

## Guidance for Responding To Unannounced Regulatory Inspections of Your Facility

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Agents from government regulatory agencies may show up at your doorstep on campus without prior notification. Should inspectors from any local (Palo Alto, Santa Clara County), state (e.g. Cal-EPA, Department of Toxic Substances Control, Cal-OSHA) or federal governmental agency (e.g. federal EPA, Department of Transportation, Drug Enforcement Administration) appear in your department offices or laboratories and ask to conduct an inspection or review documents, please do the following:

1. Be courteous. Stanford fully cooperates with all regulatory officials while maintaining our rights to ensure inspections are lawful and to have agency officials accompanied by appropriate University and School representatives. Request that the inspectors refrain from conducting their inspection until you contact a University and/or a School official who can be present at the inspection. **You can politely state that you do not have authority to authorize an inspection and that you will contact the appropriate university officials who can provide the necessary consent.** Typically, someone will arrive to accompany the investigators within 15 to 30 minutes. If there is break room or waiting area nearby, ask the inspectors to wait there, preferably accompanied by a department representative.
2. Call the University EH&S office: 723-0448, identify yourself and your location, and inform the operator that inspectors from a regulatory agency (mention which one) are in your department and you are calling to request EH&S send a representative to accompany them on their inspection. **In the School of Medicine**, call the School's Health and Safety Programs Office: 723-0110. If you are transferred to voice mail, call 723-6336. (If you cannot reach an official at EH&S or in the School, contact the Office of the General Counsel at 723-9611.)
3. Refrain from answering any specific questions until someone from the University or School's Health and Safety Programs Office arrives. Most important, do not speculate. Be strictly factual in any information you provide. It is acceptable to say that you do not know the answer to a question, but will forward it to the appropriate person for a response.
4. If the inspectors are not willing to wait to begin the inspection or search, do the following:
  - a. Request identification from the inspectors or get their business cards. Call the number on the card to verify that the person is an employee of the organization noted on the business card.
  - b. Request a copy of a warrant; or if there is no warrant, request the legal authority under which they are acting, e.g., the specific legal statutory authority.
  - c. If there is a warrant, immediately contact the Stanford General Counsel's Office at 723-6397 and fax a copy of the warrant (723-4323). Tell the inspector that the University is represented by counsel and ask that the search be delayed until counsel is present.
  - d. Alert someone in your department to call EH&S and the School of Medicine (contact numbers above) to inform them that the inspection is taking place without University officials present.
  - e. Ask if they will be conducting a general inspection or are responding to a specific issue.
  - f. Accompany them and take notes concerning what is searched or reviewed, and what is taken.
  - g. Write down any questions that they ask, including searching for items that are not located.
  - h. Ask for an inventory or copy of all items taken or removed from the premises.
  - i. You have the right to speak or to not speak to the inspectors. You can choose to have a University lawyer present, if you decide to speak to the inspectors.
  - j. Do not interfere with the search or inspection.

Stanford University has long had a similar policy for auditors and investigators from non-EH&S related agencies (<http://www.stanford.edu/dept/Internal-Audit/docs/memogovtauditors07.pdf>). Please note that inspectors and auditors are aware of the need to be accompanied by an appropriate representative from

Stanford while conducting an investigation. You won't be considered rude or uncooperative if you ask them to wait. Your attention to this matter is greatly appreciated.