University of North Carolina at Chapel Hill Research Code of Conduct Standard

Introduction

PURPOSE

To set forth the standards of research conduct expected of members of the research community at The University of North Carolina at Chapel Hill (UNC-CH) consistent with the UNC-CH Research Code of Conduct (Code).

SCOPE OF APPLICABILITY

These Standards apply to the following members of the UNC-CH research community:

- researchers (including academic staff, research assistants, research associates, research fellows and academic-related staff);
- staff involved in research administration (including technical, clerical, and administrative staff) employed by the University, whether working on the UNC-CH campus, or while working on assignment in other locations;
- supervisors of postgraduate and undergraduate students working on sponsored projects (sponsored projects include organized research, instruction or public service that is supported by external funding through the receipt of a grant, cooperative agreement, collaboration agreement, sub-award or contract);
- supervisors of postgraduate and undergraduate students working on University supported research projects;
- postgraduate and undergraduate students working on sponsored projects;
- personnel holding honorary or adjunct positions involved in research projects within, or on behalf of, the University;
- collaborators and sub-contractors from other institutions, government bodies and industry, participating in research activities in UNC-CH controlled facilities;
- temporary staff, visiting scholars and scientists, volunteers and other representatives engaged in UNC-CH sponsored research and therefore working, speaking or acting on behalf of the University research community);
- all individuals engaged in the setting of research priorities and in the monitoring, assessment and evaluation of research.
Standards

Act Ethically and Do So with Integrity. Ethical conduct is a fundamental expectation for every member of the UNC-CH research community. In practicing and modeling ethical conduct, members of the research community are expected to:

- act according to the highest ethical and professional standards of conduct for their respective discipline;
- be personally accountable for individual actions;
- fulfill obligations promised to students, advisees, colleagues, collaborators and sponsors of sponsored projects;
- conscientiously meet all University research and sponsored project responsibilities; and
- communicate and model ethical standards of conduct through instruction and safe laboratory and clinical practices.

Be Fair and Respectful to Others. The University is committed to tolerance, diversity, and respect for differences. The University expects that members of the research community will:

- be respectful, fair, and civil;
- speak candidly and truthfully;
- avoid any and all forms of harassment, illegal discrimination, obvious or veiled threats, or acts of violence;
- provide equal access to programs, facilities, and employment; and
- promote a culture of openness and conflict resolution.

Please see the Policy on Prohibited Discrimination, Harassment and Related Misconduct for additional guidance and information: http://policies.unc.edu/files/2013/04/PPDHRM.pdf.

Manage Responsibly. Members of the research community who supervise or instruct employees or students assume a significant responsibility. Principal Investigators, managers, supervisors, instructors, coordinators, mentors and advisors are expected to:

- ensure access to and delivery of proper training and guidance on applicable workplace, health and safety, and educational rules and guidelines;
- ensure access to and delivery of research policies and procedures, including this Code;
- ensure compliance with applicable laws, statutes, policies, administrative rules and the terms and conditions of sponsored projects;
- review performance conscientiously and impartially;
- report the findings and discoveries made through research activities in an unbiased, verifiable manner;
- foster intellectual growth and professional development; and
- promote a healthy, innovative, and productive atmosphere that encourages dialogue and the sharing of ideas while being responsive to the concerns of

Promote a Culture of Compliance. The University is committed to meeting regulatory, legal and contractual requirements and to fostering a culture of ethics and compliance. To that end, the University expects members of the research community to:

- learn and follow the federal, state and local regulations, as well as the University policies and procedures applicable to research administration;
- read, understand and adhere to the terms and conditions for each of their sponsored projects;
- meet all deliverable and reporting obligations in a timely manner;
- be proactive to prevent and detect compliance violations; and
- report suspected violations of applicable rules, regulations and policies to supervisors or other University
When considering reporting a potential compliance issue, be aware that there are certain protections afforded to members of the University community who report a suspected compliance violation, as provided under the UNC-CH Protection for Reporting Improper Government Activities Policy: https://unc.policystat.com/policy/4466298/latest/

Conduct Research Ethically. University researchers have an obligation to the University and to their sponsors to conduct research ethically when using human subjects or animals in research. To this end, The University expects members of the research community to:

- protect the privacy of and wellbeing of all humans involved in research and clinical care;
- and when considering the use of animals in research, consider options for reduction, replacement and refinement of animal involvement and humanely treat animals involved in research activities.

Consult and engage research administrative support offices as applicable:
- Institutional Animal Care & Use Committee (IACUC): http://research.unc.edu/offices/iacuc/

Disclose Individual Personal or Financial Interests and Comply with Established Conflict of Interest Management Plans. Members of the research community have an obligation to be objective and impartial in making decisions on behalf of and while representing the University. To ensure this objectivity, members of the research community are expected to:

- read and ensure understanding of and adhere to the University's Policy on Individual Conflicts of Interest and Commitment;
- disclose personal and financial interests as required under the University's Individual Conflicts of Interest and Commitment Policy and adhere to any management plans or tools created to address an identified conflict of interest; and
- ensure personal relationships do not interfere with objective judgment when engaged in research activities.

For specific information on the University's Policy on Individual Conflicts of Interest and Commitment and related Standard Operating Procedures and FAQs, please see the COI webpage: http://research.unc.edu/offices/coi/

Carefully Manage Research Project Information. Members of the research community are the creators and custodians of many types of information. All information, whether is it public, private, proprietary or marked or disclosed as confidential must be carefully and thoughtfully managed. The public right to access information and the individual's right to privacy are both governed by laws and University policies. To meet these responsibilities, members of the research community are expected to:

- learn and follow the applicable laws, University policies, applicable terms and conditions of award, and terms and conditions of relevant data use agreements regarding access, use, protection, disclosure, retention, and disposal of public, private, proprietary and confidential information;
- protect the rights to individual, third party and University intellectual property;
- ensure that information is used solely for the purpose of carrying out the research project it is intended for use in and that it is used in a conscientious manner;
- follow document preservation and retention guidelines as specified in the terms and conditions of award or as stated in the record retention policy if not addressed in the award; and
- maintain data security using electronic and physical safeguards as necessary.

For additional information, please see the following:

University Privacy-related Policies: http://privacy.unc.edu/policies/
Manage Research Projects in a Transparent Manner. Members of the research community are responsible for ensuring that research project funds are used effectively and appropriately. Members of the research community are expected to:

- take all reasonable actions to ensure compliance with sponsor, institutional, legal and ethical obligations in managing research projects;
- familiarize themselves with the terms and conditions of research awards, including the approved budget;
- follow established University financial procedures, including procurement and purchasing rules and practice financial prudence in the use of resources;
- ensure that projects operate within their allocated budget;
- ensure there are fully auditable records of, for example, timesheets, effort reports, documentation to support expenses, all relevant approvals and participant's consent, when required;
- ensure that all work conducted in assigned locations or at subcontractor institutions is done with applicable approvals, within budget and on time;
- ensure that all deliverable and reporting obligations are fulfilled in accordance with the terms and condition of award;
- ensure that the stipends and salaries of research personnel are aligned with pay scales in effect for the type of position.

Promote the Publication of Results with Appropriate Authorship Cited. Dissemination of research project findings is an important part of the research process, passing on benefits of the research to colleagues, other researchers, professional practitioners and the community at large. Researchers should ensure that their findings are disseminated responsibly and widely through all appropriate media – such as journals, books, chapters, articles, conference proceedings, reviews, software, databases and creative arts. Members of the research community should be mindful of the following when considering publishing and authorship:

- the Principal Investigator or person with overall responsibility for the research project should give the final approval for the publication of results;
- properly credit authorship on the basis of appropriate intellectual contributions, including: formation of ideas, project and experiment design, the conduct of the work; analysis and interpretation; and report or manuscript preparation as well as for the editing for intellectual content; and
- if an error is later found in previously published research a retraction should be published as soon as possible.

Please ensure that you are familiar with the University's Policy on Research Misconduct: [https://unc.policystat.com/policy/4512713/latest/](https://unc.policystat.com/policy/4512713/latest/)

Promote Health and Safety in the Workplace. Members of the research community have a responsibility to ensure a safe, secure, and healthy environment for all University students, faculty, staff, volunteers, and visitors participating in research projects. Members of the research community are expected to:

- follow safe workplace and laboratory practices, including participating in applicable education sessions, using appropriate personal protective and safety equipment, and reporting accidents, injuries, and unsafe situations;
- maintain security, including securing University assets and facilities;
- report suspicious activities; and
- protect the environment, through the careful and compliant handling of hazardous waste and other potentially
harmful agents, materials, or conditions.  
For additional information, please see:  

The Environmental Health and Safety Laboratory Safety Plan: https://itsapps.unc.edu/LabSafetyPlan/;  
The Biological Safety Manual: http://ehs.unc.edu/manuals/biological/;  

**Protect and Preserve University Resources.** The University is dedicated and committed to responsible stewardship of all research projects. Members of the research community are expected to:  

use University property, facilities, equipment, finances, materials, information and systems, as well as any other resources utilized, only for legitimate University purposes when conducting research projects;  
prevent waste and abuse of University and sponsor monetary and non-monetary resources;  
promote efficient operations;  
follow sound financial practices, including accurate documentation and reporting of research project expenditures and cost sharing, and exercising appropriate oversight of subcontractor expenditures.  

**Retain Research Data and Primary Materials.** The responsible conduct of research includes the proper management and retention of the resulting data. Retaining data is important because it may be all that remains of the work at the end of the project period.  

The Principal Investigator or Project Director must decide which data and materials should be retained, although in some cases this is determined by law, funding agency, publisher requirements or by convention in the discipline. The central aim is that sufficient materials and data are retained to justify the outcomes of the research and to defend them if they are challenged. The potential value of the material for further research should also be considered, particularly where the research would be difficult or impossible to repeat.  

Members of the research community are expected to be mindful of the following when considering retention and storage needs for resulting data and materials:  

keep clear and accurate records of the research methods and data sources, including any approvals granted, during and after the research project period of performance;  
ensure that the data and primary materials are kept in safe and secure storage even when not in use;  
provide the same level of care and protection to primary research records, such as laboratory notebooks, as to the analyzed, summarized research data;  
retain all data, including electronic data, in a durable, indexed and retrievable form;  
manage research data and primary materials according to ethical protocols and relevant legislation;  
retain research project data and primary materials for sufficient time to allow reference to them by other researchers and interested parties. For published research data, this may be for as long as interest and discussion persist following publication;  
data should be made available for use by other researchers unless this is prevented by ethical, privacy or confidentiality considerations;  
data should be retained for at least the minimum period specified in the General Records Retention and Disposition Schedule;  
if the results from research projects are challenged, all relevant data and materials must be retained until the matter is resolved. Research records that may be relevant to allegations of research misconduct must not be destroyed.  

Please see the General Records Retention and Disposition Schedule – The University of North Carolina at Chapel Hill and The University of North Carolina General Administration Policy: https://www.northcarolina.edu/sites/default/files/documents/unc_gen_rec_ret_sched_final_052212.pdf
Report Conduct that Concerns You. The University encourages all members of the community – students, faculty and staff – to be an active part of achieving excellence in all our work and welcomes ideas and feedback for how to best support a culture of ethics and integrity. The University's Ethics and Integrity website is designed to serve as a portal, directing individuals to the appropriate reporting channels for your complaints, concerns, or suggestions – http://ethicsandintegrity.unc.edu/.

For concerns that are specific to research, the research compliance program has a dedicated mailbox: research_compliance@unc.edu

You can also discuss your concerns with another responsible administrative officer, an ombuds officer (http://www.ombuds.unc.edu/contact.html), or make a confidential report to the Compliance Hotline at 1-866-294-8688. Confidential reports can also be filed on the University Compliance Line internet access at: https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=13027

The internet and telephone reporting service is not maintained on the University's systems and is not maintained by University employees. The University uses a commercial service provider, EthicsPoint. Reports can be filed anonymously and the reports are held securely and confidentially on the external systems. University policy prohibits retaliation against an individual who reports improper activity by the University or University employee as outlined in the University’s Policy on Protection for Reporting Improper Government Activities, https://unc.policystat.com/policy/4466298/latest/

For additional information on reporting matters of concern, please see the University's Ethics and Integrity page http://ethicsandintegrity.unc.edu/report/retaliation/.

Related Requirements

EXTERNAL REGULATIONS AND CONSEQUENCES

The Uniform Guidance: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – A Rule by the Management and Budget Office on 12/26/2013

Subtitle III – Procurement Standards

200.317 Procurements by states

When procuring property and services under a Federal award, a state must follow the same policies and procedures it uses for procurements from its non-Federal funds. The state will comply with § 200.322 Procurement of recovered materials and ensure that every purchase order or other contract includes any clauses required by section § 200.326 Contract provisions. All other non-Federal entities, including subrecipients of a state, will follow §§ 200.318 General procurement standards through 200.326 Contract provisions.

200.318 – General procurement standards

The non-Federal entity must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this section.

Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

Office of Management and Budget Circular A-110, Revised 11/19/93 As Further Amended 9/30/99

The Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations

Subpart C – Post-Award Requirements, Procurement Standards;

.___.42 Codes of conduct. The recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub-agreements. However, recipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient.

The Federal Acquisition Regulations

Uniform Policies and Procedures for Acquisitions by All Executive Agencies (apply to all Federal Contracts)

Part 3 – Improper Business Practices and Personal Conflicts of Interest

Subpart 3.10—Contractor Code of Business Ethics and Conduct

3.1000 Scope of subpart.

This subpart—

Implements 41 U.S.C. 3509, Notification of Violations of Federal Criminal Law or Overpayments; and Prescribes policies and procedures for the establishment of contractor codes of business ethics and conduct, and display of agency Office of Inspector General (OIG) fraud hotline posters.

3.1001 Definitions.

As used in this subpart—

"Subcontract" means any contract entered into by a subcontractor to furnish supplies or services for performance of a prime contract or a subcontract.
“Subcontractor” means any supplier, distributor, vendor, or firm that furnished supplies or services to or for a prime contractor or another subcontractor.

"United States" means the 50 States, the District of Columbia, and outlying areas.

3.1002 Policy.

Government contractors must conduct themselves with the highest degree of integrity and honesty. Contractors should have a written code of business ethics and conduct. To promote compliance with such code of business ethics and conduct, contractors should have an employee business ethics and compliance training program and an internal control system that—

Are suitable to the size of the company and extent of its involvement in Government contracting;

Facilitate timely discovery and disclosure of improper conduct in connection with Government contracts; and

Ensure corrective measures are promptly instituted and carried out.

UNIVERSITY STANDARDS AND PROCEDURES

Please see the corresponding University of North Carolina at Chapel Hill Policy on Research Conduct.

Contact Information

POLICY CONTACT(S)

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Important Dates

Original Effective Date and title of Approver: June 12, 2017, Vice Chancellor for Research
Revision and Review Dates, Change notes, title of Reviewer or Approver:

Approved by:

/S/ Terry Magnuson

Vice Chancellor for Research

Date: June 8, 2017

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All revision dates: 6/8/2017

Attachments: No Attachments