

## **I. Introduction**

TCU is committed to fostering an environment that promotes the adherence to ethical principles and professional standards while pursuing knowledge through research and scholarly activities. Any conduct that jeopardizes this environment undermines the advancement of knowledge, erodes public support, wastes resources, and is therefore prohibited.

TCU expects everyone engaged in Research or scholarly activities at or on behalf of TCU to pursue such endeavors in a manner that is consistent with TCU's high standards of ethical, scientific, and scholarly practice and encourages the reporting of any observed, suspected, or apparent Research Misconduct or Research Noncompliance, both as defined below.

The TCU Office of Research has been charged with exclusive oversight and enforcement of this policy and investigation into any alleged Research Misconduct or Research Noncompliance. All such allegations are handled by the Research Integrity Officer ("RIO") or the RIO's designee, which may include a TCU research committee (e.g. Institutional Review Board, Institutional Animal Care and Use Committee, etc.).

## **II. Definitions**

Terms used in this policy, but not otherwise defined, have the same meaning given to them in the Public Health Service Policies on Research Misconduct, 42 CFR Part 93, promulgated by the U.S. Department of Health and Human Services ("HHS") and revised from time to time.

"Allegation" means a disclosure of possible Research Misconduct or Research Noncompliance through any means of communication to the RIO or through the Ethics and Compliance Hotline.

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"Allegation Assessment" means the process of assessing an Allegation to determine whether it is sufficiently credible and specific to warrant an Inquiry.

"Complainant" means the individual or individuals who report or provide initial information about suspected or alleged Research Misconduct or Research Noncompliance

"*Deciding Official*" or "*DO*" means the TCU institutional officer, who makes final determinations on Allegations and any institutional administrative actions. The Deciding Official will have no direct prior involvement in the Inquiry, Investigation, or Allegation Assessment. A DO's appointment of an individual to assess Allegations, or to serve on an Inquiry or Investigation committee, is not considered to be direct prior involvement.

"Covered Person" means a person who, is or was employed by, an agent of, or otherwise affiliated by contract or agreement with TCU, including faculty, staff, students, postdoctoral scholars, visiting scholars, and those with any other TCU teaching and/or research titles, who make significant use of university research resources (including participation in any sponsored project awarded to TCU), or are involved in research, scholarly, and artistic activities under the aegis of TCU.

"Inquiry" means the process of information gathering and initial fact-finding to determine if an Allegation or apparent instance of Research Misconduct or Research Noncompliance has substance to warrant an Investigation.

"Investigation" means the formal development of a factual record; the examination of that record to determine whether Research Misconduct or Research Noncompliance has occurred; and if so, to determine the responsible party, the seriousness of the Research Misconduct or Research Noncompliance, and the recommendations for corrective action and other remedies.

"Research Integrity" is multi-faceted. Regarding the research, it is the trustworthiness of research due to the soundness of its methods and the honest and accuracy of its presentation and record. For the researcher, research integrity is the personal adoption and adherence to ethical principles and professional standards for the responsible practice of research, including, but not limited to, honesty, trustworthiness, adherence to all applicable law, rules, policies and procedures, appropriate regard for human and animal subjects, and reporting suspected acts of Research Misconduct.

"Research Integrity Officer" or "RIO" means the TCU institutional official responsible 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; (2) overseeing inquires and investigations; and (3) the other responsibilities described in this policy.

"Research Integrity Violation" means any Research Misconduct and/or Research Noncompliance.

"Research Misconduct" means fabrication, falsification, plagiarism or other serious deviation from commonly accepted practices in proposing, performing, or reviewing research, in reporting research results, or in creating or using scholarly works. Research misconduct does not include honest error or differences of opinion.

- Fabrication is making up data or results and recording or reporting them.
- Falsification is misrepresenting or 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 a person's ideas, processes, results, or words without giving appropriate credit. Failure to properly cite a party's own work can rise to the level of Research Misconduct, if a pattern of behavior is observed.
- Serious deviation from commonly accepted practices includes, but is not limited to:
  - Abusing confidentiality, including the use of ideas and preliminary data gained from:
    - Access to privileged information through the opportunity for editorial review of manuscripts submitted to journals; and
    - Peer review of proposals being considered for funding by agency panels or by internal committees, such as the Institutional Review Board, the Institutional Animal Care and Use Committee, and the Institutional Biosafety Committee.

- Stealing, destroying, or damaging the research property of others with the intent to alter the research record;
- Noncompliance with applicable federal, state, or local law, TCU policies, procedures or rules, or otherwise failing to demonstrate Research Integrity; and
- Directing, encouraging, or knowingly allowing others to engage in fabrication, falsification, or plagiarism.

“Research Noncompliance” means a lack or failure (intentional or unintentional) to follow applicable law, TCU policies and procedures, or requirements of or determinations by a research committee. Research Noncompliance includes research activities that deviate from accepted practices in the research community. Research Noncompliance can result from action or omission.

“Respondent” means the individual or individuals against whom a report or complaint has been submitted.

“Retaliation” means any adverse action taken against a complainant, witness or other individual involved in a Research Misconduct proceeding because: (a) the individual has, in good faith, made an Allegation; (b) of TCU’s response to an Allegation; or (c) the individual cooperated with a process associated with this policy. A causal relationship between the good faith participation in the protected activity of reporting suspected or alleged misconduct and the adverse action is needed to demonstrate that retaliation has occurred.

“Sponsor” means any external entity, including, but not limited to, a company, agencies of the U.S. federal and state governments such as the National Science Foundation and the Public Health Service, foundations, industry associations, and others, that supports the scholarly work upon which the Allegation is based.

### **III. Applicability**

This policy applies to all Allegations involving a Covered Person. This policy and associated procedures are intended, among other things, to carry out TCU’s responsibilities under the HHS Public Health Service Policies on Research Misconduct.

This policy and supporting procedures do not apply to authorship or collaboration disputes and applies only to Allegations that occurred within six years of the date TCU or a HHS received the Allegation, subject to subsequent use, and health or safety of the public exceptions.

### **IV. Policy Requirements**

- A. Research Integrity. All Covered Persons must conduct their research and scholarly activities associated with Research Integrity.
- B. Research Misconduct and Research Noncompliance Prohibited. All Covered Persons must not engage in or otherwise commit Research Misconduct or Research Noncompliance.

- C. Responsibility to Report Research Misconduct and Research Noncompliance. Any person who believes Research Misconduct and Research Noncompliance has occurred or is occurring should notify the RIO. If an individual is unsure whether a suspected incident falls within the definition of Research Misconduct or Research Noncompliance, he or she may meet with or contact the RIO to discuss the matter informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of Research Misconduct or Research Noncompliance, the RIO will attempt to refer the individual or allegation to other offices or officials with responsibility for resolving the problem.
- D. Cooperation with Research Integrity Violation Proceedings. Covered Persons must cooperate with the RIO and other institutional officials in the review of Allegations and the conduct of Inquiries and Investigations. Covered Persons, including respondents, have an obligation to provide evidence relevant to Allegations to the RIO or other institutional officials.
- E. Research Integrity Violation Proceedings. If any Allegation is made, the RIO will coordinate a review in the following stages: Allegation Assessment; Inquiry; Investigation; closure and disposition.
- E. Confidentiality. Research Integrity Violation proceedings are confidential and records, evidence and other information about them is released only to those individuals and Sponsors with a bona fide TCU business reason to know.
- F. No Retaliation. TCU prohibits retaliation in any way against individuals, who acted in good faith in reporting, investigating or providing information about suspected or alleged Research Misconduct or Research Noncompliance. When a complaint has been brought in good faith, even if mistakenly, TCU will provide appropriate support to the Complainant. Individuals who provide information to assist in resolving of a complaint are also protected. Individuals engaging in acts of retaliation will be disciplined in accordance with the appropriate TCU policies and applicable law.
- G. Protecting the Respondent. As requested and as appropriate, the RIO and other institutional officials shall make all reasonable and practical efforts to protect or restore the reputation of any Respondent against whom no finding of Research Integrity Violation is made.
- H. Interim Administrative Actions and Reporting Requirements. At any stage in the process of Inquiry, Investigation, formal finding, and disposition, TCU may take interim administrative action to protect grant funds, research equipment, documents and any other items related to the research associated therewith.

## **V. Enforcement**

Failure to comply with this Policy could result in disciplinary action, including termination of employment.

Students. Academic dishonesty by a student during an academic exercise is a violation of The Code of Student Conduct and the Academic Conduct Policy. Allegations of academic dishonesty are resolved in accordance with established collegiate and Code of Student Conduct policies and procedures. However, in cases where a student is accused of misconduct while working on federally-sponsored research, the question of whether research misconduct occurred will be determined according to this policy and the sponsor's regulations.

## **VI. Questions/Reports**

If you have any questions about this Policy or would like to report a potential violation, please contact the RIO. Reports regarding violations of this Policy may be submitted anonymously by using the independent Ethics and Compliance Hotline at 1-877-888-0002.

## **VII. Related Policies and Procedures**

Research Misconduct Procedures  
Handling Research Misconduct Flowchart  
Academic Conduct Policy  
Code of Conduct

## **VIII. History**

Effective Date:  
Last Revised Date: