



UNIVERSITY OF MIAMI POLICY AND PROCEDURE MANUAL

TITLE:	Openness in Research Policy	REFERENCE:	New
CATEGORY:	Office of Research Administration	PAGE:	1 of 2
		SUPERSEDES:	New
APPROVER:	Barbara A. Cole	VERSION:	Revised
	Associate Vice President	EFFECTIVE:	February 2, 2017
	Office of Research Administration		

PURPOSE:

The purpose of this policy is to address obligations every individual has with respect to openness in research in accordance with 2 CFR 200, Federal and State regulations, as well as sponsor terms and conditions.

Failure to comply with the University of Miami's (UM's) policies and procedures may result in unfavorable review, denial of funding, request for clarification/documentation, additional terms and conditions, and/or other enforcement actions imposed by the sponsor. This policy applies to all Federal and non-Federal sponsored activities, including all externally funded clinical trials.

SCOPE:

All UM personnel must be aware of the complex detailed rules provided under Federal and non-Federal regulations as well as the terms and conditions of the individual sponsored activity. While compliance with all applicable requirements is essential, it is equally important to maintain an open research environment that welcomes the participation of researchers from around the world as part of UM's mission. To maintain this balance, UM personnel must be familiar with this policy in addition to the Federal and non-Federal regulations on restricted Research.

This policy applies to all UM personnel, namely:

- Faculty, including voluntary faculty and courtesy appointments.
- Faculty emeriti engaged as active researchers on UM research activities.
- Researchers, including research staff, postdoctoral fellows, and research associates.
- Graduate students, undergraduate students, and interns involved in research programs.
- Staff in departments, centers, institutes, and administrative offices charged with responsibilities under this policy.
- Consultants, agents, and volunteers associated with research and scholarly activities, as well as in departments and offices charged with responsibilities under this policy.

POLICY:

UM is committed to preserving and protecting the freedom of research and to maintaining a teaching and research environment that is open and promotes the free exchange of research results. The principle of openness in research generally requires that:

- UM will not undertake classified research;
- UM will not accept publication restrictions or terms and conditions that require sponsor

- approval of publications; and
- Foreign faculty, students and scholars will not be singled out for restriction in access to UM's educational and research facilities and activities.

Furthermore, as part of this commitment, UM will not enter into contractual agreements or accept research grants if the contract or grant restricts the freedom of the University to disclose the:

- existence of the contract or grant;
- identity of the sponsor or contracting entity;
- type of research to be conducted; or
- research results.

The vast majority of on-campus research is expected to be conducted pursuant to the principles outlined above. UM investigators; however, engage in a broad range of innovative and important research both in the United States and overseas that may require restrictions or requirements counter to this policy. There are number of statutory or funding agency mandates that impose publication restrictions; citizenship restrictions; access restrictions with respect to confidential, proprietary, or restricted information, software code, or technology; or otherwise restrict the sharing or transfer of such information or the uses to which it may be put. In these instances, a researcher or school may choose whether to accept the restrictions by choosing whether or not to accept the federal award or to accept a research project subject to export controls and any other restrictions.

In rare cases in which the funder has a legitimate interest (e.g. promoting training of domestic students or increasing domestic capacity in a certain sector); or the pursuit of knowledge may involve critically important but sensitive areas of technology where the immediate distribution of research results would be inappropriate, exceptions may be made to these principles regarding publication, classification, and access by foreign students and scholars. Such exceptions must be limited in scope to those circumstances where the area of research is crucially important to UM's educational and research mission.

Exceptions must be approved by the PI and the department chair or designee, and submitted to ORA. ORA will then obtain disposition from the appropriate institutional officials. The specific case of restricted/classified research is discussed in detail in the "Restricted Research" policy.

DEFINITIONS:

Please refer to UM's Office of Research Administration (ORA) website for a list of acronyms and terms commonly used in sponsored/ research administration grants, contracts, and cooperative agreements: (<http://ora.miami.edu/assets/pdf/ora-policies/glossary.pdf>)

PROCEDURE:

UM personnel are to use [UM's ORA website](#) for guidance on matters pertaining to sponsored activities.

UM personnel are to follow the Standard Operating Procedures (SOP) outlined, as well as utilize the various required forms and templates that have been implemented for the activities related to this policy.

UM personnel should contact the Pre or Post Award staff for consultation if additional information is needed. Contact information can be found on [UM's ORA Contacts Webpage](#).