MEMORANDUM

TO: Faculty Members, Principal Investigators, Project Directors, and Laboratory Supervisors

FROM: Juan M. Sanchez
Vice President for Research

DATE: September 1, 2015

RE: Required Responsibilities for Researchers at The University of Texas at Austin

This annual reminder provides formal policy guidance for the conduct of research that is essential to promote a safe, ethical, and productive research environment. Every Faculty Member, Principal Investigator (PI), Co-PI, Project Director, and Laboratory Supervisor at The University of Texas at Austin (UT Austin) is responsible for fostering an environment that enables the highest level of academic inquiry while simultaneously complying rigorously with all Federal, State, and University regulations, requirements and policies related to the conduct of research. Annually, each PI and/or supervisor must communicate and review the obligations outlined in this memorandum with all co-workers and individuals engaged in research.

Providing a Safe Working Environment
A mandatory requirement of all University research projects, whether sponsored or not, is to provide a safe working environment for all students, staff, and faculty engaged in teaching and/or research. The PI/supervisor is responsible for the day-to-day management and safe conduct of all research activities under his/her supervision or in University facilities assigned to that individual.

Strict compliance with all safety standards outlined in the University's Laboratory Safety Manual and other requirements as described on the EHS website, is required. These standards are supplemented by any additional safety precautions adopted by the University, the researcher's college, department, or organized research unit (ORU). The Laboratory Safety Manual is available electronically at http://www.utexas.edu/safety/ehs/lab/manual.

Research Activities Involving Undergraduates
Additional consideration must be given to research activities that involve undergraduate students, especially in the areas of training, supervision, and personal protective equipment. The use of sufficient personal protective equipment (gloves, eye protection, and lab coats) is required. Activities that necessitate the use of additional personal protective equipment should be reviewed and approved in advance by Environmental Health and Safety.

Training Requirements
Federal sponsors including the National Science Foundation and the National Institutes of Health have requirements for training on the Responsible Conduct of Research. In addition, the NSF requires mentoring of postdoctoral fellows. The OSP provides resources to assist PIs in meeting these requirements at http://www.utexas.edu/research/osp/responsible_conduct.html. For guidance regarding required safety training for all PIs and others working in or associated with laboratories, see http://www.utexas.edu/safety/ehs/train/requirements.html. Note: Depending on the specific
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type of research being conducted, there may be additional training requirements. The Office of Research Support (ORS) may identify additional specialized training that must be completed before research will be allowed to begin or continue. PIs must provide and maintain documentation of lab-specific safety training for their staff.

**Hazardous Materials**
PIs, research students, staff and visiting researchers are responsible for compliance with related Federal and State regulations and University policies and procedures associated with chemical/biological safety, security, and disposal. See [http://www.utexas.edu/safety/ehs/disposal](http://www.utexas.edu/safety/ehs/disposal) for waste management information. Researchers and teaching labs using pyrophorics outside a glove box must be provided fire-resistant lab coats. Specially scheduled demonstration events involving chemicals now require a hazard risk assessment be performed by EHS prior to the activity.

**Radioactive Materials, Radiation Producing Devices and Lasers**
The University maintains various licenses and registrations from the State of Texas concerning the safe use of radioactive materials and devices. Any use on the campus requires compliance with University policies. Information on the use of radioactive materials and radiation-producing devices can be found at: [http://www.utexas.edu/safety/ehs/radiation/](http://www.utexas.edu/safety/ehs/radiation/)

The University maintains a registration from the State of Texas concerning the safe use of lasers. Any use of controlled lasers on the campus requires compliance with University policies. Information on the use of lasers can be found at [http://www.utexas.edu/safety/ehs/lasers/](http://www.utexas.edu/safety/ehs/lasers/).

**Controlled Substances and Controlled Items**
The Federal Drug Enforcement Agency (DEA) regulates the use and possession of DEA-controlled substances. A DEA registration and a State license through the DPS is required for these substances and are issued to individual researchers. A list of DEA controlled substances can be viewed at: [http://www.deadiversion.usdoj.gov/schedules/index.html#list](http://www.deadiversion.usdoj.gov/schedules/index.html#list)

Information on controlled substances can be found at: [http://www.utexas.edu/safety/ehs/lab/controlled_substances.html](http://www.utexas.edu/safety/ehs/lab/controlled_substances.html)

For questions concerning controlled substances, contact Environmental Health and Safety (EHS) at (512) 471-3511. EHS will advise you regarding handling and can provide information regarding obtaining licenses. If in the course of your research you create any substance or derivative that may be viewed as controlled or regulated, please contact EHS for guidance.

As outlined in the Memorandum of Understanding (MOU) between the Texas Higher Education Coordinating Board and the Texas Department of Public Safety (DPS), certain precursor chemicals and laboratory apparatus are controlled. The University's implementation plan is available from the Office of the Vice President for Research (FAC426) and electronically at: [http://www.utexas.edu/research/resources/policies/formal_MOU.php](http://www.utexas.edu/research/resources/policies/formal_MOU.php)

**Select Agents and Toxins**
All research utilizing select agents and toxins (certain biological agents and toxins) is strictly controlled by the Centers for Disease Control and/or the United States Department of Agriculture (USDA) and the University. Proposals to use these materials may require the University to obtain or modify related registrations so advance permission is necessary. Strict compliance with the regulations is required of all researchers working with these agents. The current list of Select Agents and Toxins can be found at: [http://www.selectagents.gov/SelectAgentsandToxinsList.html](http://www.selectagents.gov/SelectAgentsandToxinsList.html)
Researchers working with exempt quantities of Select Toxins must complete an annual Select Toxin self-evaluation.

If you wish to work with one of these agents, contact EHS at (512) 471-3511 and the Institutional Biosafety Committee (IBC; http://www.utexas.edu/research/rsc/ibc/). Transfer of any such agent or toxin requires a Materials Transfer Agreement (MTA) processed through the Office of Sponsored Projects as described below.

**Working with Biohazardous Materials**

Researchers conducting any research with infectious agents, biological toxins, human cells/blood/tissue, recombinant DNA or other biohazardous materials must have their research approved by the IBC (http://www.utexas.edu/research/rsc/ibc/) prior to the initiation of research activities. An electronic submission form is available at the following website: https://utdirect.utexas.edu/vr/recom_dna.WBX

Information on biosafety can be found at:
http://www.utexas.edu/safety/ehs/biosafety
http://www.cdc.gov/biosafety/publications/bmbl5/

Related University policies and procedures on biohazardous materials can be found at:
http://www.utexas.edu/research/rsc/ibc/policies.html

Information about research involving recombinant DNA, including a description of exempt and non-exempt experiments, can be obtained at:
http://oba.od.nih.gov/rdna/ni

PI’s and their research staff must attend training and comply with reporting and inspection requirements. PI's working with biohazardous materials must develop laboratory safety plans that include emergency response procedures and are approved by the IBC. A medical surveillance plan and medical clearance of workers may also be required, depending on the agent. EHS and the IBC must be provided with a copy and approve these plans prior to any research activity. For plan templates, please see:
http://www.utexas.edu/safety/ehs/biosafety/bsl_approval.html

Questions may be directed to the Office of Research Support, FAC426, Mail Code: A3200; by phone (512) 471-8871, or by e-mail at orsc@uts.cc.utexas.edu.

**Working with Fixed Equipment**

Faculty, staff and students who use machine shop type equipment (e.g. lathe, drill press, band saw, etc.) as part of research or their studies must successfully complete both the University online training and the hands-on training prior to using such equipment. The PI, or their designee, is required to comply with University requirements for training and inspection of fixed equipment in their laboratory or shop area. For questions concerning machine shop safety, contact Environmental Health and Safety (EHS) at (512) 471-3511.

**Minors in Research Laboratories**

No person under the age of 18 may access a university laboratory containing hazardous materials/animals unless they meet criteria described in the Minors in Laboratories section of the University Lab Safety Manual and complete the forms required by the Provost office at http://www.utexas.edu/provost/policies/lab/.

Researchers that plan on having minors in the lab should review the requirements in advance. http://www.utexas.edu/safety/ehs/lab/manual/3_fundamentals.html#iii12
**Reporting Incidents**
The University System policy (UTS Policy 178-Required Reporting of Significant Events) states that all incidents/accidents are to be reported. All incidents/accidents that involve: injuries, illness or chemical or radiation exposure/misuse, failed containment, spills, or exposure to biohazardous materials, must be reported as soon as possible to Environmental Health and Safety at (512) 471-3511.

**Use of Human Subjects**
All research demonstrations, developments, or other activities involving the use of human subjects must be reviewed and approved by the Institutional Research Board (IRB) prior to initiation of the project. Researchers may electronically submit an application for IRB review at the following web site: [https://utdirect.utexas.edu/vr/IRBapp.WBX](https://utdirect.utexas.edu/vr/IRBapp.WBX)

The IRB Policies and Procedures Manual can be found at: [http://www.utexas.edu/research/rsc/humansubjects/policies/index.html](http://www.utexas.edu/research/rsc/humansubjects/policies/index.html)

The University’s IRB requires documentation by PIs and research staff of human subject research training for all research projects involving human subjects. IRB policies and instructions regarding human subject research training can be viewed at: [http://www.utexas.edu/research/rsc/humansubjects/training/index.html](http://www.utexas.edu/research/rsc/humansubjects/training/index.html)

In addition, all PIs and research staff are required to complete conflict of interest (COI) training every four years and submit a Financial Interest Disclosure annually or within 30 days of a change that would affect their conflict of interest status. Instructions on completion of COI training and submission of a FID can be viewed at: [http://www.utexas.edu/research/rsc/coi/training.html](http://www.utexas.edu/research/rsc/coi/training.html)

All Questions may be directed to the Office of Research Support, FAC426, Mail Code: A3200, by phone (512) 471-8871, or by e-mail at orsc@uts.cc.utexas.edu.

**Research on Vertebrate Animals**
In accordance with Federal, State and University policy, procedures and regulations for the review of animal research protocols (Public Health Service Policy, USDA, and Animal Welfare Regulations), the University requires that all researchers utilizing vertebrate animals in research and teaching activities obtain written approval from the Institutional Animal Care and Use Committee (IACUC) prior to ordering animals and beginning work. Applications for the IACUC protocols may be found at: [http://www.utexas.edu/research/rsc/animalresearch/forms.php](http://www.utexas.edu/research/rsc/animalresearch/forms.php)

Questions may be directed to the Office of Research Support, FAC426, Mail Code: A3200, by phone (512) 471-8871, or by e-mail at orsc@uts.cc.utexas.edu.

**Fire/Life Safety Provisions**
In accordance with State law, all public universities are required to comply with the State of Texas Fire Marshal's Office adopted fire codes. This adopted code is the National Fire Protection Association (NFPA) 101-Life Safety Code, 2012 edition, with all mandatory references. Specific fire code references applicable to laboratories include: NFPA 45- Standard on Fire Protection for Laboratories Using Chemicals, 2015 Edition and NFPA 30- Flammable and Combustible Liquids Code, 2015 Edition. Additional information or questions on fire code requirements for compliance may be found at: [http://www.utexas.edu/safety/fire/](http://www.utexas.edu/safety/fire/) or by contacting the Fire Prevention Services office at (512) 495-3637.
Researchers, including the PI and all lab personnel, have a personal and professional legal responsibility to ensure fire code requirements are met.

**Misconduct in Science and Other Scholarly Activities**
PIs and/or supervisors and lab workers are expected to adhere to the highest ethical standards when conducting research and scholarly work. Misconduct in science and other scholarly activities are absolutely contrary to the standards of the University. Definitions of misconduct and procedures for handling allegations of misconduct can be found in Section 7.1230 of the *Handbook of Operating Procedures* or by visiting the web site: [http://www.utexas.edu/policies/hoppm/11.B.01.html](http://www.utexas.edu/policies/hoppm/11.B.01.html).

**Conflict of Interest, Conflict of Commitment, & Outside Activities**
It is the policy of The University of Texas at Austin to provide a transparent system of disclosure, approval and documentation of employees’ activities outside of the university that might otherwise raise concerns about conflicts of interest or conflicts of commitment. [HOP 5-2011 Conflict of Interest, Conflict of Commitment, and Outside Activities](http://www.utexas.edu/policies/hoppm/5-2011) provides the institutional framework to protect the credibility and reputation of the university and its faculty and staff when those employees are engaged in outside activities. It is a companion policy to [HOP 7-1210, Promoting Objectivity in Research by Managing, Reducing, or Eliminating Conflicts of Interest](http://www.utexas.edu/policies/hoppm/7-1210). These two policies are the local expressions of UT System policies [UTS 180 Conflicts of Interests, Conflicts of Commitment, and Outside Activities](http://www.utexas.edu/policies/uts/180) and [UTS 175 Disclosure of Significant Financial Interests and Management and Reporting of Financial Conflicts of Interest in Research](http://www.utexas.edu/policies/uts/175), respectively.

The policy and additional information on the University’s procedures can be viewed at Office of the Executive Vice President and Provost’s web page at [http://provost.utexas.edu/policies-and-resources/conflict-of-interest/](http://provost.utexas.edu/policies-and-resources/conflict-of-interest/).

**Conflict of Interest – Financial Disclosure Statement**
The University of Texas promotes objectivity in research by requiring disclosure of financial interests that comply with the disclosure requirements of federal regulations of the U.S. Department of Health and Human Services (HHS) and the HHS Public Health Service (PHS), but is not limited in application to PHS-funded research. Rather, the policy applies broadly to research performed at, or on behalf of the University, without regard to whether the research has external funding and, if externally funded, regardless of funding source. Situations involving a potential Significant Financial Interest (SFI) are handled by the University’s Committee on Objectivity in Research, which reports to the Vice President for Research. A complete description of the policy “Promoting Objectivity in Research by Managing, Reducing or Eliminating Conflicts of Interest” is described in Section 7.1210 of the *Handbook of Operating Procedures*. The policy and additional information on the University’s procedures can be viewed at the following site: [http://www.utexas.edu/research/rsc/coi/](http://www.utexas.edu/research/rsc/coi/).

Questions may be directed to the Office of Research Support, FAC426, Mail Code: A3200; by phone (512) 471-8871, or by e-mail at orsc@uts.cc.utexas.edu.

**Oversight of Individuals Engaged in Research**
PIs and/or supervisors are responsible for the oversight of all students and/or individuals engaged in research under their direction, whether or not the University compensates the students and/or individuals. This responsibility extends to visiting scientists, trainees, postdoctoral appointees, graduate students, undergraduate student assistants, staff employees, pre-collegiate students, or participants in life-long learning or other special programs. The PI and/or supervisor must ensure that any such person understands and adheres to all applicable regulations, follows all University policies, and adheres to high ethical standards of honesty and integrity in research.
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Ethics
All research projects must be conducted in strict compliance with The University of Texas System Ethics Policy, which can be found in Section 4 of the Rules and Regulations of the Board of Regents and electronically at:
In addition, it is the policy of UT Austin to maintain a workplace free of sexual harassment and intimidation. The University's Sexual Harassment Policy is found in Section 7.25 of the University's Handbook of Operating Procedures and electronically at:
http://www.policies.utexas.edu/policies/sex-discrimination-and-sexual-harassment

Working with the Office of Sponsored Projects
The Office of Sponsored Projects serves as the coordinating office for externally funded research and sponsored projects at The University of Texas at Austin. The goal of the OSP is to assist faculty and professional research staff in their efforts to secure and ensure proper stewardship of external funding.

In preparing a proposal to submit through the OSP, please make sure your PI status, Financial Conflict of Interest (FCOI) training, and Financial Interest Disclosure (FID) are up-to-date. The OSP requests four (4) business days in reviewing, approving and submitting proposals to external sponsors. Proposal constituencies are listed on the OSP webpage at www.utexas.edu/research/osp.

Principal Investigators must promptly apprise OSP of any issues of non-compliance or non-performance by subcontractors so that proper action can be taken to remedy or cure the issue within the contractually specified time.
Changes in regulations may necessitate the implementation or revision of university policies and/or procedures at any point. The OSP communicates important information through electronic means. PIs must read OSP communications and respond as appropriate.

The University of Texas at Austin’s Office of Sponsored Projects Handbook (OSP Handbook) provides guidance to faculty and authorized professional research staff in seeking and administering external financial support for specific projects. The OSP Handbook outlines requirements, support functions, and other information related to proposing, conducting, and reporting on projects supported by external funds from Federal, State, or private entities. This includes appropriate acknowledgement of sponsor support in all resulting publications. It also defines applicable Federal, State, and University research regulations for the conduct of studies involving human subjects, animals, radioactive and other hazardous materials, select agents, toxins, recombinant DNA/RNA and export controlled items, data or materials.

The OSP Handbook is available at:
http://www.utexas.edu/research/osp/resources/handbook.html
Helpful boilerplate information is listed at:
http://www.utexas.edu/research/osp/resources/handbook.html#Boilerplate.

Information on post-award can be found on the website for the Office of Sponsored Projects, Division for Sponsored Projects Award Administration (SPAA) at:
SPAA is the billing/financial reporting section for sponsored projects. This site also includes information related to effort certification and can be found at the following link: https://utdirect.utexas.edu/effort/index.WBX


**Shipping Hazardous Materials (Biological, Chemical, Radioactive)**

The shipping of DOT regulated hazardous materials requires personnel to be certified by EHS. Training, proper shipping containers and the correct shipping paperwork is required. Failure to follow these requirements may result in Federal enforcement actions against the shipper. [http://www.utexas.edu/safety/ehs/compliance/shipmentofhazardousmaterials.html](http://www.utexas.edu/safety/ehs/compliance/shipmentofhazardousmaterials.html)

Biological and chemical material transfers to and from the University to another entity require the transfer to be completed only after an MTA has been fully executed with the other entity. Electronic forms have been developed in an effort to streamline and facilitate the transfer of materials to or from UT-Austin through a coordinated process involving EHS and OSP. The PI must complete a checklist available from the OSP website at [http://www.utexas.edu/research/osp/resources/forms.html](http://www.utexas.edu/research/osp/resources/forms.html). Upon electronic submission of the checklist, OSP will review and forward to EHS for review. Once all documentation is received OSP will process. Note various biological and chemical substances, as well as equipment, are controlled by Federal law. Failure to obtain proper authorization from OSP for transfer may result in personal researcher liability to include imprisonment and fines. For questions about export controls on biological and chemical agents contact the University’s Office of Sponsored Projects at 512-471-6424.

**Federal Export Laws and Regulations**

Most research conducted at UT Austin is considered to be “Fundamental Research” and therefore excluded from US export controls laws. However, there can be export control issues associated with even Fundamental Research projects. The consequences of violating export control regulations can be quite severe, ranging from loss of research contracts and exporting privileges to monetary penalties and jail time for the individual violating these regulations. More information about export controls related to research and travel outside the U.S. can be found at [http://www.utexas.edu/research/osp/export_control/](http://www.utexas.edu/research/osp/export_control/). Please contact David Ivey, University Export Controls Officer, in the Office of Sponsored Projects, at 512-475-7963, or ivery@austin.utexas.edu if you have questions about export controls related to your project.

**Research Related Agreements**

All agreements related to research activities including, but not limited to, Sponsored Research Agreements, Memoranda of Understanding, Participation and Cooperative Agreements, Teaming, Confidentiality and Non-Disclosure Agreements, and Materials Transfer Agreements (MTA) must be processed through the OSP or the Office of Industry Engagement (OIE). The Office of Industry Engagement handles agreements with industry that are not pass-thru from a state, federal or foundation entity.

**NOTE:** Agreements funded with federal pass-through funds or foundation funds are handled by OSP and those related to private industry funding are handled by OIE. The staff of OSP and OIE
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will ensure that an authorized University official executes all agreements noted above and that these
agreements conform to the University's policies and regulations.

Non-Sponsored Related Agreements (Services)
The Office of the Vice-President and Chief Financial Officer has a business contracts office that
provides administrative support educational and research missions of the University. The type of
agreements processed are for services. A link for the office can be found here:

http://www.utexas.edu/business/vp/contracts_agreements/

Intellectual Property
The University of Texas owns the intellectual property (IP) developed by PIs (as further defined in
http://www.utsystem.edu/bor/procedures/policy/policies/uts125.html. The Office of Technology
Commercialization (OTC, http://www.otc.utexas.edu) is responsible for managing intellectual
property and commercializing research results in which the University asserts an ownership
interest.

The PI is responsible for reporting all patentable inventions through the completion of an invention
disclosure form found at:
http://www.otc.utexas.edu/InventorForms.jsp

Visiting Researchers
A Visiting Researcher must be registered in the Human Resource Management System (HRMS)
before conducting research or other academic endeavors at the University. Visiting researchers are
expected to follow all safety and training requirements expected of all other research personnel.
For additional information please visit:
http://www.utexas.edu/research/resources/visiting-scholar-researcher-program

Faculty/Researcher Terminating Employment: Closure of Labs and Projects
There are requirements for faculty/researchers that terminate their employment with the
University. PIs that operate laboratories must follow laboratory close-out procedures or the
department may be held responsible for the disposal of hazardous materials. An exit checklist is
located on the web site of the Office of the Vice President for Research at:
http://www.utexas.edu/research/resources/policies/exit-checklist

Hiring Practices: Form I-9 and E-Verify
You are responsible for ensuring that any University employee who is paid through this funding
is eligible to work in the United States and has completed the federal Form I-9, Employment
Eligibility Verification within three days of hire. If federal I-9 regulations are not followed, the
hiring manager and the University are subject to civil and criminal penalties, as well as
debarment from federal contracts.

In addition to the Form I-9 requirements, Federal Acquisition Rule; Case 2007-013; Employment
Eligibility Verification (E-Verify Federal contractor rule) requires federal contractors to use E-
Verify to electronically verify the employment eligibility of employees working under Federal
contracts. If the funding is based upon a federal contract that includes the E-Verify clause, then
all employees who work on the contract must have been verified through E-Verify. The E-Verify
requirement does not apply to federal grants.

These requirements reinforce Federal government policy that the Federal government does
business only with organizations that have a legal workforce.
**Tobacco-Free Campus Policy**

On April 9, 2012, The University of Texas at Austin became a tobacco-free campus. The use of any tobacco products is prohibited in university buildings and on university grounds within the state of Texas, including parking areas and structures, sidewalks, walkways, and university owned buildings. The full text of the policy including the definition for tobacco products and approved exceptions is available on the University Policies website.

The Tobacco-free Campus policy is part of the university’s commitment to creating a healthy and sustainable environment for all members of our campus community, and is designed to be positive and health directed. Individuals noticing violations of the policy should strive to be non-confrontational and respectful to tobacco users when communicating our policy. Additionally, tobacco users are expected to adhere to the policy and likewise be respectful to ex-tobacco users and non-tobacco users. Enforcement of the policy will be achieved primarily through education, awareness and a spirit of cooperation.

The university is not requiring faculty, staff and students to quit using tobacco products; however, we do expect the policy to be followed while on university property, and we are offering support to our students and employees who wish to stop using tobacco products.

**Failure to Follow University or Other Required Procedures**

It is the responsibility of the PI to ensure that all professional licensing, permitting or certification requirements have been met for all personnel required to have a license, permit or certification for every jurisdiction in which the personnel will be performing work. Failure to comply with any of the University or other Required Policies and Procedures may result in disciplinary action up to and including termination of employment.

If you have any questions concerning these requirements please contact your Dean, Department Chair or the Office of University Compliance Services.

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