

Texas Woman's University
Procedures for Responding to Allegations of Research Misconduct

I. INTRODUCTION

A. Statement of Commitment

Texas Woman's University (TWU) encourages and maintains the highest ethical standards in research. TWU is responsible for the prevention, detection, and investigation of research misconduct and shall take action to ensure the integrity of research, the protection of the rights of research subjects and the public, the protection of the health and safety of the public, and the observance of legal requirements related to all research funding. The purpose of this document is to establish procedures for responding to research misconduct allegations in a thorough, competent, and fair manner and in accordance with the governing TWU policy.

The following procedures for responding to allegations of research misconduct are intended to comply with the research misconduct requirements of the Federal Research Misconduct Policy, the U.S. Public Health Service (PHS) (42 C.F.R. Part 93), the National Science Foundation (NSF), and any other applicable research misconduct requirements of agencies or entities providing research funding to TWU. These procedures apply only to allegations of research misconduct that occurred within six years of the date TWU received the allegation, subject to the subsequent use, health or safety of the public, and grandfather exceptions in 42 CFR § 93.105(b).

B. Scope

This document applies to allegations of research misconduct involving:

1. a person who, at the time of the alleged research misconduct, was employed by, was an agent of, or was affiliated by contract or agreement with TWU; and
2. research, research training, or activities related to that research or research training;
3. applications or proposals for research training or activities related to that research or research training; or
4. plagiarism of research records produced in the course of research training or activities related to that research or research training; or
5. any research proposed, performed, reviewed, or reported, or any research record generated from that research, regardless of whether funding for the research was sought from any source.

This document does not apply to the following types of inappropriate research behaviors per the US Department of Health and Human Services Office of Research Integrity (ORI):

- Misuse of human or animal subjects
- Misconduct and other complaints involving FDA-regulated research
- Financial mismanagement
- Radiation or biosafety hazards
- Conflict of interest
- Certain types of falsifications in clinical trials fall under the jurisdiction of the Institutional Review Board per the US Department of Health and Human Services ORI.
 - Falsified or forged consent forms
 - Failure to report an adverse event to the IRB or sponsor
 - Protocol deviations such as entering ineligible subjects, administering an off-protocol drug, or forging a physician's signature on orders
 - Failure to obtain informed consent
 - Breach of patient confidentiality

- Failure to obtain IRB approval for changes to protocol
- Fabrication, falsification, or plagiarism in activities that do not fall within the definition of research per the TWU Research Misconduct Policy or this document (**Research** means a systematic experiment, study, evaluation, demonstration, or survey designed to develop generalizations, principles, or theories that contribute to broader knowledge or understanding of the subject studied).

C. Definition of Research Misconduct

Research misconduct, as defined by 42 CFR 93, means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

1. *Fabrication* is making up data or results and recording or reporting them.
2. *Falsification* is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
3. *Plagiarism* is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Research misconduct does not include honest error or differences of opinion.

D. Requirements for Findings of Research Misconduct

Per 42 CFR 93, a finding of research misconduct requires that

1. there be a significant departure from accepted practices of the relevant research community;
2. the misconduct be committed intentionally, knowingly, or recklessly; and
3. the allegation be proven by a preponderance of the evidence.

II. GENERAL DEFINITIONS

- A. Allegation** means a disclosure of possible research misconduct through any means of communication. The disclosure may be by written or oral statement or other communication to an institutional or funding agency official.
- B. Applicable Dean** means the dean of the academic college with which the respondent in allegations of research misconduct is associated.
- C. Complainant** means a person who, in good faith, makes an allegation of research misconduct.
- D. Assistant Provost for the Promotion of Research and Sponsored Programs** is responsible for all administrative aspects of research misconduct proceedings in accordance with federal, state, funding agency and University requirements. The Assistant Provost for the Promotion of Research and Sponsored Programs is authorized to update and modify research misconduct policies and procedures as necessary to comply with federal, state, and funding agency requirements.
- E. Evidence** means any document, tangible item, or testimony offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact.
- F. Good faith** as applied to a complainant or witness, means having a belief in the truth of one's allegation or testimony that a reasonable person in the complainant's or witness's position could have based on the information known to the complainant or witness at the time. An allegation or cooperation with a research misconduct proceeding is not in good faith if made with knowing or reckless disregard for information that

would negate the allegation or testimony. Good faith as applied to an investigator of research misconduct allegations means cooperating with the purpose of helping TWU meet its responsibilities regarding research misconduct and the applicable regulations of any involved funding entity. An investigator of research misconduct allegations does not act in good faith if his/her acts or omissions during the investigation are dishonest or influenced by personal, professional, or financial conflicts of interest with those involved in the research misconduct proceeding.

- G. ***Inquiry*** means preliminary information-gathering and preliminary fact-finding that meet the criteria and follow TWU policies and procedures required by the funding agency.
- H. ***Institutional member*** means a person who is employed by, is an agent of, or is affiliated by contract or agreement with TWU. Institutional members may include, but are not limited to, officials, tenured and untenured faculty, teaching and support staff, researchers, research coordinators, clinical technicians, postdoctoral and other fellows, students, volunteers, agents, contractors, subcontractors, and subawardees, and their employees.
- I. ***Investigation*** means the formal development of a factual record and the examination of that record leading to a decision not to make a finding of research misconduct or to a recommendation for a finding of research misconduct which may include a recommendation for other appropriate actions, including administrative actions.
- J. ***Notice*** means a written communication in person or by mail or its equivalent to the last known street address, facsimile number, or e-mail address of the addressee.
- K. ***Office of Research Integrity (ORI)*** means the office to which the Health and Human Services (HHS) Secretary has delegated responsibility for addressing research integrity and misconduct issues related to PHS supported activities.
- L. ***Preponderance of the evidence*** means proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.
- M. ***Provost*** is the chief academic officer of TWU who oversees all matters related to academic programs at TWU and also serves as the deciding official during research misconduct proceedings.
- N. ***Research*** means a systematic experiment, study, evaluation, demonstration, or survey designed to develop generalizations, principles, or theories that contribute to broader knowledge or understanding of the subject studied.
- O. ***Records of research misconduct proceedings*** comprise the following:
 - 1. The research records and evidence secured for the research misconduct proceeding pursuant to this procedure, including any records provided by any involved funding entity, except to the extent that the individual(s) conducting the inquiry or investigation as applicable determine and document that those records are not relevant to the proceeding or that the records duplicate other records that have been retained;
 - 2. The documentation of the determination of irrelevant or duplicate records;
 - 3. The inquiry report and final documents (not drafts) produced in the course of preparing that report, including the documentation of any decision not to investigate; and
 - 4. The investigation report and all records (other than drafts of the report) in support of the report, including the recordings or transcripts of each interview conducted.

- P. *Research misconduct proceeding*** means any actions related to alleged research misconduct taken under this part, including but not limited to, allegation assessments, inquiries, investigations, and oversight reviews by the relevant office of any involved funding entity.
- Q. *Research record*** means the record of data or results that embodies the facts resulting from scientific inquiry, including but not limited to, research proposals; laboratory records, both physical and electronic; progress reports; abstracts; theses; oral presentations; internal reports; journal articles; and any documents and materials provided to the relevant office of any involved funding entity or an institutional official by a respondent in the course of the research misconduct proceeding.
- R. *Respondent*** means the person or persons against whom an allegation of research misconduct is directed or who is the subject of a research misconduct proceeding.
- S. *Retaliation*** means an adverse action taken against a complainant, witness, or committee member by an institution or one of its members in response to
1. a good faith allegation of research misconduct; or
 2. good faith cooperation with a research misconduct proceeding.
- T. *Vice President for Student Life*** is responsible for issues concerning students including oversight of academic dishonesty disciplinary proceedings.
- U. *Senior Associate Provost*** is the University official responsible for reviewing the inquiry report and making decisions regarding the initiation of an investigation.

III. DELEGATION OF AUTHORITY AND RESPONSIBILITY

A. Provost

The Provost shall make all final determinations on research misconduct findings involving faculty and staff members.

B. Senior Associate Provost

The Provost delegates to the ***Senior Associate Provost*** the authority to review research misconduct inquiry reports and make decisions regarding the initiation of a research misconduct investigation.

C. Dean of Applicable College

The Provost delegates to the applicable dean (dean of the College with which the respondent is associated) authority and responsibility for

1. fostering a research environment that discourages misconduct in all research;
2. oversight of all procedures related to allegations of research misconduct by anyone performing research in his/her college;
3. if warranted, appointment of an individual or a committee to conduct inquiries and investigations into allegations of research misconduct;
4. in conjunction with the Assistant Provost for the Promotion of Research and Sponsored Programs, assurance of appropriate confidentiality or anonymity, fairness, and objectivity of proceedings;
5. assurance of a full and complete inquiry, investigation, and resolution process;

6. assurance that no real or apparent conflicts of interest arise in those appointed to pursue this process, that they have the appropriate disciplinary expertise, and that due regard is given to the prevailing standards of the field;
7. ensuring that written notice is provided to the respondent, consistent with and within the timelines of applicable TWU or funding agency guidelines;
8. ensuring that the respondent is given the opportunity for the respondent to provide written comments on the inquiry report;
9. ensuring that the respondent is given the opportunity to provide written comments on the draft report of the investigation and provisions for the institutional investigator(s) to consider and address the comments before issuing the final report;
10. assuring appropriate interim institutional actions to protect public health, research funds and equipment, or the integrity of any research process;
11. taking all reasonable and practical efforts, if requested and as appropriate, 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;
12. taking all reasonable and practical efforts to protect or restore the position and reputation of any complainant, witness, or committee member and to counter potential or actual retaliation against these complainants, witnesses, and committee members.

D. Assistant Provost for the Promotion of Research and Sponsored Programs

The Provost delegates to the Assistant Provost for the Promotion of Research and Sponsored Programs responsibility for

1. fostering a research environment that discourages misconduct in all research.
2. implementation, dissemination, and maintenance of policies, procedures, and records related to misconduct in research;
3. assessment of each allegation to determine whether it falls within the definition of research misconduct and warrants an inquiry;
4. notification, as necessary or required, to institutional officials and to parties involved in research misconduct proceedings including the respondent and the complainant;
5. maintenance of confidentiality of records, in accord with established University policy, relating to the investigation and resolution of incidents of misconduct in research;
6. notice to involved funding agencies of any facts that may be relevant to protect public health, research funds and equipment, or the integrity of any research process;
7. if external funds are involved, determining whether law, regulation, or the terms or conditions of the award
 - a. require notification of the sponsor;
 - b. specify time limits; or
 - c. require other actions to assure compliance.
8. maintenance of records of the research misconduct proceeding and, in accordance with any federal, state or other applicable requirements, make them available to the relevant office of any funding entity.

NOTE: The Assistant Provost for the Promotion of Research and Sponsored Programs, who is responsible for the maintenance of records and all reporting requirements, should receive copies of all external and internal correspondence and documentation.

IV. GENERAL PRINCIPLES AND PROCEDURES

A. Responsibility to Report

All individuals associated with TWU shall report observed, suspected, or apparent research misconduct to the Assistant Provost for the Promotion of Research and Sponsored Programs. An allegation should, in addition to stating the nature of the suspected misconduct, present evidence that leads the reporting individual to believe that an incident of research misconduct has occurred. Any TWU official who receives an allegation of research misconduct shall take no action other than to report it immediately to the Assistant Provost for the Promotion of Research and Sponsored Programs. It is the responsibility of the Assistant Provost for the Promotion of Research and Sponsored Programs to determine whether an allegation appears to fall within the definition of “research misconduct.” If the Assistant Provost for the Promotion of Research and Sponsored Programs determines it does not fall within the definition, she/he may refer the person making the report to other appropriate policies or TWU personnel (e.g., Policy 3.01 Professional Ethics).

B. Confidentiality

Disclosure of the identity of respondents and complainants in research misconduct proceedings is limited, to the extent possible, to those who need to know, in order to carry out a thorough, competent, objective, and fair proceeding. To the extent reasonably possible or except as may otherwise be prescribed by law, confidentiality must be maintained for any records or evidence from which research subjects might be identified; and disclosure is limited to those who need to know.

C. Special Circumstances

If the research at issue receives or has received federal funding, and, at any point during an inquiry or subsequent investigation, it is ascertained that any of the following conditions pertain, the Assistant Provost for the Promotion of Research and Sponsored Programs will immediately notify the sponsoring federal agency:

1. Health or safety of the public is at risk, including an immediate need to protect human or animal subjects.
2. HHS resources or interests are threatened.
3. Research activities should be suspended.
4. There is reasonable indication of possible violations of civil or criminal law.
5. Federal action is required to protect the interests of those involved in the research misconduct proceeding.
6. The research institution believes the research misconduct proceeding may be made public prematurely so that HHS may take appropriate steps to safeguard evidence and protect the rights of those involved.
7. The research community or public should be informed.

V. ASSESSMENT AND INQUIRY

A. Preliminary Assessment

The Assistant Provost for the Promotion of Research and Sponsored Programs will immediately assess an allegation to determine if it falls within the definition of research misconduct per the TWU Research Misconduct Policy and, if so, refer the allegations to the applicable dean.

If the applicable dean has a conflict of interest regarding an allegation of Research misconduct, the Assistant Provost for the Promotion of Research and Sponsored Programs shall request that the Provost designate an alternate dean to oversee the proceedings.

B. Inquiry

Upon receiving an allegation of research misconduct, the applicable dean will assess the allegation to determine

- whether the allegation falls within the definition of *research misconduct* in the governing policy as further explained in these procedures, and
- whether it is sufficiently credible and specific so that potential evidence of research misconduct may be identified.

If the above criteria are met, the applicable dean may appoint one or more persons (including individuals from outside TWU, if necessary) to conduct an inquiry to determine whether there is sufficient substance to the allegation to warrant a formal investigation.

The purpose of the inquiry is not to reach a final conclusion as to whether misconduct occurred but to determine whether the allegation itself meets the definition of research misconduct, whether the allegation has substance, and whether an investigation is warranted. This preliminary phase may include information gathering and fact-finding to the extent necessary to make such a determination. The inquiry shall be completed within 60 calendar days from the receipt of the allegation unless circumstances warrant a longer period. If the inquiry phase must be extended beyond 60 calendar days, the reasons for doing so shall be documented. The scope of an inquiry is not required to and does not normally include deciding whether misconduct definitely occurred, determining definitely who committed the research misconduct, or conducting interviews and analyses. If a legally sufficient admission of research misconduct is made by the respondent, misconduct may be determined at the inquiry stage.

The applicable dean shall notify in writing the Provost, the Senior Associate Provost, and the Assistant Provost for the Promotion of Research and Sponsored Programs of the initiation of a research misconduct inquiry and of the need to extend the inquiry beyond 60 calendar days.

C. Inquiry Procedures

1. Upon notification from the applicable dean, the Assistant Provost for the Promotion of Research and Sponsored Programs will make a good faith effort to notify the respondent of the initiation of an inquiry and the procedure to be followed and will describe the nature of the misconduct allegation(s). The applicable dean and the Senior Associate Provost shall receive copies of the notification.

At the time of notification of the respondent, and in the course of the inquiry or of any subsequent investigation, the applicable dean, with the assistance of the Assistant Provost for the Promotion of Research and Sponsored Programs, will promptly take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner. When the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments.

2. The applicable dean may determine what reasonable access by the respondent to the research records and/or evidence is appropriate.
3. The applicable dean will prepare a written report of the inquiry and ensure that the respondent(s) is provided with a copy and given 10 calendar days to attach written comments to the report.
4. The inquiry report shall include the following information:

- a. the name and position of the respondent;
 - b. a description of the allegations of research misconduct;
 - c. any funding support including, for example, grant numbers, grant applications, contracts, and publications listing funding support;
 - d. the basis for recommending or not recommending that the allegations warrant an investigation; and
 - e. any comments on the draft report by the respondent.
5. The Assistant Provost for the Promotion of Research and Sponsored Programs will, upon request, provide the inquiry report and supporting documentation to relevant authorized federal agencies.
 6. Matters pertaining to the inquiry will be treated confidentially to the maximum extent possible consistent with fact finding and required reporting to funding agencies.
 7. Records of the inquiry, including all documentary evidence, interview notes, the inquiry report, and the Senior Associate Provost's written determination shall be maintained in a secure manner for at least 7 (seven) years.
 8. If an inquiry is terminated before its completion, the applicable dean, with the assistance of the Assistant Provost for the Promotion of Research and Sponsored Programs, shall ensure that a report of the termination, including the reasons for such action, is made to those federal funding agencies that require it.
 9. Upon receipt of the inquiry report, the Senior Associate Provost will make, in writing, the determination of whether an investigation is warranted. The Senior Associate Provost will notify the applicable dean and the Assistant Provost for the Promotion of Research and Sponsored Programs in writing of this determination.
 10. Records of the inquiry, including all documentary evidence, interview notes, the inquiry report, and the Senior Associate Provost's written determination shall be maintained in a secure manner by the Assistant Provost for the Promotion of Research and Sponsored Programs for at least 7 (seven) years.

VI. INVESTIGATION

- A. If, during the inquiry phase, the Senior Associate Provost has determined that there is sufficient evidence to warrant a formal investigation, the applicable dean shall then initiate the investigation process within 30 calendar days of that determination.
- B. On or before the date on which the investigation begins, the Assistant Provost for the Promotion of Research and Sponsored Programs shall:
 1. notify the respondent in writing of the allegations and of the initiation of the investigation and the procedures that will be followed in the course of the investigation. In the event that new allegations arise in the course of the investigation, the respondent will be so notified in writing by the Assistant Provost for the Promotion of Research and Sponsored Programs.
 2. in accordance with any federal or state requirements, notify the relevant office of an involved funding agency of the decision to begin the investigation and provide a copy of the inquiry report.
- C. To the extent they have not already done so, the applicable dean, with the assistance of the Assistant Provost for the Promotion of Research and Sponsored Programs, will promptly take all reasonable and practical steps

to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner. When the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments.

- D. The applicable dean shall appoint one or more persons (including individuals from outside TWU, if necessary) to conduct an investigation to determine whether research misconduct has occurred. The investigation phase should be completed within 120 days of the start of the investigation, unless circumstances warrant a longer period. If the investigation stage is extended beyond 120 days, the applicable dean shall notify the Senior Associate Provost and the Assistant Provost for the Promotion of Research and Sponsored Programs in writing of the reasons for doing so. The Assistant Provost for the Promotion of Research and Sponsored Programs shall notify the respondent and maintain documentation of the extension.
- E. When it is required by federal funding agencies, the Assistant Provost for the Promotion of Research and Sponsored Programs shall submit a written request to the relevant agency for an extension of the investigation period beyond 120 days. The extension request should include an explanation for the delay, an interim report on the progress to date, an outline of what remains to be done, and an estimated date of completion.
- F. The applicable dean shall ensure that the appointed investigator(s)
 - 1. uses diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of each allegation;
 - 2. takes reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical;
 - 3. whenever possible, interviews each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent; records or transcribes each interview; when reasonable, provides the recording or transcript to the interviewee for correction; and includes the recording or transcript in the record of the investigation; and
 - 4. pursues diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible research misconduct, and continue the investigation to completion.
- G. The applicable dean shall ensure that individuals affected by the investigation are accorded confidential treatment to the maximum extent possible.
- H. If an investigation is terminated before its completion, the applicable dean, with the assistance of the Assistant Provost for the Promotion of Research and Sponsored Programs, shall
 - 1. ensure that the respondent is notified of such termination and copies of the notification are provided to the Senior Associate Provost and the Assistant Provost for the Promotion of Research and Sponsored Programs.
 - 2. ensure that a report of the termination, including the reasons for such action, is made to those federal funding agencies that require it.

VII. THE INVESTIGATION REPORT

- A. The applicable dean shall ensure the preparation of a draft report of the investigation that
1. describes the nature of the allegation of research misconduct, including identification of the respondent. The respondent's curriculum vita or resume should be included as part of the identification;
 2. describes and documents any funding entity support, including the grant numbers, grant applications, contracts, and publications listing any funding entity support;
 3. describes the specific allegations of research misconduct considered in the investigation;
 4. includes the TWU policies and procedures under which the investigation was conducted, unless those policies and procedures were provided to the relevant office of any involved funding entity previously;
 5. identifies and summarizes the research records and evidence reviewed and identifies any evidence taken into custody but not reviewed; and identifies and explains any relevant records and evidence not taken into custody;
 6. includes a statement of findings for each allegation of research misconduct identified during the investigation. Each statement of findings must
 - a. identify whether the research misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly;
 - b. summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by the respondent to establish by a preponderance of the evidence that he or she did not engage in research misconduct because of honest error or a difference of opinion;
 - c. identify the funding entity support;
 - d. identify whether any publications need correction or retraction;
 - e. identify the person(s) responsible for the misconduct; and
 - f. list any current support or known applications or proposals for support that the respondent has pending with other funding entities.
 7. includes any comments made by the respondent on the draft investigation report and indicates that all submitted comments have been considered by the applicable dean.
- B. The applicable dean shall provide the respondent with a copy of the draft investigation report for comment, and concurrently, a copy of, or supervised access to, the evidence on which the report is based. The dean shall also provide copies of the draft report to the Senior Associate Provost and the Assistant Provost for the Promotion of Research and Sponsored Programs. The respondent will be allowed 10 calendar days from the receipt date to submit comments. The respondent's comments must be included and considered in the final report.
- C. The final investigation report involving faculty or staff members will be submitted to the Provost, who will make a determination regarding
1. whether the institution accepts the investigation report and its findings;
 2. whether the report should be returned with a request for further fact-finding or analysis; and
 3. the appropriate institutional actions in response to the accepted findings of research misconduct.

The Provost will notify in writing the respondent, the Senior Associate Provost, the Assistant Provost for the Promotion of Research and Sponsored Programs, and the applicable Dean.

- D. Upon written notification of the Provost's final decision, the Assistant Provost for the Promotion of Research and Sponsored Programs, at the discretion of the Provost, may notify the complainant.
- E. The Provost shall submit final investigation reports involving students to the Vice President for Student Life or his or her designee, who will oversee academic dishonesty disciplinary proceedings according to Chapter 4 of the *Student Handbook*.
- F. The Assistant Provost for the Promotion of Research and Sponsored Programs is responsible for ensuring institutional compliance with all notification requirements of federal, state, or local entities or officials that are specifically allowed access to records of research misconduct proceedings. If there is a federal, state, or local requirement to do so, and an extension has not been granted, the Assistant Provost for the Promotion of Research and Sponsored Programs must, within the 120-day period for completing the investigation, submit the following to the relevant office of an involved funding entity:
 - 1. a copy of the final investigation report with all attachments;
 - 2. a statement of whether TWU accepts the findings of the investigation report;
 - 3. a statement of whether TWU found misconduct and, if so, who committed the misconduct; and
 - 4. a description of any pending or completed institutional administrative actions against the respondent.
- G. The applicable dean shall take all reasonable and practical efforts, if requested and as appropriate, 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.
- H. The applicable dean shall take all reasonable and practical efforts to protect or restore the position and reputation of any complainant, witness, or committee member and to counter potential or actual retaliation against these complainants, witnesses, and committee members.
- I. The Provost will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case.
- J. The Assistant Provost for the Promotion of Research and Sponsored Programs must maintain and, in accordance with federal, state, and local requirements, provide to the relevant office of any involved funding entity upon request "records of research misconduct proceedings" as that term is defined by the applicable regulations of any involved funding entity. Records of research misconduct proceedings must be maintained in a secure manner for 7 years after completion of the proceeding or the completion of any funding entity proceeding involving the research misconduct allegation or for the applicable retention period under the TWU records retention schedule, whichever is longer. The Assistant Provost for the Promotion of Research and Sponsored Programs is also responsible for providing any information, documentation, research records, evidence, or clarification requested by the funding entity, as allowed by law or regulation, to carry out its review of an allegation of research misconduct or of TWU's handling of such an allegation.

VIII. OTHER CONSIDERATIONS

If the respondent, without admitting to the misconduct, elects to resign his or her position after TWU receives an allegation of research misconduct, the assessment of the allegation will proceed, as well as the inquiry and investigation, as appropriate based on the outcome of the preceding steps. If the respondent refuses to participate in the process after resignation, the applicable dean and the individual(s) appointed to conduct research misconduct inquiries or investigations will use their best efforts to reach a conclusion concerning the allegations, noting in the report the respondent's failure to cooperate and its effect on the evidence.