

# SECTION 7: COMPLIANCE ISSUES

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## **7.1 INTRODUCTION**

A funding agency will often request compliance statements (agreements to comply with certain standards) from the University as a condition of eligibility and to ensure that the funding agency is dealing with an ethical institution. Individual federal departments may have separate requirements and procedures for compliance. Some common compliance areas related to grants and contracts are described below. See also the *Community Standards Manual* published by the John Carroll Division of Student Affairs for information on other policy statements such as FERPA (Family Educational Rights and Privacy Act) and sexual harassment. A chart of compliance responsibilities across the university can be found in the appendix.

## **7.2 CERTIFICATION STATEMENTS**

A grant applicant may be asked to provide a formal binding statement signed by an official of the University certifying compliance with federal or state regulations such as those pertaining to a drug free workplace or the protection of humans or animals in research. Federal departments may rely on certification statements or may conduct site visits and audits to monitor compliance. The FDA, for example, uses inspections and audits to assure adherence to regulations. Check with the Office of Sponsored Research to see if John Carroll is in compliance with the requirements of the granting agency.

## **7.3 CONFLICT OF INTEREST/COMMITMENT & DISCLOSURE STATEMENTS**

John Carroll employees are required to annually review the University's general conflict of interest policy to be kept on file by the Vice President for Finance and Administrative Services. However, John Carroll personnel engaged in sponsored activities, including consulting work, are required to submit the Disclosure of Interests Related to Sponsored Projects to the Associate Academic Vice President. [See **Section 3.7.**]

John Carroll personnel must disclose significant financial interests (and those of their spouse and dependent children) that appear to be directly affected by research or educational activities funded or proposed for funding.

Employees engaged in sponsored research activities should initially submit the disclosure statement with a grant proposal or contract and the Internal Approval Form (see **Section 3.7 and 5.2**) to the Associate Academic Vice President. The form is required for each sponsored project and should be resubmitted annually for the life of the project. Any change in the disclosure statements should be reported immediately to the Associate Academic Vice President.

#### **7.4 ANTI-LOBBYING STATEMENT**

John Carroll may engage in some lobbying activities. Funding agencies, especially federal agencies, may require a statement indicating that lobbying has not been conducted for the proposed project. For more information, contact the Director of Sponsored Research or the Director of Government & Community Relations.

#### **7.5 EQUAL OPPORTUNITY EMPLOYMENT/AFFIRMATIVE ACTION**

John Carroll complies with equal employment opportunity and affirmative action regulations and will not discriminate against any employee or applicant pursuing employment based on race, age, sex, religion, ethnic or national origin, disability, or status as a veteran. The University's commitment to affirmative action includes a pledge to recruit faculty and staff in under-represented areas. An equal opportunity policy statement can be found in the John Carroll undergraduate and graduate bulletins.

#### **7.6 OCCUPATIONAL HEALTH & SAFETY**

In 1970, Congress passed the Occupational Safety & Health Act to assure safe and healthful working conditions for America's working men and women. John Carroll University adheres to these federal regulations. For further information on John Carroll's safety programs, consult the Manager of Safety and Risk Management.

#### **7.7 PROTECTION OF HUMAN SUBJECTS**

Federal regulations for the protection of human subjects were put in place after the unethical treatment of humans participating in research studies came to the attention of the international community. In 1981, the US Department of Health and Human Services codified their regulations on the use of human research subjects in the *Code of Federal Regulations* Title 45: Public Welfare, Part 46: Protection of Human Subjects, commonly referred to as 45CFR46. John Carroll University adheres to these regulations. In 1997, John Carroll approved and adopted a policy statement for the Institutional Review Board for the protection of human subjects applicable to all John Carroll faculty, administrators, students, and staff. For more information, see **Section 8** in this guide.

## **7.8 ETHICAL TREATMENT OF ANIMALS**

The Animal Welfare Act, signed into law in 1966, governs the care and use of animals in research. The Public Health Service Policy on Humane Care and Use of Laboratory Animals was developed in 1986 to establish and maintain measures for the treatment of animals involved in research, research training, and biological testing. The *Guide for the Care and Use of Laboratory Animals* is the basis for the University's policy. To ensure the care of laboratory animals, John Carroll University established an Institutional Animal Care and Use Committee in 1998 to oversee its facilities, procedures, and animal program. For more information, see **Section 9** in this guide.

## **7.10 MISCONDUCT IN SCHOLARSHIP**

Federal granting agencies require a formal written and implemented policy and procedures to respond to suspected incidents of misconduct in scholarship or research by faculty, staff, or administrators and students working on grant projects. Student misconduct policy and procedures are listed in the *Community Standards Manual* published by the Office of the Dean of Students.

The policy is designed to quickly respond to allegations of serious misconduct in scholarship and research and to protect both the whistleblower and the researcher from unwarranted negative repercussions and applies to any misconduct in scholarship or research regardless of funding but has been developed primarily in response to federal requirements from funding agencies.

Information regarding misconduct for all Public Health Service funds can be found at **<http://ori.dhhs.gov/misconduct>**.

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**APPENDICES TO SECTION 7:**

- ❖ **UNIVERSITY COMPLIANCE CHART**
- ❖ **MISCONDUCT IN SCHOLARSHIP POLICY**