UNIVERSITY RULE ver. 10-28-2025

15.99.03.M1 ~~Ethics in~~ Research Misconduct~~, Scholarship, and Creative Work~~

Approved June 20, 1997
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Revised _____, 2025
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Rule Statement

Texas A&M University is committed to ensuring the highest standards of honesty and integrity in ~~integrity of~~ research~~, scholarship, and creative work~~ conducted under its auspices. As a recipient of federal funds, Texas A&M University must have written policies and procedures for addressing allegations of research misconduct~~. in research, scholarship, and creative work.~~

This rule addresses allegations of research misconduct ~~in research, scholarship, and creative work~~ at Texas A&M University and applies to both non-sponsored and sponsored research.

Definitions

Absent specific definitions in System Regulation 15.99.03, the following definitions apply to this University rule:

~~***Allegation*** – a written statement of possible misconduct in research, scholarship, or creative work made to an institutional official. There may be more than one allegation against each respondent.~~

Conflict of interest - *see System Regulation 15.01.03 for definition.*

~~***Deciding official*** – the institutional officer who makes final determinations on allegations of misconduct in research, scholarship, or creative work and any responsive institutional actions. The deciding official is the Vice Provost for Faculty Affairs of Texas A&M University.~~

Official Rule/ Responsibilities/ Process

1. GENERAL

1.1 This rule applies to any person paid by, under the control of or affiliated with Texas A&M University at the time of the alleged misconduct such as faculty, scientists, trainees, technicians and other staff members, students, fellows, visiting researchers or collaborators of Texas A&M University.

1.2 This rule and associated System Regulation 15.99.03 ~~procedure(s)~~ will be followed when an allegation of possible research misconduct is received by an institutional official. However, requirements of an external sponsor may dictate variation in procedures. Any deviation from this rule and associated System Regulation 15.99.03~~procedure(s)~~ must ensure fair treatment to the subject of the inquiry or investigation. Any significant variation must be approved in advance by the Vice President for Research, or designee.

1.3 All employees or individuals associated with Texas A&M University should report observed, suspected or apparent misconduct in research to the Research Integrity ~~Officer (~~Officer (see, Section 2.2 below). Any other official who receives an allegation of research or misconduct must report it immediately to the Research Integrity Officer. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she should discuss the suspected misconduct with the Research Integrity Officer. All allegations of research misconduct are evaluated to determine whether there is specific and credible information on which to act.

2. ROLES, RIGHTS AND RESPONSIBILITIES

2.1 DECIDING OFFICIAL

The ~~Vice Provost for Faculty Affairs~~ Executive Vice President and Provost of Texas A&M University is the institutional Deciding Official who makes final determinations on allegations of misconduct in research and any responsive institutional actions.

2.2 RESEARCH INTEGRITY OFFICER/INSTITUTIONAL CERTIFYING OFFICIAL

~~For purposes of this Rule and related standard procedures(s), the Designated Officer, is referred to as the Research Integrity Officer.~~

The Research Integrity Officer (RIO) shall be the Vice President for Research or his/her designee. In additional, the Vice President for Research may appoint a Deputy RIO to assist the RIO. The RIO~~The designee~~ must be a tenured professor. . The RIO serves as the Institutional Certifying Official (ICO) as det forth in System

Regulation 15.99.03. The RIO has primary responsibility for implementation of the responsibilities outlined in this ~~is~~ rule and associated System regulation 15.99.03~~and~~, and for:

(1) assessing allegations of research misconduct to determine if they fall within the definition of research misconduct, and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be ~~identified;~~identified;

(2) determining whether or not the alleged research misconduct appears subject to the subsequent use exception and documenting the determination that the subsequent use exception does not apply as required by System Regulation 15.99.03;

(3) appointing the inquiry committee and investigation committee;

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(4) overseeing ~~inquiresin~~inquiries~~quiries~~ and investigations; and

(5) the other responsibilities described in this rule and related ~~procedure(s) and S~~system R~~r~~egulation.

2.3 COMPLAINANT

2.3.1 The Complainant is responsible for making allegations in good faith, maintaining confidentiality and cooperating with the inquiry and investigation.

~~2.3.2 The Complainant may:~~

~~(1) request to testify before the inquiry committee and investigation committee;~~

~~(2) be provided with access to the recording or transcript of his/her testimony given to an investigation committee;~~

~~(3) be informed of the results of the inquiry and investigation;~~

~~(4) be protected from retaliation; and~~

~~(5) review the records pertaining to the case.~~

2.4 RESPONDENT

2.4.1 The Respondent is responsible for maintaining confidentiality and cooperating with the conduct of any inquiry and investigation including sequestration of records and materials relevant to the allegations.~~entitled to notice in writing of the allegations when an inquiry and/or investigation are initiated and notified in writing of the final determinations and resulting actions.~~

~~2.4.2 The Respondent should be given the opportunity to admit that research misconduct occurred and that he/she committed the research misconduct. With the advice of the RIO and/or other institutional officials, the Deciding Official may terminate the university's review of an allegation that has been admitted, if the university's acceptance of the admission and any proposed settlement is approved by the external sponsor, as required.~~

~~2.4.3 The Respondent will have the opportunity to review the evidence presented against him/her and to present additional evidence. In addition, the Respondent may review the records pertaining to the case.~~

~~2.4.4~~2.4.2 The Respondent will also have the opportunity:

(1) to be interviewed by and present evidence to the inquiry committee and/or investigation committee;
(2) to review and comment on the draft inquiry and investigation reports The Respondent must submit any comments on the draft report within ten (10) calendar days from the date the Respondent received the draft report. ; and
(3) to have the advice of counsel.

~~2.4.5~~2.4.3 The Respondent has the right to submit a written objection to any appointed member of the inquiry and/or investigation committee or expert based on bias or conflict of interest within five (5) working days after the committee is appointed. If an objection is submitted, the RIO~~Deciding Official~~ must immediately determine whether to replace the challenged member or expert with a qualified substitute and shall notify the Respondent.

~~2.4.6 The Respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry or investigation including sequestration of records and materials relevant to the allegations.~~

~~2.4.7~~2.4.4 As ~~requested~~requested, and as appropriate, the RIO and other university officials will make reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct, but against whom no finding of research misconduct is made.

3. COOPERATION WITH INQUIRIES AND INVESTIGATIONS

3.1 A Texas A&M employee or student will cooperate with the RIO and other institutional officials in responding to allegations by acting in good faith, providing research records and other relevant information, participating in research

misconduct proceedings and refraining from retaliation or interference with a research misconduct proceeding.

3.2 A Texas A&M employee or student who receives or learns of an allegation of misconduct in research must treat the information as confidential, to the extent allowed by law, and treat the Respondent with fairness and respect. Further, the Texas A&M employee or student will take reasonable steps to ensure that procedural safeguards listed in System Regulation 15.99.03 and ~~,~~ this rule ~~and the related University SAP~~ are followed. A Texas A&M employee or student observing deviations from the procedural safeguards listed in System Regulation 15.99.03 will report significant deviations therefrom to the RIO. The RIO will report any allegation determined not made in good faith to the Deciding Official for appropriate action.

3.3 Protecting the Respondent

Inquiries and investigations will be conducted in a manner that ensures fair treatment to the Respondent and confidentiality to the extent possible without compromising public health and safety and thoroughly carrying out the needs of the inquiry and/or investigation. Inquiries and investigations should be handled promptly and expeditiously with full attention given to the rights of all individuals involved.

3.4 Protecting the Complainant and Others

The RIO monitors the treatment of individuals who bring allegations of research misconduct and those who cooperate with inquiries or investigations. The university ensures that these individuals are not retaliated against in employment or other status at the institution and the RIO reviews instances of alleged retaliation for appropriate action.

Individuals should immediately report any alleged or apparent retaliation to the RIO.

4. REFERRAL OF ETHICAL MISCONDUCT RELATING TO AREAS OTHER THAN RESEARCH

When the review of an allegation identifies misconduct that does not relate to research covered under this university rule, the RIO shall refer these matters to the proper university, local, state or federal authorities for action (e.g. conflict of interest, human research, student code of conduct, misuse of university funds).

5. OBJECTIVITY

All persons involved in the research misconduct proceedings shall conduct themselves in a professional and objective manner, without implying guilt or innocence on the part of any party to the case.

Related Statutes, Policies, or Requirements

Supplements System Regulation *15.99.03, Research Misconduct~~Ethics in Research, Scholarship and Creative Work~~*

University SAP 15.99.03.M1.03, *The Responsible Stewardship of Research Data*

Contact Office

Division of Research
979-845-8585