

<b>Institutional Animal Care and Use Committee</b>		<b>UNTHSC</b>
<b>Title:</b> Reporting and Investigation of Concerns Involving the Care and Use of Animals		
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<b>Approved by IACUC Date:</b> May 26, 2020		

## **A. BACKGROUND INFORMATION**

This procedure outlines the steps which will be followed to handle complaints concerning mistreatment of animals and non-compliance with applicable policies, including, but not limited to UNTHSC IACUC policies and federal and state laws and regulations. Any person may file a complaint about the treatment and conditions of animals at UNTHSC. Complaints shall be taken seriously and reviewed in accordance with this policy.

## **B. RESPONSIBILITIES**

- a. It is the responsibility of faculty, staff and students to report to the IACUC any concerns of animal care and welfare or non-compliance.
- b. It is the responsibility of the IACUC to investigate reports of animal abuse, animal welfare concerns or non-compliance according to this procedure.

## **C. PROCEDURES**

- a. The IACUC will review and/or investigate any concern relating to animal care and use brought to the attention of the Committee. This includes claims by the public concerning any aspect of the animal care and use program or by employees or students who report alleged instances of animal abuse, violation of approved protocols, use of animals not covered by approved protocols, violation of any animal-related regulation or standard (such as the Animal Welfare Act, PHS Policy, AAALAC accreditation standards, or IACUC policy), or complaints regarding the care received by animals housed in University laboratory animal, wild animal or agricultural facilities.
- b. **STEPS IN REPORTING A CONCERN**
  - i. Laboratories should post the Emergency Contact Poster (attached) in animal use areas.
  - ii. Concerns should first be addressed to the individual(s) or unit at whom/which the complaint is directed, if possible. If the concern is not adequately addressed, the individual has the option to take the concern to the next level.
  - iii. The concerned individual(s) begins the process of filing a Formal Complaint by contacting one of the individuals listed on the Emergency Contact Poster.
  - iv. The following information is to be provided for any concern:
    1. The complainant's name (voluntary)
    2. The individual(s) or unit the complaint is against
    3. Description of the event or charge including the dates of observation of the alleged violation(s)

4. Copies of any written, photographic, or taped documentation to substantiate the charges
  5. Names of any other witnesses to the events/charges being described or made (voluntary)
  6. Signature of the Complainant (voluntary)
- v. The written complaint is to be submitted to the IACUC Office. The Complainant may seek guidance from the Director of DLAM, the IACUC Chair, or an IACUC member in writing the description of the complaint.
  - vi. Complainants must be the actual individual(s) who have witnessed the violation.
  - vii. While hearsay complaints cannot be formally filed, individuals who have serious concerns based on hearsay evidence can call any of the individuals listed on the Emergency Contact Poster. The Director of DLAM or an IACUC representative will follow up on concerns by means other than the formal complaint process (such as review of protocols, discussions with other employees, or unannounced laboratory inspections). This process may lead to the filing of a Formal Complaint.

c. IACUC REVIEW OF COMPLAINT AND INITIATION OF INVESTIGATION

- i. The Formal Complaint will be presented to the IACUC at the next regularly scheduled meeting following receipt by the IACUC Office. An emergency meeting may be called if appropriate. If evidence warrants a formal investigation, a sub-committee of members will be assigned by recommendation from a majority vote of those present.
- ii. The Chair will notify the Institutional Official of the initiation of the Investigation.
- iii. The Chair will notify the Principal Investigator, animal facility administrator, or other Pertinent Individual (known hereafter as the PIND) of the IACUC's intention to carry out the investigation. This notification will include:
  1. Citation of the section of the federal regulations which allow for investigations of concerns related to animal care and use.
  2. Description of the complaint and the sub-committee's review report.
  3. An invitation to meet with the IACUC, IACUC Chair or sub-committee to personally discuss the allegations.
- iv. The Subcommittee may use a variety of methods to obtain information to assist the investigation. These will include, but are not limited to the following:
  1. Unannounced visits to the laboratory or animal facility in question to review procedures, lab/facility documents, or talk with personnel prior to formal notification of the PIND.
  2. Submission of documentation from the PIND, co-workers or employees, or from the animal facility where animals were housed. Such documentation could include: research records relating to animal experimentation, surgical records, animal health records, purchase orders, standard operating procedures, diagnostic laboratory reports, quality assurance reports, or others which will provide information which will assist in the investigation.
  3. Documentation supporting the allegations provided by the Complainant.

4. The PIND will be invited to provide a written response to the Complainant and any additional documentation provided by the Complainant. (Names, addresses, or other information which could result in breach of the Complainant's confidentiality will be deleted from materials provided to the PIND).
  5. Review of Animal Care and Use Protocols, IACUC inspection reports, Reports of Programmatic Reviews, USDA, or AAALAC inspection reports, or any other pertinent IACUC record.
  6. Letter of documentation solicited from other University employees who can provide insight into the investigation. For example: letters from animal facility veterinarians, managers, or other facility personnel; letters from other committees, such as the Institutional Biosafety Committee; or other individuals.
  7. Letters of outside evaluation of protocols, programs, or documentation related to the complaint performed by external reviewers chosen by the Committee. Such reviews would be done confidentially, with signed confidentiality statements by reviewers. The PIND may be asked to assist the IACUC in selection of reviewers.
  8. Invited site visits by external reviewer(s) to critique facilities or programs.
  9. IACUC interviews with the PIND, Complainant or other individuals who can provide information for the investigation.
- v. Upon completion of the Subcommittee's investigation, the IACUC Administrator will schedule a meeting of the full committee at the earliest possible date.
  - vi. The Subcommittee will present the package to the full committee. The Committee as a whole will fully discuss all issues. Once discussion is complete, the Committee will form recommendations for action. Recommendations will be individually voted on all actions must pass by a majority vote. Such actions could include, but are not limited to:
    1. Requiring an amendment to the IACUC approved protocol
    2. Requiring a change in procedures previously approved in an IACUC protocol or requiring a change in procedures or program of the animal facility in question.
    3. Requiring a re-submission of a currently approved IACUC protocol.
    4. Conducting additional unannounced laboratory inspections to observe procedures or unannounced facility visits to observe conditions, procedures, and/or review programs. In either case, the end result of the inspection(s) may include any of the actions outlined in this section.
    5. Suspension of the research activity (Protocol).
    6. Sanction against the PIND.
    7. Find that the complaint was unwarranted or unsubstantiated.
  - vii. With the Investigation complete and actions contemplated, the IACUC or a subcommittee of the IACUC may invite the PIND to meet with the Committee to review the Committee's findings. This meeting will provide an opportunity for the PIND and Committee to resolve issues and work together to find solutions to the

issues raised in the investigation. Harsh actions such a suspension or sanction can hopefully be avoided by this process and result in the mutual agreement and satisfaction of the Committee and the PIND.

- viii. After the PIND has met with the Committee or subcommittee, the Committee will formulate its final actions and Vote on these individually. All actions must pass by a majority of quorum vote and minority opinions be recorded.
- ix. The Committee shall complete the investigation by the following documentation and notifications:
  - 1. The Institutional Official shall receive a summary document of the findings of the Committee and the final actions which will be taken.
  - 2. If suspension is the action being taken and the activity is supported by PHS, the IACUC, through the Institutional Official, shall file a full report with Office for Laboratory Animal Welfare ( OLAW). A full report, for suspensions involving covered species, must be filed with APHIS.
  - 3. If sanction of the animal care program is to occur, the letter will be directed to the Administrator to immediately halt inhumane care, use, or treatment of animals.
  - 4. The Complainant will receive a summary of the actions taken, but any confidential and information concerning the protocols will not be included.
  - 5. The PIND will be informed, in writing, of the final conclusions/actions of the Committee and of any response that is required from the PIND.
  - 6. If the Complaint was found to be unwarranted or unsubstantiated, a strong letter of support will be provided to the PIND from the Committee for the research, animal care facility, or other program, as appropriate.
- x. The Committee will complete a final report and close the file, keeping all documentation for the complaint, review, investigation, and all other information in the Formal Complaint file, by year.

d. CONFIDENTIALITY OF COMPLAINANT

- i. Regulatory Authority: Animal Welfare Act Section 2.32(c)(4): “No facility employee, Committee member, or laboratory personnel shall be discriminated against or be subject to any reprisal for reporting violations of the regulations or standards under the Act.”
- ii. IACUC Policy: The confidentiality of any complainant will be maintained by all individuals involved in the review and/or investigation of alleged violations of animal care and use regulations and standards. Information on any documentation which is provided to individuals other than the Director, Department of Lab Animal Medicine or members of the IACUC which would identify the complainant shall be removed by cross out, white out, black out or other method.
- iii. Should charges be brought that are false and in malicious manner by the Complainant to purposely harm the University or any of its departments, divisions, or units, the IACUC, or any individual, then such will be handled according to pertinent classified staff, academic professional, or faculty policies of the

University of North Texas Health Science Center which are applicable to the given case.

**D. REFERENCES**

- a. Institute of Laboratory Animal Resources (2011). Guide for the Care and Use of Laboratory Animals. National Academies Press, Washington, D.C.
- b. Animal Welfare Act, Public Law 89-544 as amended; codified at 7 U.S.C. 2131-2159.
- c. PHS Policy on Humane Care and Use of Laboratory Animals, NIH, Office of the Director, Revised 2015