Texas Woman's University
University Policy Manual

Policy Name: Research Misconduct
Policy Number: 5.04
Date Passed: December 1989
Date Reviewed: August 2012
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Signed By: President and Chancellor

General Policy

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. All persons engaged in research at TWU are responsible for fostering an environment that promotes intellectual honesty and integrity in research. The purpose of this document is to establish a policy for responding to research misconduct allegations in a thorough, competent, and fair manner.

Scope of Policy

This policy applies to allegations of research misconduct involving: 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 (1) research, research training, or activities related to that research or research training; (2) applications or proposals for research training or activities related to that research or research training; or (3) plagiarism of research records produced in the course of research training or activities related to that research or research training. This includes any research proposed, performed, reviewed, or reported, or any research record generated from that research, regardless of whether or not funding was sought from any source.

This policy is 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), and any other applicable research misconduct requirements of agencies or entities providing research funding to TWU. This statement of policy applies 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).

Definitions

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.
Research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

- Fabrication is making up data or results and recording or reporting them.
- 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.
- Plagiarism is the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit.
- Research misconduct does not include honest errors or differences of opinion.

A finding of research misconduct requires that:

- There be a significant departure from accepted practices of the relevant research community,
- The misconduct be committed intentionally, knowingly, or recklessly, and
- The allegation be proven by a preponderance of the evidence.

Responsibility to Report

All TWU members shall report observed, suspected, or apparent research misconduct to the Assistant Provost for Promotion of Research and Sponsored Programs. Any TWU official who receives an allegation of research misconduct must report it immediately to the Assistant Provost for Promotion of Research and Sponsored Programs.

Inquiry and Investigation

The Assistant Provost for Promotion of Research and Sponsored Programs shall conduct an initial assessment and will immediately refer all allegations of research misconduct that fall within the definition of research misconduct in this policy to the dean of the college with which the individual alleged to have committed research misconduct is associated.

TWU shall, in the course of addressing research misconduct:

- Ensure that individuals responsible for carrying out any part of the research misconduct proceeding do not have unresolved personal, professional, or financial conflicts of interest with the complainant, respondent, or witnesses;
- Protect the confidentiality of respondents, complainants, and research subjects identifiable from research records or evidence to the extent that is reasonable;
- Notify the respondent of the allegation(s), provide the opportunity for the respondent to submit written comments on the inquiry report and the draft report of the investigation, and ensure that institutional investigators consider and address the comments before issuing the final report;
- Notify and make reports to the relevant office of an involved funding entity in accordance with federal, state, and funding entity requirements;
- Follow approved protocols for handling research records and evidence;
- Take appropriate interim action to protect public health, funds and equipment, and the integrity of the research process and notify funding sources of facts relevant to this protection;
- Make 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;
• Make all reasonable and practical efforts to protect or restore the position and reputation of any complainant, witness, or investigator, and to counter potential or actual retaliation against these complainants, witnesses, and investigator; and
• Cooperate fully with funding sources during oversight reviews or any subsequent administrative hearings or appeals.

The dean of the college with which the respondent is associated shall have primary authority and responsibility for oversight of research misconduct proceedings within his/her college. The Assistant Provost for Promotion of Research and Sponsored Programs shall be responsible for all administrative aspects of research misconduct proceedings including documentation, coordination, notification, and record maintenance in accordance with federal, state, funding agency and University requirements. The Assistant Provost for Promotion of Research and Sponsored Programs is authorized to update and modify procedures as necessary to comply with federal, state, funding agency, and University regulations. The Senior Associate Provost will review the inquiry report and determine whether an investigation is warranted. The Provost will determine if research misconduct has occurred in cases involving faculty and staff members. The Provost will determine the appropriate institutional actions in cases involving faculty and staff members. The Vice President for Student Life or his or her designee will oversee academic dishonesty disciplinary proceedings in cases involving students in accordance with Chapter 4 of the Student Handbook.

The Assistant Provost for Promotion of Research and Sponsored Programs is responsible for publicizing to all TWU personnel participating in or otherwise involved with research, research training or activities, and personnel applying for support from any funding source the TWU research misconduct policies, procedures, and reporting requirements, as well as TWU’s commitment to compliance with research misconduct policies and procedures.