

anSRS4u

ANSWERS FOR YOU

**Safe and Inclusive
Working Environments**
Thursday April 20,
10:00 to 11:30am

Presented by **Sponsored Research Services**



TEXAS A&M UNIVERSITY
Division of Research

Presenters

- Lauren Douglas, Research Compliance Administrator, Office of Export Controls, Conflicts of Interest, and Responsible Conduct of Research
- David Hollingsworth, Director of Professional Development and Outreach Initiatives, Sponsored Research Services
- Jennifer Smith, Assistant Vice President and Title IX Coordinator, Department of Civil Rights and Equity Investigations

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Responsible Conduct of Research Workshop Credit

- For individuals requesting Responsible Conduct of Research workshop credit for this presentation (typically graduate students or postdocs) please send your **name and UIN** to one of the hosts through the chat function or email our office at RCR@tamu.edu
- Be sure to **participate in the polling questions** to receive credit
- Upcoming RCR Workshop information:
 - **Registration coming soon – RCR 4-hour workshop (topics TBD) – August 18, 2023 (in person)**
 - Visit our website for more information: <https://vpr.tamu.edu/RCR-Workshop-Information>



<http://clipart-library.com/clipart/2011352.htm>

BEFORE WE GET STARTED



First poll question

Reminder – if you are requesting RCR Workshop credit for this course (typically applies only to graduate students and postdoctoral fellows) then you must either chat or email us your name and UIN and participate in the poll questions.

Updated NSF Requirements

- On January 30, 2023, NSF released the PAPPG (NSF 23-1) which outlined updated requirements for individuals and entities receiving NSF funding.
- An amendment to 42 USC 1862o-1 Sec. 7009 directs the National Science Foundation (NSF) to require institutions to have a plan to provide appropriate training in the responsible conduct of research. This applies to all **undergraduate students, graduate students, postdoctoral researchers, faculty and senior personnel** who will be supported by NSF to conduct research.



Current Required NSF training

Texas A&M outlines its RCR plan in [TAMU SAP 15.99.99.M0.04](#)

- Per this SAP, all undergraduate students, graduate students, and postdoctoral fellows supported by NSF research are required to take one of the outlined CITI Program Responsible Conduct of Research Courses.

- *Note: this SAP also outlines RCR requirements for individuals who receive other external funds and for those who are supported on internal funds*

Question 4

[Responsible Conduct of Research](#)

Please make your selection below to receive the courses in the Responsible Conduct of Research.

- [Biomedical Responsible Conduct of Research Course](#)
- [Social and Behavioral Responsible Conduct of Research Course](#)
- [Physical Science Responsible Conduct of Research Course](#)
- [Humanities Responsible Conduct of Research Course](#)
- [Responsible Conduct of Research for Engineers](#)
- [Responsible Conduct of Research for Administrators](#)
- [Responsible Conduct of Research Refresher](#)
- [Responsible Conduct of Research \(Spanish\)](#)
- [Not at this time.](#)

[CITI - Collaborative Institutional Training Initiative \(citiprogram.org\)](http://citiprogram.org)

Updated Required NSF training

- Per NSF's updated RCR requirements, **faculty and other senior personnel will now ALSO be required to complete CITI Program RCR training.**
- These individuals will be required to take a modified version of the RCR course completed by students and postdocs – the **Responsible Conduct of Research Refresher** course

Question 4

[Responsible Conduct of Research](#)

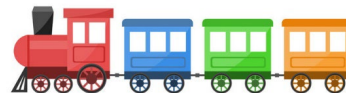
Please make your selection below to receive the courses in the [Responsible Conduct of Research](#).

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- [Responsible Conduct of Research for Administrators](#)
- [Responsible Conduct of Research Refresher](#)
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RCR Training Assignments

- The RCR Office tracks individuals' training via TrainTraq.
 - TrainTraq section 2113357 is completed by students and postdoctoral fellows
 - A new TrainTraq section is being created for faculty and senior personnel
 - The RCR office is working with Maestro and SRS to identify individuals paid from NSF funds to assign them these training courses
 - Students and postdoctoral fellows paid from NSF funds are already assigned the TrainTraq course 2113357 either automatically by the TrainTraq engine or by the RCR office.
 - PIs and other senior personnel will begin to receive TrainTraq notifications to complete CITI Program RCR training soon.



NSF New Requirement

Off-campus or off-site research is defined as data/information/samples being collected off-campus or off-site, such as fieldwork and research activities on vessels and aircraft.

At the time of proposal submission for each proposal that proposes to conduct research off-campus or off site, the Authorized Organizational Representative must complete a certification that the organization has a plan in place for that proposal.

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Proposal Cover Page – last box should be checked

THIS PROPOSAL INCLUDES ANY OF THE ITEMS LISTED BELOW	
<input type="checkbox"/> TYPE OF PROPOSAL _____	<input type="checkbox"/> HUMAN SUBJECTS _____ Human Subjects Assurance Number _____ Exemption Subsection _____ or IRB App. Date _____
<input type="checkbox"/> COLLABORATIVE STATUS _____	<input type="checkbox"/> FUNDING OF INT'L BRANCH CAMPUS OF U.S. IHE
<input type="checkbox"/> BEGINNING INVESTIGATOR	<input type="checkbox"/> FUNDING OF FOREIGN ORGANIZATION OR FOREIGN INDIVIDUAL
<input type="checkbox"/> DISCLOSURE OF LOBBYING ACTIVITIES	<input type="checkbox"/> INTERNATIONAL ACTIVITIES: COUNTRY/COUNTRIES INVOLVED _____
<input type="checkbox"/> PROPRIETARY & PRIVILEGED INFORMATION	<input type="checkbox"/> POTENTIAL LIFE SCIENCES DUAL USE RESEARCH OF CONCERN
<input type="checkbox"/> HISTORIC PLACES	<input type="checkbox"/> OFF-CAMPUS OR OFF-SITE RESEARCH
<input type="checkbox"/> LIVE VERTEBRATE ANIMALS IACUC App. Date _____ PHS Animal Welfare Assurance Number _____	

Proposal Certification Page – AOR signature (for pilot – 2 pg plan replaces the Chapter II.E.9 plan)

Certification Regarding Safe and Inclusive Working Environments for Off-Campus or Off-Site Research

(This certification applies only to proposals in which data/information/samples are being collected off-campus or off-site, such as fieldwork and research activities on vessels and aircraft.)

By electronically signing the Certification Pages, the Authorized Organizational Representative is certifying that, in accordance with the NSF Proposal & Award Policies and Procedures Guide, Chapter II.E.9, the organization has a plan in place **for this proposal** regarding safe and inclusive working environments.

AUTHORIZED ORGANIZATIONAL REPRESENTATIVE

SIGNATURE

DATE

BIO & GEO pilots: REQUIRE a 2-page Supplemental Document that will be merit reviewed (replaces Chapter II.E.9 plan)



Solicitations participating in pilot to date:

- BIO: Biodiversity on a Changing Planet (due 29 March)
- BIO: Core solicitations in DEB, MCB, IOS* (no deadlines; plans will be required for proposals after April 18, 2023)
- GEO: GEOPATHs (due 27 March)
- GEO: CTGC (due 3 April)

*Note: For future no deadline solicitations expect a 90 day grace period



Pilot Plan must include:

- brief description of the field setting and unique challenges for the team
- steps the proposing organization will take to nurture an inclusive off-campus or off-site working environment, including processes to establish shared team definitions of roles, responsibilities, and culture, e.g., codes of conduct, trainings, mentor/mentee mechanisms and field support that might include regular check-ins, and/or developmental events;
- communication processes within the off-site team and to the organization(s) that minimize singular points within the communication pathway (e.g., there should not be a single person overseeing access to a single satellite phone); and
- the organizational mechanisms that will be used for reporting, responding to, and resolving issues of harassment if they arise.



Reviewers will evaluate plan under Broader Impacts (+ solicitation-specific questions)

- Is there a compelling plan (including the procedures, trainings, and communication processes) to establish, nurture, and maintain inclusive off-campus or off-site working environment(s)?
- Does the proposed plan identify and adequately address the unique challenges for the team and the specific off-campus or off-site setting(s)?
- Are the organizational mechanisms to be used for reporting, responding to, and resolving issues of harassment, should they occur, clearly outlined?





Civil Rights and Title IX Update

RCR TRAINING 2023

Presented by Jennifer Smith
Assistant Vice President &
Title IX Coordinator



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CREI

Office of Civil Rights and
Equity Investigations

CREI's role

The Office of Civil Rights and Equity Investigations (CREI) receives and resolves all complaints of discrimination or harassment based on a protected class.

- **Protected Classes:** race, gender, national origin, color, disability, religion, genetic information, veteran's status, sexual orientation, gender identity, or age
-

Governance

- System Regulation 08.01.01 *Civil Rights Compliance*
 - TAMU Rule 08.01.01.m1 *Civil Rights Compliance*
 - TAMU Standard Administrative Procedure 08.01.01.m1.01 *Investigation of Allegations of Discrimination, Harassment, and Related Retaliation*
-

Applicability

- These rules apply equally to all faculty, staff, and students on all campuses and in all programs and activities (even in remote locations).
 - The reporting and investigation functions have been centralized in CREI, which means that even if you are in a remote location, CREI on main campus will conduct the investigation and hearing.
-

**What Behavior is Prohibited
by System Regulation
08.01.01?**

Discrimination

- Adverse action **based on any protected class.**
 - Protected Classes at TAMU: [race](#), [color](#), [national origin](#), [disability](#), [age](#), [religion](#), [veteran's status](#), [genetic information](#) or [sex \(including pregnancy, sexual orientation, and gender identity\)](#).
 - An adverse action requires evidence of a **significant change** in employment status, benefits, or pay -- failure to hire, a firing, failure to promote, reassignment with significantly different responsibilities, or lost pay or benefits. Examples:
 - Supervisor of lab only hires grad students of a particular race or national origin
 - Supervisor won't hire female for remote job in the desert because they don't think a female would be able to survive the harsh conditions
 - Not providing reasonable disability accommodations
-

Harassment

- Unwelcome conduct BASED ON A PROTECTED CLASS that is **so severe, persistent, or pervasive** that it that it unreasonably interferes with, limits, or deprives an individual of participation in the University's programs, activities, or benefits
-

Harassment, cont.

- Offensive conduct may include, but is not limited to, repeated offensive jokes, name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work or educational performance.
 - Microaggressions, petty slights, annoyances, and isolated incidents (unless extremely serious) will **not** rise to the level of a civil rights violation.
-

Sexual Harassment/ Sex-based Misconduct

- Unwelcome conduct of a sexual nature
 - that is **so severe, persistent, pervasive, objectively offensive**
 - that it unreasonably interferes with, limits, or deprives an individual
 - of participation in the University's programs, activities, or benefits.
-

Sexual Harassment/ Sex-based Misconduct, cont.

- Not taking “No” for an answer (to go on a date, for a particular sexual behavior, etc.)
 - Repeatedly calling someone an offensive name based on their sexual orientation
 - Regularly making fun of a co-worker because their gender presentation is non-traditional
-

Quid Pro Quo

- “this for that”
 - Trading sex or a romantic favor for a benefit/avoidance of a consequence
-

Stalking

- 2 or more unwelcome contacts
 - that put a person in fear for their own safety or the safety of others
 - OR causes substantial emotional distress
-

Sexual Assault

- **Rape** - penetration of genitals, anus, or mouth without consent
 - **Fondling** - touching breast, groin, genitals, butt without consent
 - **Incest**
 - **Statutory Rape**
-

Dating Violence

Any act of violence or threat of violence

- that occurs between individuals
 - who are involved or have been involved
 - in a social relationship of a romantic or intimate nature, including a sexual or dating relationship.
-

Domestic Violence

Any act of violence or threat of violence that occurs between individuals

- a current or former spouse
 - two people that share a child in common;
 - a person who is cohabitating with, or has cohabitated with the Complainant
-

Roommates

Even if two roommates are not interested in each other romantically, they do live together. **A physical altercation between roommates would likely be considered domestic violence and handled through CREI rather than student conduct or Human Resources.**

Sexual Exploitation

- Taking sexual advantage of another person
 - for your own (or someone else's) benefit
 - without consent
-

Examples of Sexual Exploitation

- Texting a picture of an intimate body part to another student who did not want to receive the picture.
 - Filming a consensual sexual encounter and then forwarding it to your buddy without consent
 - Posting a naked picture of someone on social media without their consent
 - Indecent exposure
-



Consent means...

You have checked in with your partner and you have a clear, voluntary, and ongoing agreement to interact with their body.

Consent, cont.

You Gotta Get a

YES

Can be verbal or non-verbal





How to Report

All Employees are Mandatory Reporters

- All TAMU employees are required to report **all known information** about discrimination and harassment, including sexual misconduct, **if the victim or the accused is a TAMU employee or student** at the time of the incident. The only exceptions are medical providers and mental health providers who report de-identified statistics.
 - EVERY TAMU Employee (including Ombuds) who experiences, observes **or becomes aware of** discrimination in the course and scope of their employment **must report to CREI (supervisor is not enough)**
-

Mandatory Reporting, cont.

- Victims don't have to report their own SH, SA, D/DV or Stalking
 - Employee is never required to report to their own supervisor if they are the alleged Respondent
 - Report must be made "as soon as possible."
 - Failure to report **may** result in discipline, including termination – **shall** result in termination if knowingly fail to report sex-based
-



Where to Report?

Jennifer Smith

Assistant Vice President & Title IX Officer

Civil Rights and Equity Investigations (CREI)

YMCA Building, Suite 108

(979) 458-8407

civilrights@tamu.edu

titleix.tamu.edu/report



Title IX at Texas A&M
Department of Civil Rights & Equity Investigations

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Title IX at Texas A&M University

Title IX is a federal law that prohibits sexual harassment, sexual violence, and discrimination on the basis of sex.

TitleIX.TAMU.EDU

Sanctions

Employee Sanctions

- Sexual Misconduct – Mandatory Termination
 - Other protected class – any employee disciplinary sanction (probation, not eligible for merit pay, termination, reprimand, training)
-

Student Title IX Sanctioning Matrix












SANCTION RANGE

Stage 1: Reprimand/Restrictions/Review

Stage 2: Probation

Stage 3: Suspension

Stage 4: Expulsion

Pressuring another person for dates or sexual favors				
Destruction of property				
Engaging in sexual activity while knowingly infected with an STD without the other person's knowledge				
Assuming another's identity in order to make contact with complainant				
Collecting, creating, and/or distributing child pornography/sexual images of those under 18				

1 Year Suspension

Students found responsible for committing acts of sex-based violence and/or non-consensual sexual penetration of another person may be allowed to return to campus after a 1 year suspension. If so, they will be **ineligible**:

- **To hold a leadership position in a student organization**
- **To represent the university (in athletics, academic, or other competitions) and**
- **To receive an institutional scholarship or stipend**



Consensual Relationship Policy

Consensual Relationship Rule

- System Regulation 07.05.01, *Consensual Relationships*, prohibits a Texas A&M University employee from having a consensual relationship in two instances:
 - 1) An employee may not have a consensual relationship with an individual (graduate student, staff, faculty, or third party) who is under the employee's authority or supervision unless alternate arrangements have been approved; and,
 - 2) An employee may not have a consensual relationship with an **undergraduate student** of Texas A&M unless the employee is granted an exemption under the regulation.
 - **A consensual relationship in violation of this regulation may result in disciplinary action against the employee, up to and including dismissal.**
-

What is a consensual relationship?

- **Consensual Relationship** = a mutually agreeable amorous, romantic, and/or sexual relationship.
 - Employees are not prohibited from pursuing a consensual relationship with an undergraduate **spouse** or an undergraduate of a **different institution**.
-

Who is an Employee?

- **Employee = paycheck or stipend**
 - Includes full and part-time employees
 - May include graduate students, graduate research assistants, graduate teaching assistants, and non-teaching graduate assistants
 - Student worker positions are exempt.
-

Request a Waiver

- If the employee works for a college under the purview of the Provost's Office, the employee can apply for an exemption with the Dean of College.
 - If the employee works for a non-academic department, the employee apply for an exemption with the Head of the unit.
 - The undergraduate student will be asked to approve and sign the exemption request.
-



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For more information:

[TitleIX.tamu.edu](https://titleix.tamu.edu)



Tips for Safe and Inclusive Environments

What does “Inclusive” mean?

- Inclusivity is when individuals with different identities and backgrounds are welcomed in a group setting and treated as valued members of the group.
-

Inclusive, Remote Environments

- Refer to people in the way that they wish to be referred to.
 - Pronunciation
 - Nicknames
 - Pronouns
 - People are usually drawn to those that are most similar to themselves. Intentionally make efforts to get to know those in the group that are different than yourself.
 - If feasible, make sure to check in with everyone in the group, everyday. At shared meals, make sure that everyone at the table has a chance to talk ... but remember that some introverts don't like to talk in groups. Allow space for that as well.
 - Remember that some values, beliefs, and identities are hidden. Be careful with pejorative terms, even if they aren't related to a protected class. Common examples: crazy, bible banger, tree-hugger
-

Know Before You Go

- What are the sleeping arrangements
 - What kind of bathroom facilities are available
 - Will you be left by yourself for any extended periods of time
 - What safety plans are in place? How long will it take for help to reach you? Will you have access to a satellite phone or other communication equipment? What is the evacuation plan?
 - Consider travel insurance (which includes medical evacuation) even if it is not required. TAMU has a contract rate with CIGI which is ridiculously cheap
-

Scenario 1

You travel to a foreign country to retrieve samples at a remote field camp that is managed by colleagues from other institutions. While you are there, a contractor repeatedly gets drunk and physically threatens others in the camp. That contractor holds access to the only 2-way radio in the camp.

Scenario 2

You are a PI in charge of a research project on a foreign ship. A graduate research assistant from another institution reports to you she has been sexually assaulted by one of the crew.

Scenario 3

You are graduate student working with an unfamiliar team on an isolated archaeological field camp. During the evenings in camp, the rest of the group engages in sexual chatter and dirty jokes, and the main instigator of the jokes is the person responsible for coordinating all access to the field. You ask the group to stop, and they laugh at you. You take the issue to the camp leader, who responds that you are silly to make a fuss.

Scenario 4

You are staying with a host family in a remote, foreign village. One night the wife of the family (with her baby) runs to your room for help as her husband is being physically abusive.

Being RESPECTFUL of your
Co-Workers
doesn't mean you endorse
their beliefs – it means that
you are being
a professional!