ASHA shall take diligent steps, as appropriate, to
150 protect and restore the reputations of persons and institutions alleged to have engaged in
151 scientific misconduct. ASHA shall also make an effort to protect the reputations of
152 complainants, witnesses, and committee members.

153

154 **8. Publicity and Training**

155

156 ASHA publicizes its policies concerning scientific misconduct during its semiannual
157 meetings, in its publications, and on its official Web site. Specific training sessions in ethics,
158 including scientific misconduct reporting requirements and investigation policies and
159 procedures, are required for investigators, staff, consultants, scientists, student interns,

160 collaborators, or any other personnel directly involved in PHS funded research at ASHA.

161 REFERENCES

162 American Speech-Language-Hearing Association. (2007). *Guidelines for the Responsible*

163 *Conduct of Research: Ethics and the Publication Process* [Guidelines]. Available from

164 www.asha.org/policy. Retrieved September 14, 2007, from:

165 <http://www.asha.org/docs/html/GL2007-00282.html>.

166

167 Public Health Service Policies on Research Misconduct, 70 Fed. Reg. 28369–28400 (May 17,

168 2005). Retrieved September 14, 2007, from http://ori.dhhs.gov/documents/FR_Doc_05-

169 [9643.shtml](http://ori.dhhs.gov/documents/FR_Doc_05-9643.shtml).

170