

15.99.03.E1.01 Duties of the Designated Officer

Approved: June 28, 2002

This Standard Administrative Procedure is provided as a guide to implement TEES Rule 15.99.03.E1

1. DESIGNATED OFFICER

The Texas Engineering Experiment Station (TEES) designated officer, the Associate Agency Director for Finance and Administration or his/her designee, will have primary responsibility for implementation of the procedures in TEES Rule 15.99.03.E1. The Rule and associated Standard Administrative Procedures apply to individuals whose primary employer is TEES (see Preface and Definitions in 15.99.03.E1).

2. THE DESIGNATED OFFICER RECEIVES ALLEGATIONS OF POSSIBLE MISCONDUCT IN RESEARCH OR SCHOLARSHIP

- 2.1 The designated officer conducts a preliminary assessment of expressions of concern and/or allegations of misconduct and informs the Agency Director whether an inquiry is warranted.
 - 2.1.1 The designated officer may involve the research standards officer in the preliminary assessment.
 - 2.1.2 The designated officer may dismiss unfounded complaints with notification to the Agency Director.
- 2.2 If an inquiry is not warranted, the preliminary assessment is terminated and the designated officer refers non-research/scholarship misconduct issues, if any, to the appropriate institutional or federal office.

3. THE DESIGNATED OFFICER INITIATES THE INQUIRY PROCESS

- 3.1 The designated officer notifies the research standards officer, appropriate institutional officials, the respondent(s), and if necessary, federal agencies, that an inquiry is underway.
- 3.2 The designated officer or the research standards officer

sequesters research records.

- 3.3 The designated officer recommends to the Agency Director a three-person inquiry committee with the assistance of the research standards officer who will serve as a nonvoting member. The designated officer will ensure that necessary and appropriate expertise is secured to conduct a thorough and authoritative evaluation of the relevant evidence in an inquiry. The Agency Director or his/her designee appoints the membership.
- 3.4 The designated officer ensures the impartiality of those involved in the inquiry. The designated officer protects against bias or conflicts of interest.
- 3.5 The designated officer develops the charge to the research standards officer and the inquiry committee and provides advice on appropriate procedures.
- 3.6 The designated officer determines whether a time extension will be allowed.
- 3.7 The designated officer provides draft copies of the inquiry report to the respondent(s).
- 3.8 The designated officer transmits the final inquiry report to the Agency Director. The designated officer will notify the respondent of the decision. Based on the recommendations in the final inquiry report, the Agency Director in consultation with the designated officer will determine if an investigation is warranted.
- 3.9 The designated officer prepares and maintains all documentation necessary to conduct the inquiry. This includes maintaining sufficiently detailed documentation of inquiries to permit later assessment. The designated officer or the Research Standards Officer shall retain all records in a secure manner for the time periods set forth in the Records Retention Schedule for the Texas A&M University System.

- 3.10 In the case of research conducted with outside funds, the designated officer takes interim administrative actions, as appropriate, to protect such funds and ensure that the purposes of the financial assistance are carried out. Sponsors shall be informed about the status of investigations according to the applicable rule and the regulations of the funding entity.

4. THE DESIGNATED OFFICER INITIATES THE INVESTIGATION PROCESS IF APPROVED BY THE AGENCY DIRECTOR

- 4.1 The designated officer shall appoint the research standards officer (who will be a nonvoting member) and nominate a three-person investigation committee to conduct the investigation. The designated officer shall ensure that necessary and appropriate expertise is secured to conduct a thorough and authoritative evaluation of the relevant evidence in an investigation.
- 4.2 The designated officer ensures the impartiality of those involved in the investigation. The designated officer protects against bias or conflicts of interest.
- 4.3 The designated officer defines the scope of the investigation and develops the charge to the research standards officer and the investigation committee, according to the terms described in sections 5.2 and 6 of System Regulation 15.99.03, section 6 of Standard Administrative Procedure 15.99.03.E1.03, and any other applicable System policies or regulations or TEES rules, as well as any applicable state or federal policies, regulations, or laws.
- 4.4 The designated officer convenes an initial meeting with the research standards officer, the investigation committee, and a representative of the Office of General Counsel who provides them with advice on appropriate procedures.
- 4.5 The designated officer or his/her designee prepares and maintains all documentation necessary to conduct the investigation. This includes maintaining sufficiently detailed documentation of inquiries to permit later assessment. Such

records shall be retained in a secure manner for the time periods set forth in the Records Retention Schedule of the Texas A&M University System.

- 4.6 The designated officer determines whether a time extension will be allowed.
- 4.7 The designated officer provides draft copies of the investigative report to the respondent(s).
- 4.8 The designated officer transmits the final investigative report to the deciding official.

After the deciding official receives and reviews the investigation committee report the deciding official may modify or reverse the recommendations of the investigation committee, and must state the reasons for the modification or reversal in a written report to the designated officer, the investigation committee, the complainant, and the respondent. The deciding officer's report shall be transmitted with the report of the investigation committee to the Agency Director if the action is appealed.

- 4.9 The designated officer notifies the complainant and the respondent of the institution's findings and actions.
- 4.10 When required, the designated officer notifies the appropriate outside entities of the outcome of an inquiry or investigation.

5. RESTORING REPUTATIONS

As required or as considered necessary, the designated officer undertakes reasonable efforts to restore the reputation and research capabilities of cleared respondents.

OFFICE OF RESPONSIBILITY: Office of Policy Administration

HISTORY: New Standard Administrative Procedure