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## **Rule Statement**

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Texas A&M University-Commerce strictly adheres to all federal, state, and local laws, regulations, policies, and guidelines regarding the humane and ethical treatment of vertebrate animals used in research, teaching, testing, or other university activities. The University strives to make an effort to ensure that all individuals involved in the care and use of vertebrate animals understand their individual and collective responsibilities for compliance with applicable laws, regulations, and policies pertaining to vertebrate animal care and use. All research, teaching, testing, exhibition, or any other activity involving vertebrate animals at the University, or by university personnel in the conduct of university-sponsored activities, will be regulated through the Institutional Animal Care and Use Committee (IACUC).

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## **Reason for Rule**

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This rule establishes roles, responsibilities for those involved in the care and use of vertebrate animals, and provides guidance in complying with federal and state laws, regulations, and guidelines related to the humane and ethical use of vertebrate animals in research, teaching, testing, or other activities.

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## **Procedures and Responsibilities**

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### **1 ADMINISTRATIVE REQUIREMENTS**

- 1.1 All vertebrate animals, including animals not owned by A&M-Commerce, used in research, teaching, testing, demonstration, or other activities, regardless of funding source, will be provided humane care and treatment and fall within the scope of this rule. All vertebrate animals housed on campus or participating in university sanctioned activities, including animals not owned by A&M-Commerce, will be provided humane care and treatment and fall within the scope of this rule.
  
- 1.2 The President will establish such Institutional Animal Care and Use Committees (IACUC) as needed to meet the university's mission.

## 2 SCOPE AND REGULATED USES

2.1 The following categories of animals are explicitly included within the scope and authority of the A&M-Commerce IACUC and the oversight of the Attending Veterinarian (AV):

2.1.1 University-owned animals participating in research, teaching, testing, demonstration, or other university activities in university facilities.

2.1.2 Non-university-owned animals participating in research, teaching, testing, demonstration, or other university activities in university facilities.

2.1.3 University-owned animals participating in research, teaching, testing, demonstration, or other university activities in non-university facilities.

2.1.4 Non-university owned animals while participating in research, teaching, testing, demonstration or other university activities in non-university facilities while subject to an IACUC approved protocol.

2.2 The use of vertebrate animals at the University or in university-sanctioned activities must be described in an Animal Use Protocol (AUP). The AUP is a form designed to capture relevant information regarding the appropriate use of the animals in university-sanctioned activities, including research, teaching, testing, demonstration, and sport.

2.3 For each project or activity involving vertebrate animals, an AUP must be approved by the IACUC.

2.4 An approved and current AUP for all vertebrate animal activities must be in place at all times for animals housed or used on university property or university-owned or leased animals used off campus.

2.5 All modifications to approved animal activities must be approved prior to initiation of the changes.

## 3 PUBLIC HEALTH SERVICE (PHS) ASSURANCE AND UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) REGISTRATION

3.1 A USDA registration or license must be obtained prior to performing any activity subject to the Animal Welfare Act.

3.2 A PHS Animal Welfare Assurance (Assurance) from the National Institutes of Health Office of Laboratory Animal Welfare (OLAW) must be obtained prior to performing any activity involving animals that is supported by PHS.

3.3 Additionally, A&M-Commerce will follow:

3.3.1 *The Guide for the Care and Use of Laboratory Animals* when conducting research, teaching, or testing activities using non-agricultural animals and biomedical research activities using agricultural animals; and,

3.3.2 *The Guide for the Care and Use of Agricultural Animals in Research and Teaching* when conducting research, teaching, or testing activities involving agricultural animals intended for improving animal nutrition, breeding, management, or production efficiency or for improving the quality of food and fiber.

#### 4 INSTITUTIONAL OFFICIAL (IO)

4.1 The President has appointed the Vice Provost for Research to serve as the Institutional Official (IO) with administrative authority to commit institutional resources to ensure that the animal care and use program will comply with federal and state requirements.

4.2 The IO executes the USDA registration(s), PHS assurance(s), and reports submitted to these agencies as required.

#### 5 INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE (IACUC)

5.1 The IACUC is appointed, structured, and performs duties and functions as set forth in the most current version of the documents referenced at the end of this rule or other applicable documents promulgated by relevant government agencies.

5.2 The IACUC members are appointed by the President, in consultation with the IO IACUC reports to the IO.

5.3 The IACUC approves, disapproves, or requests modifications of AUPs. The IACUC also conducts semi-annual facility inspections, a semi-annual review of the Animal Care and Use Program, and investigates reports of non-compliance and concerns involving the care and use of animals. The IACUC may also suspend a previously-approved AUP covered by this rule for noncompliance. The IACUC has full authority to enter any areas where animals are used or housed for research, teaching, testing, demonstration, or other activity, to ensure compliance. A decision by the IACUC not to approve research, teaching or testing may not be overridden by the IO.

5.4 The IACUC conducts all of those duties specifically assigned to it in government regulations and policies. In addition to duties mandated in government regulations and policies, the IACUC reviews all aspects of the program for the humane care and use of animals including short-term and long-term goals, and regulations and procedures pertaining to animal care and use.

5.5 The IACUC must maintain standardized operating procedures (SOPs) consistent with federal requirements.

#### 6 USE OF VERTEBRATE ANIMALS IN AGRICULTURAL RESEARCH, TEACHING, TESTING, DEMONSTRATION, OR OTHER UNIVERSITY-SANCTIONED ACTIVITIES

6.1 Use of vertebrate animals in agricultural research, teaching, testing, demonstration, or any other university-sanctioned activity, is overseen by the IACUC. A&M-Commerce must follow *The Guide for the Care and Use of Agricultural Animals in Research and Teaching* when conducting activities involving food and fiber production in agricultural animals.

6.2 When agricultural animals are involved in biomedical research, animal use and compliance must adhere to additional applicable federal guidelines.

## 7 RESPONSIBILITIES OF THE PRINCIPAL INVESTIGATOR

Principal investigators (PI) are primarily responsible for compliance with all federal and state laws and regulations involving activities covered by this rule and are specifically responsible for:

7.1 Assuring that animal work is appropriately reviewed and approved prior to initiation of any activities or changes to approved activities. Regardless of funding sources, an AUP involving the use of animals in research, teaching, testing, demonstration, or other activities must be prepared and signed by the PI and must be reviewed and approved by the IACUC. If the activity is collaborative or involves other institutions, approval must be obtained from each institution;

7.2 Assuring that conduct of the animal activity is restricted to the animal activities described in the approved AUP or approved amendments, and is in congruence with funded grants, if applicable;

7.3 Assuring that all participants in animal activities are appropriately qualified through training and education to perform their responsibilities as listed in the AUP;

7.4 Assuring that all participants in animal activities are enrolled in an occupational health and safety process;

7.5 Assuring that all animal activities involving hazardous and bio-hazardous activities are approved by the appropriate safety committees;

7.6 Abiding by all determinations of the IACUC, including, but not limited to, directives to terminate participation in designated animal activities; and,

7.7 Notifying the IACUC as soon as possible after the discovery of any incident that involves adverse events relating to the care or use of animals covered by this Rule, including reporting any animal concerns or noncompliance.

## 8 ATTENDING VETERINARIAN

- 8.1 Federal regulations from the PHS Policy IV.A. and USDA 9 CFR, 2.31 require the appointment of a Doctor of Veterinary Medicine to serve on the IACUC with the authority and responsibility for all activities involving animals at the institution. The Attending Veterinarian, or designee, provides guidance to the campus animal facility managers, animal users, and administrators on current standards for the care and use of animals in activities, and serves as the AV of record under the Federal Animal Welfare Act. The institution assures that the AV has appropriate authority to ensure the provision of adequate veterinary care.
- 8.2 The AV has direct or delegated authority for activities involving animals at the institution or brought to the institution, serves as a voting member of the IACUC, and coordinates campus programs for provision of adequate husbandry and veterinary care of animals used in research, teaching, testing, demonstration, or other activities.
- 8.3 The AV must ensure that all animal care programs include provisions for appropriate facilities, personnel, and equipment to assure compliance with regulatory requirements. In addition, the AV assures prevention, control, diagnosis and treatment of disease, daily observation, weekend and holiday care for animals, and guidance to PIs regarding care, handling, immobilization, anesthesia, tranquilization and euthanasia, including pre- and post-procedural care.
- 8.4 The AV must also:
  - 8.4.1 Be involved in all institutional plans involving renovation or construction of facilities in which animals are housed or used, including design and maintenance of animal facilities;
  - 8.4.2 Have access to all university-owned or leased animals and all privately owned animals housed on campus or subject to an IACUC approved protocol;
  - 8.4.3 Have input in protocol review, the development of study removal criteria, and responsible conduct of research activities;
  - 8.4.4 Have oversight of the animal care program including husbandry, housing, preventative medicine and health surveillance, medical treatment, establishment of sedation, anesthetic and analgesic guidelines, handling, and immobilization; and,
  - 8.4.5 Provide a system of veterinary medical care and emergency veterinary care that is available after work hours, on weekends, and on holidays.

## 9 REPORTING

- 9.1 The IO is responsible for ensuring the prompt notification to governmental authorities after the discovery of any incident that requires notification to the IACUC, OLAW, USDA, or other governmental authority with respect to the care or use of animals that are involved in research, teaching, testing, demonstration, or other activities covered by this Rule.

- 9.2 Anyone who is aware of potential violations to existing animal care and use regulations or observes misuse or mistreatment of animals is strongly encouraged to report their concerns to the IACUC, the Attending Veterinarian, or the IO. Concerns may also be reported anonymously via the [EthicsPoint](#) webpage or at 1-888-501- 3850.
- 9.3 All allegations of mistreatment or noncompliance will be taken seriously and investigated by the IACUC. Confidentiality will be maintained to the extent possible and appropriate and permissible under the law. No university employee or student will be discriminated against or subject to any reprisal for good faith reporting of actual or potential violations.

## 10 TRAINING

- 10.1 All individuals (including faculty and staff members, postdocs, research assistants, and students, etc.) conducting research projects that involve animals are required to complete training for *Animal Care and Use, Responsible Conduct in Research*, and any additional training specified by the animal species being used.
- 10.2 The Chair of the IACUC, and/or others the Chair deems appropriate, is responsible for training students, faculty, staff members, and new appointees to the IACUC regarding the procedures and requirements for the use of animals in research, teaching, testing, or other university activities.
- 10.3 The Research Compliance Officer (RCO)/designee is responsible for training students, faculty, staff members, and new appointees to the IACUC regarding *Responsible Conduct in Research*.
- 10.4 The RCO/designee is responsible for monitoring and maintaining records regarding training requirements for animal care and use.

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## Related Statutes, Policies, or Requirements

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[The Animal Welfare Act \(7 U.S.C. § 2131-2159\) and Amendments and the Animal Welfare Regulations \(9 CFR chapter 1\)](#)

[Public Health Service Policy on Humane Care and Use of Laboratory Animals \(National Institutes of Health\)](#)

[Health Research Extension Act of 1985](#)

[U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training](#)

[Guide for the Care and Use of Laboratory Animals](#)

[Guide for the Care and Use of Agricultural Animals in Research and Teaching](#)

## [United States Department of Agriculture Animal Care Policies](#)

TX PENAL § 42.09; § 42.091; § 42.092; § 42.10; § 42.105

System Regulation [15.99.05 Research Compliance](#)

System Regulation [15.99.07 Use of Vertebrate Animals](#)

### [University IACUC-Research with Animals](#)

Suspends University Procedure *15.99.05.R0.01 Animal Care and Use*

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## **Definitions**

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**Animal** - any live vertebrate animal used or intended for use in teaching, research, research training, experimentation, or biological testing or for related purposes, or other university sanctioned activities.

**Animal Care and Use Program** - the activities conducted by and at an institution that have a direct impact on the well-being of animals, including animal and veterinary care, policies and procedures, personnel and program management and oversight, occupational health and safety, IACUC functions, and animal facility design and management. The University may maintain multiple location specific programs.

**Animal Facility** - any and all buildings, rooms, areas, enclosures, or vehicles, including satellite facilities, used for confinement, transport, maintenance, breeding, or experiments including surgical manipulation.

**Animal Welfare Act** - Public Law 89-544, 1966, as amended, (P.L. 91-579, P.L. 94-279, and P.L. 99-198) 7 U.S.C. 2131 et. Seq. Implementing regulations are published in the Code of Federal Regulations (CFR), Title 9, Chapter 1, Subchapter A, Parts 1,2, and 3 and are administered by the U.S. Department of Agriculture.

**Attending Veterinarian** - the veterinarian responsible for the health and well-being of all animals used at the institution or at off-site locations where sanctioned activities occur.

**Institutional Official (IO)** - the individual who bears ultimate responsibility for the Animal Care and Use Program and is responsible for resource planning and ensuring alignment of Program goals with the university's mission. The Vice Provost for Research is the University's Institutional Official for purposes of this Rule.

**Institutional Animal Care and Use Committee (IACUC)** - an administrative body reporting to the Institutional Official in accordance with 9 CFR Chapter 1, Subchapter C, Part 2.31, P.L. 99-158, and the Health Research Extension Act of 1985. There may be more than one IACUC appointed by the President.

**Non-Compliance** - failure to comply with federal or state regulations, System Policies or Regulations, University Rules or Procedures, IACUC procedures or the requirements to conduct research, teaching, testing, demonstration, or other activities using animals.

**Public Health Service Policy** - refers to Public Health Service Policy for the Humane Care and Use of Laboratory Animals (“PHS Policy”) which requires institutions to establish and maintain proper measures to ensure the appropriate care and use of all animals involved in research, research training, and biological testing activities conducted and supported by the Public Health Service.

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## **Contact Office**

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