

UNLV

MEMORANDUM

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

FROM: Mary Croughan, Vice President for Research and Economic Development
Lori Ciccone, Executive Director, Office of Sponsored Programs

DATE: October 2018

RE: Research Information and Responsibilities at UNLV

This document provides formal policy guidance for the conduct of research that is essential to promote a safe, ethical, and productive research environment at the University of Nevada, Las Vegas (UNLV). Every faculty member, Principal Investigator (PI), Project Director (PD), and laboratory supervisor at UNLV 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 related to the conduct of research. We require each PI, PD and/or supervisor to review and communicate the guidelines outlined in this memorandum with all co-workers and individuals engaged in research.

Oversight of Individuals Engaged in Research

PIs, PDs and/or supervisors are responsible for the oversight of all individuals engaged in research under their direction, whether or not the University compensates the students and/or employees. This responsibility extends to visiting scholars, trainees, postdoctoral appointees, graduate students, undergraduate student assistants, staff employees, pre-collegiate students, volunteers, or participants in life-long learning or other special programs. The PI, PD and/or supervisor must ensure that any such person understands and adheres to all applicable regulations, follows all University policies, participates in relevant training, and adheres to high ethical standards of honesty and integrity in research.

Responsible Conduct of Research (RCR)

All faculty must encourage ethical behavior in their trainees (graduate and undergraduate students and post-doctoral scholars) and provide training in RCR to these individuals. To aid this process, a formal RCR training course is offered at UNLV. Faculty with funding from NIH, NSF, or USDA-National Institute of Food and Agriculture (NIFA) must ensure their trainees complete this RCR course as it is required for all research funded by these agencies. All other faculty are also encouraged to send their trainees to RCR training.

RCR training is offered each fall semester, and instructors are experienced faculty members. Topics include: general ethical responsibilities in research; collaborative research; mentor/trainee responsibilities; acquisition, management, sharing, and ownership of data; publication practices and responsible authorship; peer review; conflicts of interest and commitment; and research misconduct. More information is available at: <https://www.unlv.edu/research/responsible-conduct>.

Misconduct in Research and Other Scholarly Activities

PIs, PDs and/or supervisors are expected to adhere to the highest ethical standards when conducting research and scholarly work. Misconduct in research and scholarly activities is contrary to the standards of the University. Definitions of misconduct and procedures for handling allegations of misconduct can be found at: <http://www.unlv.edu/research/misconduct>.

Conflict of Interest (COI) and Compensated Outside Service

UNLV promotes objectivity in research by carefully reviewing any potential conflicts of interest or commitment. All UNLV faculty and staff must complete a Conflict of Interest and a Compensated Outside Services Disclosure annually, and at the initiation of a new project that involves a potential conflict or outside compensation. Approval must be obtained prior to initiating any research or compensated outside activities. Federally-funded PIs are subject to additional requirements, such as mandatory COI training. More details are available at: <http://www.unlv.edu/research/coi>.

Export Control

All research projects must be in compliance with federal export laws and regulations. The University and all its employees are required to comply with the laws and implementing regulations issued by the Department of State through its International Traffic in Arms Regulations (ITAR), the Department of Commerce through its Export Administration Regulations (EAR) and the Department of Treasury through its Office of Foreign Assets Controls (OFAC). Further information regarding export control requirements is available at: <http://www.unlv.edu/research/export>.

Responsibility for Management of Sponsored Projects

University faculty and staff members who direct sponsored projects have the principal responsibility to carefully manage these programs. The legal status of the Principal Investigator (PI) or the Project Director (PD) should be clearly understood – the PI or PD, as an individual, is not the recipient of the grant and has not entered into a contract with a sponsor. PIs and PDs do not have signature authorization to enter into a grant/contract agreement on behalf of the institution. Rather, the Board of Regents has entered into the contract or has been awarded a grant.

Grant/contract funds must be spent by the University in accordance with the proposal and as initiated by the PI or PD. Although the University signs the agreement and the University is legally and financially responsible to the sponsor, the PI or PD is responsible for the administration of the project, submission of technical reports, and proper fiscal management of the project. The Office of Sponsored Programs (OSP) provides administrative and financial services to assist in the handling of these responsibilities and has established procedures to help meet federal, state, sponsor, and University administrative requirements.

One of the most important responsibilities of the PI or PD is to keep track of expenditures and commitments and to prevent expenditures from exceeding the budget or from being used for unauthorized purposes. Even if the responsible account holder designates other persons as "authorized signatures", s/he remains the person solely responsible for ensuring that the project is conducted within the budget or that the account balance is not exceeded. In case of overruns or account deficits, the University holds the PI or PD and their department or college responsible for covering such costs.

Additionally, the PI or PD is responsible for tracking his/her committed effort on sponsored projects. PIs and PDs may not exceed 100% effort in performing all university duties, which include research, instruction, administration, and other types of effort. Extra compensation is not available on sponsored projects, except in extraordinary circumstances, which should be included at the proposal stage and must be pre-approved.

For additional information please visit the OSP website at: <http://www.unlv.edu/research/osp> and/or contact your OSP representative directly, or contact the office via email at osp@unlv.edu, or by telephone at 702-895-1357.

Clinical Trials

At UNLV, clinical trials (also called randomized clinical trials or RCTs) are supported by federal grants, foundation grants, and industry contracts, including investigator-initiated trials. The Office of Sponsored Programs provides administrative support for clinical trials and works with the Clinical Trials Manager from initial proposal through contract execution. If the research is industry-sponsored or if it requires any contractual obligations such as a Confidentiality Disclosure Agreement, Clinical Trials Agreement, Memorandum of Understanding Agreement, Data Use Agreement, or may utilize service support with external facilities, the studies must be reviewed by the UNLV Clinical Trials Office which can be reached via email at cto@unlv.edu.

Research Agreements

All agreements related to research activities including, but not limited to, Sponsored Research Agreements, Memoranda of Understanding, Participation and Cooperative Agreements, Teaming Agreements, Confidentiality and Non-Disclosure Agreements, and Material Transfer Agreements (MTAs) must be processed through the Office of Sponsored Programs (OSP). Biological and chemical materials transferred from the University to another entity, or received by the University from another entity, require the transfer to be completed only after an MTA

has been fully executed with the other entity. Contact the Office of Sponsored Programs at 702-895-1357 or osp@unlv.edu for assistance with any research agreements.

Transfer of Equipment

Requests for the transfer of research equipment to another institution must be processed through the Office of Sponsored Programs and Delivery Services per the university's Equipment Disposition policy: <http://www.unlv.edu/research/policies>.

This process supplements existing internal inventory checks that each department chair or unit director has developed for faculty/researchers that leave the University.

Transfer of Grants/Termination of Grants

PIs or PDs may be incoming or outgoing from UNLV and have sponsored funding they wish to continue. If incoming to UNLV, the PI or PD must notify their current institution and formally request transfer of grants or contracts. It is not assumed that your institution will automatically transfer any awards for which you are the named PI.

The PI or PD must notify OSP that awards will be transferred to UNLV. The two institutions' sponsored programs offices will need to work together to ensure the awards are transferred according to the sponsor requirements. If a PI or PD is leaving UNLV, the same requirements must be followed, first working with OSP to ensure transfer to the next institution, pending approval by UNLV and/or the sponsor. Note that the University and the Sponsor will review transfer requests on a case by case basis and determine what is in the best interest of the University and the research.

Additionally, termination of grants or contracts may be required based on circumstances such as financial issues, change of staffing, scope of work, or cause. Sponsored agreement terms and conditions must be reviewed and followed in order to request termination of award. For guidance on this process contact the Office of Sponsored Programs at 702-895-1327 or osp@unlv.edu.

Use of Human Subjects

All research activities involving the use of human subjects must be reviewed and approved by the Institutional Review Board (IRB) prior to initiation of the project. The IRB is responsible for safeguarding the rights and welfare of subjects who participate in research activity. IRB policies and other information can be viewed at: <http://www.unlv.edu/research/ORI-HSR>.

All protocol submissions must be submitted through IRBNet, which can be accessed at <http://www.irbnet.org>. Information on submitting materials to the IRB can be found at <http://www.unlv.edu/research/ORI-HSR/submit>. IRB approvals are valid for one year, and it is the responsibility of the PI to obtain yearly renewals from the IRB.

All researchers are required to complete training on the protection of human subjects. The University's IRB requires documentation of participation in such training by all PIs conducting

research involving human subjects, in accordance with the Department of Health and Human Services (DHHS) regulations. Training may be initiated at: <http://www.unlv.edu/research/ORI-HSR/training>.

Staff members in the Office of Research Integrity-Human Subjects may be reached via email at irb@unlv.edu, or by telephone at 702-895-2794.

Research on Vertebrate Animals

In accordance with federal regulations for the review of animal research protocols (Public Health Service Policy, USDA, and Animal Welfare Regulations), the University requires that all researchers who conduct research utilizing vertebrate animals must obtain written approval from the Institutional Animal Care and Use Committee (IACUC) prior to ordering animals and beginning work. IACUC information can be viewed at: <https://www.unlv.edu/research/integrity/iacuc>.

All protocol submissions must be submitted through IRBNet, which can be accessed at <http://www.irbnet.org>. For additional questions, please contact the animal care staff at lacs@unlv.edu.

Intellectual Property

The Nevada System of Higher Education, on behalf of UNLV, owns the intellectual property (IP) developed by UNLV personnel as further defined in <http://www.unlv.edu/assets/research/policies/Research-IntellectualPropertyPolicy.pdf> (“Policy”). UNLV’s Office of Economic Development (OED) is responsible for the assessment, protection, marketing, and commercialization of IP. Additional information can be found at <http://www.unlv.edu/research/technology>.

UNLV personnel are responsible for reporting all inventions pursuant to Policy through the completion of a Research Disclosure Form found at: <http://www.unlv.edu/research/technology>. The completed forms should be submitted in a timely manner so that the University can: (1) comply with the Sponsored Research Agreement (SRA) if the invention was supported by a sponsor; (2) take appropriate actions related to possible encumbrances of the invention by other agreements (e.g., collaboration agreements, inter-institutional agreements, license agreements, or other SRAs); and (3) work with the inventors to make a determination regarding whether to protect the IP or release it to the inventors.

OED is also responsible for other types of corporate engagements and can provide guidance to employees of UNLV in engaging with third party corporate entities, including consulting agreements, corporate sponsored research, start-up formation, board positions, and corporate executive positions.

Research Space Practices

Interdisciplinary space, including, but not limited to, the Science and Engineering Building (SEB), the Harry Reid Center (HRC), and the Animal Care Facility are under the control of the Vice

President for Research and Economic Development (VPRED). A Research Space Request Form (<https://www.unlv.edu/seb/forms>) must be completed by faculty wishing to access interdisciplinary spaces; approval by their Department Chair and Dean are required. Email completed requests to David Hatchett, Executive Director of Research Infrastructure at david.hatchett@unlv.edu for consideration by the VPRED Research Space Committee.

Further information regarding the evaluation of interdisciplinary research space can be found at: https://www.unlv.edu/sites/default/files/page_files/27/RESEARCH_LABORATORY_SPACE.pdf

Other research spaces located within college buildings are considered to be under the control of the Dean. The Dean is expected to use these spaces effectively and efficiently due to limited research space.

Providing a Safe Working Environment

An essential requirement of all University 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, PD or supervisor is responsible for the day-to-day management of all research conducted under his/her supervision or in University facilities assigned to that individual.

The responsibilities of a PI, PD or supervisor include, but are not limited to:

- Ensuring the routine availability of any equipment or facilities required to conduct specific research;
- Providing any necessary safety equipment for the conduct of research under his/her supervision;
- Ensuring that each individual complies with the standards for safe behavior in the laboratory;
- Ensuring all personal protective equipment and safety equipment is in good working condition, including routine (at least monthly) activation of eyewashes and safety showers; and
- If chemicals are used in research, ensuring that each individual is trained in accordance with all applicable federal, state, and University regulations and completes UNLV Chemical Hygiene training as required by the UNLV Chemical Hygiene Plan.

Strict compliance with all safety standards outlined in the Risk Management and Safety 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).

Laboratory Safety information is available at: <http://rms.unlv.edu/environmental-and-lab/lab/>.

Information on the use of radioactive materials and radiation-producing equipment can be found at: <http://rms.unlv.edu/radiological/>.

Safety training offerings are listed at: <http://rms.unlv.edu/occupational/training/>.

If you have questions regarding safety issues or training, please contact Julie Bertoia at julie.bertoia@unlv.edu.

Controlled Substances

Compliance with the regulations for the use of controlled substances in research is required by all researchers.

The Drug Enforcement Agency (DEA) regulates the use and possession of DEA-controlled substances, such as pentobarbital and cannabis. Please note that many chemicals that were not controlled substances in the past are now controlled by DEA. A federal DEA license and a state license are required for these substances. Many substances also require a FDA license to conduct research.

A list of DEA controlled substances can be viewed at:
<http://www.deadiversion.usdoj.gov/schedules/index.html>.

If you have any controlled substances and you do not have a license for that particular controlled substance, contact Risk Management and Safety (RMS). RMS will arrange for legal disposal or assist you in obtaining the proper licenses.

Select Agents

Compliance with the regulations for the use of select agents (certain biological agents and toxins) is required in research. All research utilizing select agents is controlled by the Centers for Disease Control and/or the United States Department of Agriculture (USDA). The current list of select agents can be found at: <http://www.cdc.gov/od/sap/docs/salist.pdf>.

If you wish to work with or locate one of these agents, contact Risk Management and Safety for assistance at: <http://rms.unlv.edu/environmental-and-lab/lab/>.

Institutional Biosafety Committee

Researchers conducting either sponsored or non-sponsored research with recombinant DNA, infectious agents, toxins, primary human cell lines, human stem cells, human blood, or human tissue must have their research approved in advance by the Institutional Biosafety Committee (IBC). Approvals are valid for three years. It is the responsibility of the PI or PD to obtain renewals from the IBC after the initial three-year approval. All protocol submissions must be submitted through IRBNet, which is accessed at: <http://www.irbnet.org>. Information on submitting materials to the IBC can be found at: <http://www.unlv.edu/research/ibc>.

Contact Kevin Bergeron, Manager, Biological Research Programs for questions regarding the Institutional Biosafety Committee (kevin.bergeron@unlv.edu).

Visiting Scientists/Scholars

PIs, PDs and supervisors are required to complete a Volunteer Agreement (<https://www.unlv.edu/sites/default/files/24/HR-Forms-VolunteerAgreement.pdf>) with any visiting scientist or scholar working under his/her guidance (but who is serving in this capacity without University support or employment). PIs and PDs who are coordinating Visiting Scientists/Scholars who are foreign nationals must also contact the Export Control Office for further assistance.

Public Lands Permits

PIs and PDs conducting research or class-based field trips on public lands must obtain and carry a permit. The Division of Research and Economic Development assists with obtaining these permits from the federal agency where the activity is to occur. To request assistance with permitting, please visit <http://publiclands.unlv.edu/permits>.

Contact Kevin Bergeron, Manager, Biological Research Programs for questions regarding public lands permits (kevin.bergeron@unlv.edu).

Clearance of Faculty/Researcher Terminating Employment

The Office of Human Resources coordinates processes for clearing faculty who terminate their employment with the University. The clearance process enables faculty to exit the University in good standing by appropriately verifying clearances, as applicable, with the Risk Management and Safety Office, Office of Sponsored Programs, and the Office of Research Integrity.