

Animal Care & Use

It is the responsibility of the Institutional Animal Care and Use Committee (IACUC) to monitor and approve all animal use at West Chester University. As part of that responsibility, the IACUC also must investigate all allegations of animal abuse in research laboratories or teaching facilities at West Chester University.

This policy applies only to animals being used in research or teaching at West Chester University. It does not apply to privately owned animals or feral animals living on the campus.

Current Members of the Institutional Animal Care and Use Committee

1. **Chairperson:** Rundus, Aaron S. ARundus@wcupa.edu
2. Dr. William Singleton (Vet) william@actstraining.com
3. Neha Sunger NSunger@wcupa.edu
4. Erin Gestl EGestl@wcupa.edu
5. Susan Gans, SGans@wcupa.edu
6. Wendy Wetherill wendy_brehm_wetherill@vanguard.com
7. Lisa Kirschenbaum LKirschenbaum@wcupa.edu

Role of University Personnel in Animal Abuse Investigations

1. Chair of the Institutional Review Board (IRB) - primary contact person for reporting charges of animal abuse. Responsible for making all arrangements for an investigation, insuring that all meetings and deliberations occur in a timely manner, and chairing the Hearing Panel, except as noted under Selection of the Hearing Panel. Will normally not vote on a verdict except in the event of a tie among members of the Hearing Panel.
2. Chair of the Institutional Animal Care and Use Committee (IACUC) - will be a voting member of all Hearing Panels unless excluded or exempted from the proceedings as specified under Selection of the Hearing Panel. Will chair the Hearing Panel in the event that an informal investigation conducted by the Chair of the IRB results in a formal investigation.
3. The university veterinarian - will be a voting member of all Hearing Panels unless excluded or exempted from the proceedings as specified under *Selection of the Hearing Panel*.

Initiation of Charges of Animal Abuse

0 Reports of alleged animal abuse may be submitted by any member of the university community. Only written allegations will be investigated. Students may report alleged abuse to any faculty member on campus, who must then forward the written allegations to Dr. M. Ehi Ayewoh, Associate Vice President for Sponsored Research, who serves as Chairperson of the Institutional Review Board (IRB). The Associate Vice President will send a copy of the complaint, minus the personal data on the person who filed the charges, to Dr. Julian Azorlosa, Chairperson of the IACUC. If the Chairperson of the IACUC is not available, the allegations will be sent to Dr. Judith Greenmyer, the university veterinarian. No charges will be formally investigated unless they are received in writing by either the Chairperson of the IRB or the university veterinarian.

Reports must be in writing and must include the following information:

1. Location of the alleged abuse.
2. Date and time of the alleged abuse
3. What specifically occurred, included the name of the individual who is accused of abusing an animal being used in research or teaching at West Chester University. This section should be as detailed as possible to allow adequate evaluation of the charges.
4. Names of other individuals who might have witnessed the alleged abuse.
5. The name, address, phone number, and signature of the individual filing the charges. This information will not be released to the IACUC or to the person against whom the charges have been made, but must be kept on file in the office of the Chairperson of the IRB with the original copy of the allegations.
6. The Chairperson of the IRB will hear anonymous complaints because the University is committed to providing the highest quality animal care. However, the intent of hearing anonymous complaints is to determine if the complainant should file a written complaint with the assurance that confidentiality will be maintained to the greatest extent possible.

The Investigation

Notification of the Accused of Charges Levied and Invitation for Written Rebuttal. The Chair of the IRB will notify the accused individual that a charge of animal abuse has been levied against him/her, inform him/her that a Hearing Panel will be formed to conduct the investigation, and inform him/her that a special meeting of the Hearing Panel will be held to investigate these charges.

The individual who has been accused will immediately be provided with a copy of the charges (minus the personal data of the person who submitted the charges), and will be invited to provide a written response to the allegations. The written response should be provided to the Chair of the IRB not less than 72 hours before the first meeting with the Hearing Panel is scheduled to occur.

Selection of the Hearing Panel. A subset of the IACUC will be selected by the Chairperson of the IRB to serve as a Hearing Panel. The panel must include at least the following individuals:

1. Chairperson, IRB
2. Chairperson, IACUC
3. The university veterinarian
4. At least one lay member of the IACUC
5. One additional member of the IACUC

If a member of the IACUC is charged with animal abuse, or is bringing the complaint of animal abuse, he/she will automatically be excluded from participating as a member of the Hearing Panel for that investigation.

Setting Hearing Times and Dates. The Chair of the IRB will schedule two meetings of the Hearing Panel, each to occur within 15 working days, to the maximum extent possible, of receipt of the allegations. Arrangements for these meetings will be confirmed in writing by the Chair of the IRB. The first meeting will be with the person accused of animal abuse, and allow him/her to present his/her side of the story and respond to questions from the Hearing Panel. The second meeting will be with the person who brought the charges, and allow him/her to further explain the charges and to respond to questions by members of the

committee.

Information for the Hearing Panel prior to the Meetings As soon as possible, but no less than 48 hours before the first meeting is scheduled, a copy of the allegations (minus the personal data of the person who submitted the charges), a copy of the rebuttal by the accused individual to the charges, and written notification of the time and place of the meeting will be sent to the members of the Hearing Panel for examination.

The First Meeting. At the first meeting of the Hearing Panel, the members will listen to the explanation of the accused individual regarding what he/she believes happened. Members may ask any questions necessary to clarify issues and determine the truth of the allegations. The accused individual will have the opportunity to call any witnesses to support his/her side of the story. After the rebuttal to the charges is made and all relevant questions have been answered, the charged individual will be asked to leave, and the meeting will be adjourned until the next meeting with the individual making the accusations.

The person who has been accused of animal abuse should attend the first meeting to answer questions about the incident and the written explanation which he/she provided. If the accused person fails to attend the first meeting, the meeting may proceed in his/her absence.

The Second Meeting. The Chair of the IRB will notify the person who has filed the charges of animal abuse of the time and place of the second meeting as soon as that information is known. The Chair of the IRB will also send the package containing the time and place of the meeting, the written accusation, and the written rebuttal to the person who filed the accusation of animal abuse. This information will be sent no later than 48 hours before the second meeting will occur.

The second meeting will be with the person who brought the allegations of animal abuse, if he or she chooses to attend. Every effort will be made to avoid having the person who filed the accusation confront the accused individual. He/she will be given the opportunity to respond to questions regarding any discrepancies between the written charges and the written rebuttal. This individual also will have the opportunity to call witnesses to his/her side of the story. Again, members of the Hearing Panel will have the opportunity to ask questions to clarify any confusing or conflicting points.

Deliberation and Conclusions by the Hearing Panel. When the members of the Hearing Panel have satisfied themselves that they have all the pertinent facts, they will retire to a closed meeting to discuss the charges and the evidence that they have heard. The Chair of the IRB normally will not vote. Members will decide by hand vote if the charges are VALID or NOT VALID.

If the charges are NOT VALID, the Chair of the IRB will notify the accused individual of that fact within 24 hours, to the maximum extent possible. Furthermore, the Hearing Panel will issue a written report that includes an explanation of the discussion that led to the decision. The written report will be sent to the individual accused, the Chairperson of the individual's department, and to the individual who brought the charges.

If the Charges are VALID, the Chair of the IRB will notify the accused individual of that fact within 24 hours, to the maximum extent possible. The Hearing Panel will issue a written report that includes an explanation of the discussion that led to the decision and the recommendations of the committee. The written report will be sent to the individual accused, the Chairperson of the individual's department, and to the individual who brought the charges.

If the decision is evenly divided between VALID and NOT VALID, the Chair of the IRB may elect to cast the deciding vote or to conduct further investigations.

Enforcement of a VALID decision

If the incident is judged to be minor, such as a simple oversight in procedure, the report of the Hearing Panel will explicitly tell both the individual investigated and his/her departmental Chairperson of any action necessary to prevent a recurrence of the incident (part of the written report). The Chair of the department will be responsible for ensuring that action is taken.

If the incident is judged to be major (i.e., involving willful and serious abuse of animals), the investigating committee shall comment in their report on the degree of the offense and recommend appropriate sanctions. The Chair of the IRB shall forward the report of the committee to the Vice President for Academic Affairs/Provost and the academic Dean of the individual charged. The provost and dean shall consult with each other and shall forward the report of the investigating committee with their recommendations to the President of the University. The President shall determine and enforce appropriate sanctions and will be responsible for notifying the person(s) charged. The degree of sanction shall be in relation to the degree of the offense.

All members of the University shall take whatever actions are necessary to remediate the violations. The Hearing Panel has the right to halt all animal use by an individual for up to 90 days, pending review by the entire IRB.

At the quarterly meetings of the IRB, the Chair of the IRB will notify the entire IRB of all allegations, the results of all special investigational meetings, and all actions taken by the Hearing Panel to correct situations that led to VALID complaints. If the Hearing Panel has suspended an individual's animal use privileges, the IRB must vote to continue or halt such suspension at its next quarterly meeting. The IRB also may impose an indefinite suspension. In those cases, further review by the IRB is not necessary.