



OFFICE OF THE VICE PRESIDENT FOR RESEARCH AND ECONOMIC
DEVELOPMENT

RESEARCH MISCONDUCT POLICY

RESPONSIBLE ADMINISTRATOR: OFFICE OF THE VICE PRESIDENT FOR RESEARCH AND ECONOMIC
DEVELOPMENT

RESPONSIBLE OFFICE(S): OFFICE OF RESEARCH INTEGRITY

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Acting Vice President for Research and Economic
Development

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STATEMENT OF PURPOSE

The University of Nevada, Las Vegas ("UNLV" or the "University") must comply with federal regulations requiring each institution of higher education receiving federal grants and contracts to have an administrative policy for handling allegations of research misconduct. This policy revises and supersedes the UNLV Research Misconduct Policy adopted on May 13, 2008. The purpose of this policy is to state UNLV's compliance with federal and state research misconduct policies and regulations.

UNLV is committed to the ethical and responsible conduct of research. Research misconduct can neither be condoned nor tolerated at UNLV. Persons conducting research bear the primary responsibility for monitoring and rigorously evaluating procedures and results of research.

ENTITIES AFFECTED BY THIS POLICY

Academic Colleges, Schools and Departments, University faculty, staff, and students conducting research.

WHO SHOULD READ THIS POLICY

The entities affected by this policy include Deans, Chairs and all University faculty, staff and students conducting research.

POLICY

The University of Nevada, Las Vegas policy on research misconduct is based on the Public Health Service (PHS) Policies on Research Misconduct, 42 CFR Part 93 (“Federal Research Misconduct Policy”). Although Federal agencies have ultimate authority for federally-funded research, UNLV bears the primary responsibility for detection of research misconduct and for the inquiry, investigation, and adjudication of research misconduct alleged to have occurred in association with UNLV.

All members of the University community must adhere to UNLV’s strict standards of integrity for academic scholarship and research and must feel ethically obligated to report, in good faith, any fraudulent acts when they are known or suspected to have occurred.

Under the provisions of the Federal Research Misconduct Policy, “Research Misconduct” is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Additionally, at UNLV “Research Misconduct” shall be further defined to include:

- Material failure to comply with applicable federal requirements for protection of researchers, human participants, or the public; or for ensuring the welfare of laboratory animals.
- Material failure to disclose all Conflicts of Interest.
- An abuse of confidentiality, such as the use (or release to others) of ideas or preliminary data of others, which were given in the expectation of confidentiality, such as those gained from access to privileged information through: (1) the opportunity for editorial review of manuscripts; (2) the opportunity for peer review of proposals by external entities or by internal committees; and (3) disclosure of information covered by a confidentiality agreement between UNLV and a third party.

“Research Misconduct” does not include disputes regarding honest error or differences of opinion. Research Misconduct is also not intended to include authorship disputes such as complaints about appropriate ranking of co-authors in publications, presentations, or other work unless the dispute constitutes plagiarism as defined in this policy.

Research Misconduct is prohibited for all individuals subject to this policy. Violation of this policy is a violation of Chapter 6 of the NSHE Code, pursuant to Sections 6.2.1(j), 6.2.1(y), and 6.2.1(bb) of the NSHE Code (as may be amended from time to time) and subjects those to whom this policy applies to procedures and disciplinary sanctions established in Chapter 6 of the NSHE Code.

All allegations of research misconduct will be responded to in accordance with UNLV's Research Misconduct Rules and Procedures. Research Misconduct of students shall be adjudicated through UNLV's Student Conduct Code process, unless they are paid on a federally funded project.

RELATED DOCUMENTS

Research Misconduct Rules and Procedures

Chapter 6 of the NSHE Code

<http://system.nevada.edu/tasks/sites/Nshe/assets/File/BoardOfRegents/Handbook/T2CH06RulesandDisciplinaryProceduresforMembersoftheUniversityCommunityExceptDRI%282%29.pdf>

UNLV Conflict of Interest/Compensated Outside Service Policy

<http://www.unlv.edu/assets/research/policies/COI-CompensatedOutsideServicesPolicy.pdf>

42 CFR Part 93

<http://www.ecfr.gov/cgi-bin/text-idx?SID=bb8fec44f0ff276ab0c4014c6215f5db&node=pt42.1.93&rgn=div5>

Student Conduct Code <http://studentconduct.unlv.edu/conduct/pdf/Student-Conduct-Code.pdf>

CONTACTS

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DEFINITIONS

Conflict of Interest means the real or apparent interference of one person's interests with the interests of another person, where potential bias may occur due to prior or existing personal or professional relationships.

Fabrication is making up data or results and recording or reporting them.

Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

Material Failure means any act or failure to act in a manner that has or may have an adverse effect on the reputation, good will or financial condition of the University, as well as any act or failure to act in a manner that has or may impair the right or ability of the University to carry on its mission, operations, business, research, education or other affairs.

Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

Research means a systematic experiment, study, evaluation, demonstration or survey designed to develop or contribute to general knowledge (basic research) or specific knowledge (applied research). Research, as used in this policy, includes all basic, applied, and demonstration research in all fields of science, engineering, and mathematics. This includes, but is not limited to, research in economics, education, the humanities, linguistics and literary studies, medicine, psychology, social sciences, statistics, and research involving human subjects or animals.

Research Record means the record of data or results that embody the facts resulting from scientific inquiry, including but not limited to, research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, dissertations, oral presentations, internal reports, journal articles, and any documents and materials the Respondent provides to any institutional official, or federal agency in the course of an evaluation or a proceeding pursuant to Chapter 6 of the NSHE Code. The purpose of including documents provided by Respondent in the Research Record is to hold the respondent responsible for the integrity of those research documents regardless of when they were prepared or furnished to the institution or the cognizant federal agency.