

**THE TEXAS A&M UNIVERSITY SYSTEM  
HEALTH SCIENCE CENTER INTERNAL POLICY**

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**15.01.01.Z1.03 Freedom to Publish Research Results**

*Approved June 15, 2005*

*Approved February 03, 2009*

Supplements System Policy 12.01 and System Regulation 15.01.01

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**1. OVERVIEW**

Academic freedom, including the rights of faculty to ask research questions, pursue answers, and disseminate findings is a critical right and value within the academic community. The abridgment of these rights should only occur under critical circumstances and with due deliberation.

**2. PRINCIPLES OF FREEDOM TO PUBLISH RESEARCH RESULTS**

The Texas A&M University System Health Science Center (HSC) shall not enter into contracts nor accept grants to carry out research if the grant or contract restricts the freedom of HSC faculty, staff, and students to disclose:

- 2.1. the existence of the contract or grant nor
- 2.2. the general nature of the inquiry to be conducted,
- 2.3. the identity of the outside contracting or granting entity<sup>1</sup>, or
- 2.4. the research results.

**3. REVIEW AND CONSIDERATIONS**

- 3.1. In a program of research sponsored by an outside entity, provision may be made for a short delay (normally not to exceed 90 days) in the publication of research results for the purposes of protection of intellectual property rights or for sponsor review of and comment on manuscripts, providing that no basis exists at the beginning of the project to expect that the sponsor would

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<sup>1</sup>Shall not apply either to anonymous gifts or grants that do not call for the performance of specified lines of inquiry.

attempt either to suppress publication or to impose substantive changes in the manuscripts.

- 3.2. When it is in the best interests of the research program, the Dean/Director of the component may request that the Vice President for Research and Graduate Studies approve contractual arrangements that could lead to publication delays in excess of 90 days. An example is a multi-site study for which a publication committee receives data from participating sites and make decisions about joint publications. Requests to the Dean and Vice President for approval of such contractual arrangements should include:
  - 3.2.1. the rationale for the request
  - 3.2.2. a description of who will have authority over publication decisions, and
  - 3.2.3. a statement of the provisions that will allow the investigator to publish within a defined period of time, regardless of other considerations.
- 3.3. No research on a thesis or dissertation may be undertaken if, at the time the topic is set, there is any substantial possibility that it will compromise publication of the results.
- 3.4. Under no circumstances should a faculty member engage a student in a project governed by an extended publication delay agreement or contractual arrangement that could present a barrier to the timely submission of the student's thesis or dissertation.
- 3.5. Provision may be made to preserve confidentiality if, in a program of research, an outside person or entity has made available to the investigator confidential information. A short delay in the publication of research results may be allowed during which the information source will examine the proposed publication in order to assure that the investigator has not disclosed, intentionally or unintentionally, any portion of the confidential information supplied. Any such provision for delay must contain assurance from the information source that review will be conducted as expeditiously as possible, that there will be no attempt to thwart publication for any reason except to protect confidential information previously supplied, and that specific sentences will be identified that might constitute such a disclosure.
- 3.6. Nothing in this policy is intended to relieve either the HSC or investigators of the requirement that they follow appropriate procedures and policy approved by the Institutional Review Board to assure the confidentiality or anonymity requirements for research with human subjects.

- 3.7. Any waiver of this policy requires the approval of the investigator, component Dean/Director, and Vice President for Research and Graduate Studies.

## **OFFICE OF RESPONSIBILITY**

### **Vice President for Research and Graduate Studies**