

Standard Operating Procedures for Suspension or Termination and Reinstatement
of Activities Using Animals or Animal Use Privileges by the Institutional Official (IO)
(adopted May 2, 2011; amended October 2018; amended December 16, 2020)

Background:

The USDA Animal Welfare Act Regulations (AWARs) and the Public Health Service Policy on the Humane Care and Use of Laboratory Animals (PHS Policy) define the role of the Institutional Official (IO) as the individual who is authorized to commit on behalf of the research facility that animal welfare regulations will be met. The AWARs and PHS Policy do not preclude any IO or institutional sanctions. Therefore, although action to suspend or terminate activities or privileges will normally be handled by the school/college ACUC, the IO also has the authority to suspend or terminate activities using animals (see definition below) or animal use privileges. Documentation of the source of authority for these activities is found in Appendix 1.

Suspension or termination of activities using animals or animal use privileges

It is the expectation of the All Campus Animal Planning and Advisory Committee that at such time that the IO considers taking action to suspend or terminate activities using animals or animal use privileges, or impose sanctions to address misconduct that does not affect animal welfare but those sanctions will impact activities using animals, the IO will follow this Standard Operating Procedure to ensure animals are protected and all matters of due process are honored, including defining a path to reinstatement of activities using animals or animal use privileges. This document is designed to facilitate implementation of Protocol Non-Compliance, [UW-4113](#) and the relevant authorities referenced therein.

Definitions:

1. **Activities using animals** are understood to mean any circumstance in which an animal is handled, manipulated, maintained, or observed directly or indirectly within the UW-Madison animal program as described in an ACUC-approved protocol, ACAPAC- or ACUC-approved policy, Standard Operating Procedure, or veterinary standard for the purposes of research, teaching, or outreach. These activities can be a specific manipulation(s) in a protocol, or all manipulations in a protocol (the entire protocol).
2. **Animal Use Privileges:** The privilege to use living, vertebrate animals for research, teaching, or outreach is the eligibility of an individual to work, or direct work, with animals in any capacity. Suspension of this privilege may be enacted in conjunction with suspension of animal activities or independently.
3. **Attending Veterinarian (AV):** The Chief Campus Veterinarian (CCV) or a Senior Program Veterinarian (SPV) employed by the Research Animal Resources and Compliance (RARC) or Wisconsin National Primate Research Center (WNPRC).
4. **Suspension of activities using animals:** An action to stop temporarily specified activities using animals. Such action may be taken by the ACUC, AV, or IO.
5. **Suspension of animal use privileges:** An action to stop temporarily the overall eligibility of an individual to work, or supervise work, with animals in any capacity. Such action may be taken by the ACUC, AV, or IO.
6. **Termination of activities using animals:** An action to stop permanently specified activities using animals taken by the IO in his/her institutional role. An ACUC may take action to terminate activities with animals; please refer to the ACUC SOP. The AV cannot independently take action to terminate activities using animals.

7. **Termination of animal use privileges:** An action to stop permanently the overall eligibility of an individual to work, or supervise work, with animals in any capacity based on a review of the facts and majority vote by the ACUC, or by the IO. This action is not equivalent to termination of employment.
8. References to **communications made in writing** are understood to include email correspondence.

When considering suspension or termination:

1. Discussions regarding alleged inappropriate behavior or non-compliance by a principal investigator/student/staff/instructor (the “individual concerned”) must be in consultation with the appropriate ACUC.
2. Such discussions should begin with a description of the alleged infraction(s). The individual concerned should be solicited for information, however, immediate animal welfare concerns and institutional integrity must be priorities.
3. If the IO believes there is reason to suspend or terminate activities using animals or animal use privileges, the following should be considered and planned for with input from the CCV and appropriate ACUC prior to action:
 - a. The disposition of animals assigned to protocols, in cases of suspension or termination of all activities using animals (e.g., an entire protocol or protocols).
 - b. If there are students who could be disadvantaged by such action.
 - c. In a case where the animal use privileges of a PI are suspended or terminated, whether the protocol can be assigned to a different PI that is in good standing.
 - d. Conditions under which individuals associated with protocol(s) but not under investigation could continue animal work, in the case of suspension or termination of all activities using animals (e.g., an entire protocol or protocols).
 - e. Effective date and duration of the suspension of privileges.
 - f. Terms of reinstatement of activities using animals or animal use privileges if applicable.
4. All discussion must be documented.

Following IO action to suspend or terminate activities using animals or animal use privileges:

Action to suspend or terminate, including grounds for that action and any conditions for reinstatement of activities using animals or animal use privileges as decided in conjunction with the appropriate ACUC, must be described in an official letter from the IO to the individual(s) concerned. The IO may draw from any institutional resources available to facilitate reinstatement to ensure animals are protected and all matters of due process are honored. Reinstatement of activities using animals or animal use privileges must be coordinated with and facilitated by the appropriate ACUC.

Appendix 1.

Relevant Authorities:

The USDA Animal Welfare Act Regulations (AWARs) and the Public Health Service Policy on the Humane Care and Use of Laboratory Animals (PHS Policy) charge the Institutional Official (IO) with the responsibility and authority to:

1. Legally commit on behalf of the research facility that animal welfare regulations will be met. AWAR sec. 1.1.
2. Sign, and have authority to sign the institution’s Assurance, making a commitment on behalf of the institution that the requirements of the PHS policy will be met. PHS Policy sec. III.G.
3. Receive recommendations from the institutional Animal Care and Use Committee (ACUC) regarding any aspect of the research facility’s animal program, facilities, or personnel training. AWAR sec.2.31(c)(5); PHS Policy IV.B.4.
4. Review the reasons for suspension, take appropriate corrective action in consultation with the ACUC, and report the suspension and corrective action to appropriate federal agencies, when the ACUC suspends an activity involving animals. AWAR sec. 2.31(c)(7); PHS Policy sec. IV.B.7.

5. Subject activities approved by the ACUC to further review and approval, under institutional authority delegated by the Chancellor. AWAR sec. 2.31(c)(8); PHS Policy sec. IV.B.8.

Further amplifying and clarifying the AWARs and PHS Policy are various federal and university guides and policies. These include:

1. The Guide for the Care and Use of Laboratory Animals, 8th Edition, which confirms that using animals in research is a privilege granted by society to the research community. The Guide is formally established as University research policy by Board of Regents Policy Document 4-3 [<http://www.uwsa.edu/bor/policies/rpd/rpd4-3.htm>].
2. A memo from the Chancellor of UW-Madison confirming the authority of attending veterinarians over all aspects of animal care and treatment, including the authority “to intercede in any activity involving the use of animals for research or teaching purposes which in their judgment jeopardizes animal welfare or compliance with federal or university policies.”