

**SPECIAL REPORT**  
of the  
**RESEARCH COUNCIL**  
concerning  
**RESEARCH COUNCIL REPORT:  
A UNIVERSITY POLICY ON ACCESS TO AND RETENTION OF  
RESEARCH DATA**

Presented at the  
583<sup>rd</sup> Regular Meeting of the Faculty Senate  
November 2, 2000

**COUNCIL MEMBERSHIP**

Willy Bemis  
Frederick W. Byron, Jr.  
Briankle G. Chang  
Alice Cheung  
Rachel Clifton  
Bruce Croft  
Kourosh Danai  
Francesco D'Introno  
Joseph Goldstein  
Jeff Howe  
Frank Hugus  
Joseph Jerry  
Ernest May  
Phoebe McKinney  
Peter Monson – CH  
Jose Ornelas  
David Ostendorf  
William Patterson  
Damon Revelas  
Charlena Seymour  
Cindy Spell  
Eleanor Vanetzian  
Maggie K. Vidrine

**RESEARCH COUNCIL REPORT:**  
**A UNIVERSITY POLICY ON ACCESS TO AND RETENTION OF**  
**RESEARCH DATA**

The Research Council has been examining the issue of a University policy on access to and retention of research data. The need for such a policy and the issues involved are addressed in a policy consideration document produced by the Council on Governmental Relations (<http://www.cogr.edu/ret.htm>). Among the problems addressed by such a policy would be:

- Increased interaction with the private sector and its potential for conflicts
- Scientific challenges to data
- Handling of data in cases of scientific misconduct
- Litigation over ownership rights to data
- Expanded freedom of information access to research data under new Federal regulations

The Research Council believes that it is timely for the University to develop and implement such a policy. The policy should address the following issues:

- definition of what constitutes data
- assignment of responsibilities
- procedures for providing access to data

Policies on these issues are already in place at many other Universities. Some of these have made their policies available on their administration web sites. One from Stanford University was considered to be particularly well formulated and we have used this as a basis for the policy given below. The draft policy has been made available for comment by the campus community via the web site of the Office of Research Affairs and extensively modified in response to comments received.

**POLICY ON RETENTION OF AND ACCESS TO RESEARCH DATA**

**1.0 SUMMARY**

**1.1 – This document describes a University policy to assure that research data is appropriately recorded, archived for a reasonable period of time, and available for review under the appropriate circumstances.**

**1.2 – Accurate and appropriate research records are an essential component of any research project. Both the University and the Principal Investigator (PI) have responsibilities and rights concerning access to, use of, and maintenance of original research data. (For the purposes of this policy the term PI refers to the researcher with primary responsibility for directing the project whether or not the research is conducted under a research grant or contract.) Except where precluded by the specific terms of sponsorship or other agreements, tangible research property, including the scientific data and other records of research conducted under the auspices of the University, belongs to the University. The PI is responsible for the maintenance and retention of research data in accord with the policy.**

**1.3 – Questions on the interpretation of this policy may be directed to the Vice Chancellor for Research who is responsible for monitoring the implementation of the policy.**

**2.0 DEFINITIONS AND APPLICABILITY**

**2.1 – This policy shall apply to all University faculty, staff, students and any other persons at the University involved in the design, conduct or reporting of research at or under the auspices of the University, and it shall apply to all research projects on which those individuals work, regardless of the source of funding for the project.**

**2.2 – Research data include any records that are necessary for the reconstruction and evaluation of reported results of research and the events and processes leading to those results, regardless of the form or the media on which they may be recorded. It is recognized that the definition of what constitutes original data for a research project will be determined by customary practice in the particular field of study in which the project is carried out. (Items which constitute research data under this policy include: laboratory notebooks, samples of chemicals and materials synthesized during research, field specimens, voucher specimens, computer files or other electronic data, video tapes and audio tapes.)**

**2.3 – The University must retain research data in sufficient detail and for an adequate period of time to enable appropriate responses to questions about accuracy, authenticity, primacy and compliance with laws and regulations governing the conduct of research. It is the responsibility of the PI to determine what needs to be retained under this policy.**

**2.4 – Where research is funded by a contract with the University that includes specific provision(s) regarding ownership, retention of and access to technical data, the provision(s) of that agreement will supersede this policy.**

**2.5 It is recognized that in particular instances (e.g., the long-term maintenance of collections of specimens) additional policies are required and should be developed in consultation with the Vice Chancellor for Research.**

**2.6 – In the implementation of this policy, the privacy of human subjects in research projects shall be protected.**

### **3.0 OWNERSHIP**

**3.1 – The University’s ownership and stewardship of the scientific record for projects conducted at the University, under the auspices of the University, or with University resources are based on both regulation (OMB Circular A-110, Sec. 53) and sound management principles. The University’s responsibilities in this regard include, but are not limited to:**

- i) complying with the terms of sponsored project agreements;**
- ii) ensuring the appropriate use of animals, human subjects, recombinant DNA, etiologic agents, radioactive materials, and the like;**
- iii) protecting the rights of students, postdoctoral scholars, and staff, including, but not limited to, their rights to access to data from research in which they participated;**
- iv) securing intellectual property rights;**
- v) facilitating the investigation of charges, such as scientific misconduct or conflict of interest.**

#### **4.0 COLLECTION AND RETENTION**

**4.1 – The PI is responsible for the collection, management and retention of research data. PIs should adopt an orderly system of data organization and should communicate the chosen system to all members of a research group and to the appropriate administrative person, where applicable. Particularly for long-term research projects, PIs should establish and maintain procedures for the protection of essential records in the event of a natural disaster or other emergency.**

**4.2 – Research data must be archived for a minimum of three years after final project closeout, with original data retained whenever possible. In addition, any of the following circumstances may justify longer period of retention.**

- **data must be kept for as long as may be necessary to protect any intellectual property resulting from the work;**
- **if any charges regarding the research arise, such as allegations of scientific misconduct or conflict of interest, data must be retained until such charges are fully resolved; and**
- **if a student is involved, data must be retained at least until the degree is awarded or it is clear that the student has abandoned the work.**

**4.3 – Beyond the period of retention specified here, the destruction of the research record is at the discretion of the PI and his or her department or laboratory.**

**4.4 – Records will normally be maintained in the unit where they are produced. Research records must be retained on the University campus, or in facilities under the auspices of the University, unless specific permission to do otherwise is granted by the Vice Chancellor for Research.**

#### **5.0 ACCESS**

**5.1 – Where necessary to assure needed and appropriate access, the University has the option to take custody of the data in a manner specified by the Vice Chancellor for Research. In such cases the PI will be given adequate notice by the Vice Chancellor for Research when access to the data has been requested and granted.**

**6.0 TRANSFER IN THE EVENT A RESEARCHER LEAVES THE UNIVERSITY**

**6.1 – When individuals involved in research projects at the University leave the University, they may take copies of research data which they generated. Original data, however, must be retained at the University by the PI.**

**6.2 – If a PI leaves the University, and a project is to be moved to another institution, ownership of the data may be transferred with the approval of the Vice Chancellor for Research, and with written agreement from the PI's new institution that guarantees: 1) its acceptance of custodial responsibilities for the data, and 2) the University access to the data should that become necessary.**

**MOVED: That the Faculty Senate approve the Special Report of the Research Council  
07-01 concerning A University Policy on Access to and Retention of Research Data, as  
presented in Sen. Doc. No. 01-010A.**