THE FACULTY SENATE

May 12, 1998

Dr. Ray M. Bowen
President
Texas A&M University

Dear President Bowen:

At its regular meeting held May 11, 1998 the Faculty Senate considered and approved the following statement from the Research Committee concerning the need for coordinating activities between responsible conduct procedures, internal audits, and standing university committees:

"............These considerations lead us to request that the administration of Texas A&M University consider empowering a committee composed of individuals and faculty with expert knowledge in these areas to review the responsibilities and charges to various units and committees, with the objective to simplify and to rationalize the process of determining how, when, and why different investigational procedures become involved. The committee ought to include experts on fiscal management, accounting, research management, state and federal law, and public policy."

Enclosed are the materials considered by the Senators. Please inform me of your action with regard to this recommendation.

Sincerely,

Wayne E. Wylie
Speaker, 1997-98

Enclosure

cc: Dr. Ronald G. Douglas, Executive Vice President & Provost
Dr. Robert A. Kennedy, Vice President for Research and Associate Provost for Graduate Studies
Senator Garret M. Ihler, Chair, Research Committee

APPROVED ___________________________ DATE 2/7/01

Approved per Dr. Douglas' strategy (see memorandum dated February 1, 2001).

TEXAS A&M UNIVERSITY COLLEGE STATION, TEXAS 77843-1225 TEL 409/845-9528 FAX 409/845-6445
MEMORANDUM

TO: Dr. Ray M. Bowen
    President

SUBJECT: Outstanding Faculty Senate Item Related to Coordinating Research Activities

Attached is a copy of a May 12, 1998 Faculty Senate item that has remained outstanding since it was passed. I recently asked Dr. Richard E. Ewing, Dr. William L. Perry and Mr. Rodney P. McClendon to look at this issue. Dr. Ewing has come up with a good solution. My Provost's Administrative staff have discussed Dr. Ewing's recommended solution and we all agree that Dr. Ewing should take the lead in appointing a faculty-driven committee, such as the Faculty Senate has suggested, to bring together both faculty, research administrators, and groups for whom research administration and compliance are so important today.

Dr. Ewing is suggesting that the committee to be appointed include appropriate representation of interested parties from across campus. He is also recommending that the committee include representatives from the agencies.

I have given Dr. Ewing the authority to appoint and coordinate such a committee to convene during the Spring 2001 with a goal to have a plan in place by September 2001.

Therefore I recommend you approve the May 12, 1998 Faculty Senate item on the need for coordinating activities among responsible conduct procedures, internal audits, and standing university committees. For your information I have also enclosed a copy of Dr. Ewing's suggested proposal.

Ronald G. Douglas
Executive Vice President
And Provost

RGD:dls
Attachments (2)

cc: Dr. Richard E. Ewing
    Ms. Jeanette Phariss

February 1, 2001
THE FACULTY SENATE

RESEARCH COMMITTEE

ON THE NEED FOR COORDINATING ACTIVITIES BETWEEN RESPONSIBLE CONDUCT PROCEDURES, INTERNAL AUDITS, AND STANDING UNIVERSITY COMMITTEES

The faculty has brought to the attention of the Faculty Senate its concern about the vagueness of university rules and practice concerning research. In particular, what are the responsibilities of principal investigators, departments, financial offices and others in the conduct of research within the organizational framework of Texas A&M University?

Faculty do their best to participate in scholarly activities, both for their own benefit and for the benefit of the university. In the case of organized research, this activity brings with it a responsibility to act in accordance with a very large number of federal, state, and university regulations. Among others, the regulations cover the use of hazardous materials, radioactivity, cloning and recombinant DNA, human subjects, and laboratory animals. In addition there are many detailed fiscal requirements.

Most, probably nearly all, faculty make a determined effort to conduct their affairs in consultation and cooperation with the various university support services, financial and otherwise. The faculty feel, however, that they may be unjustly held responsible in the event of failure to conduct their affairs in accordance with the rules and regulations, perhaps even if they have made a determined effort to learn and accept guidance as to the appropriate procedures, have obtained approval from higher authority, and have conducted their activities in a manner that is transparent to the university. In many cases the quality of the support given by the university is quite variable. For example, most fiscal matters have been delegated to departments, and so the faculty are extremely dependent on the quality of the assistance and advice afforded them by departmental staff. Departments differ greatly in the quality and training of their staff, and staff in the same department may even vary widely from year to year. Many faculty believe that if inadvertent errors occur after they have made a reasonable effort to conduct their affairs appropriately, the university should, and perhaps does, bear a considerable, perhaps major, responsibility as well. Yet the responsibility is not clearly spelled out in university rules.

An example of this uncertainty is found in the interrelationship between the Responsible Conduct rules recently accepted by the university, the Internal Audit process, and Faculty Senate committees set up to mediate disputes. Very similar complaints are handled quite differently by these three processes, without a rationale being obvious to an outside observer.
Almost any problem that arises in the conduct of sponsored research will involve money. If investigated by Internal Audit, the investigation will be conducted by financial auditors whose emphasis will be on whether the expenditure of every dollar is in accord with federal, state, and university regulations. If investigated under the rules of Responsible Conduct, the investigation will be conducted or assisted by experienced researchers whose emphasis will be on the ethical and scientific aspects of responsible research and whether the funds were spent in a reasonable manner in accord with the objectives of the project. Faculty hope that these investigations would reach the same conclusion. But do they? A harmonious relationship might be greatly enhanced by an exchange of viewpoints between those organizations oriented toward audits and those oriented towards obtaining research accomplishments as part of an ethical and responsible research program.

Problems that might arise between faculty and administrators ought to come under the purview of various faculty committees concerned with mediation, grievances, and academic freedom. Yet allegations of misconduct raised through Responsible Conduct are handled differently than similar allegations raised through the Internal Audit process. Both processes may in turn become part of investigations and possible prosecution by law enforcement agencies outside the university.

These considerations lead us to request that the administration of Texas A&M University consider empowering a committee composed of individuals and faculty with expert knowledge in these areas to review the responsibilities and charges to various units and committees, with the objective to simplify and to rationalize the process of determining how, when, and why different investigational procedures become involved. The committee ought to include experts on fiscal management, accounting, research management, state and federal law, and public policy.

It is possible that the university might wish to share the conclusions of this committee with State Legislators, so that they might better understand the internal processes available to the university.