Appendix A: Sharing, Retention, and Ownership of Research Data

Research Data are a valuable asset to the University. This policy protects the property rights of individual researchers and the University by addressing definition, responsibility, control, and distribution of certain data. This policy is applicable to Research Data developed by University employees in performing the duties of their University employment or through substantial use of funds and facilities provided by the University. This policy assures that Research Data are adequately recorded, archived, retained, and accessible for sufficient time to support the associated Research that produced the data and any intellectual property based on that Research.

Definition of Research Data

For purposes of this policy, Research Data includes all records necessary for the reconstruction and evaluation of reported results of Research and the events and processes leading to those results, regardless of form or media. Research Data may include laboratory notebooks, databases documenting Research, and other compilations of information developed during Research. Research Data are distinct from, but may be associated with, other intellectual property such as patentable or copyrightable works, and trademarks, which are addressed by other University policies.

Control of Research Data

The University supports the principle of openness in Research. Free dissemination of data, processes, and results of Research and other sponsored activity is crucial to a vibrant and healthy academic environment. The University promotes the prompt and open exchange of Research Data with scientific colleagues outside the investigator's immediate laboratory or department, subject to relevant grants, contracts or other binding agreements, compliance requirements, or the protection of intellectual property.

In the case of externally sponsored Research involving a grant, contract, or other agreement, the Principal Investigator (PI) is responsible for controlling storage, use, and distribution of Research Data arising from the Research activity, subject to provisions of the applicable grant, contract, or other agreement, University policy, or applicable law. Data generated at the University generally is owned by the University.

If a PI leaves the University and a Research project is to accompany the PI to a new institution, ownership of the Research Data may be transferred with the approval of the Chief Research Officer and with written agreement from the PI's new institution that ensures clarity regarding handling:

- custodial and other responsibilities for the Research Data;
- access to the Research Data by the University and other sponsors; and
- protection of the rights of human and animal subjects.

Questions of Research Data ownership or other matters pertaining to the Research Data policy will be resolved by the Chief Research Officer in conformance with University policies. When necessary to assure access to Research Data, the University has the option to take custody of the data in a manner specified by the Chief Research Officer.

University Responsibility for Research Data

The University is ultimately responsible for the accuracy and sufficiency of Research Records, the cornerstone of rigorous Research. Therefore, the University is responsible for Research Data developed by personnel while performing their assigned duties or through substantial use of facilities or funds provided by the University. Such responsibility applies to Research funded by external sources and managed by the University, unless the University agrees to another arrangement in a grant, contract, or other agreement. Specifically, University obligations regarding Research Data include (without limitation):

- Ensuring the academic freedom of the faculty in pursuit of the University's mission of developing and disseminating new knowledge;
- Securing and protecting intellectual property rights connected with Research Data and commercialization of those rights where appropriate and feasible;
• Protecting the right of access to Research Data, of faculty, postdoctoral scholars, students, and staff;
• Avoiding undue interference with appropriate dissemination of Research Data in the academic community;
• Complying with the terms of sponsored grants, contracts, other agreements, or applicable law;
• Reviewing all charges of Research Misconduct, Conflict of Interest, or similar charges or disputes; and
• Ensuring the appropriate care of animals, human subjects, recombinant DNA, radioactive materials, controlled substances and the like.

Responsibilities of the PI or Laboratory/Department Head Regarding Research Data

Final responsibility and control of Research Data remains at all times subject to the other provisions of this policy. Specifically, however, the PI or the laboratory/department head is responsible for the following:

• Collection of Research Data, including production of defensible laboratory notebooks;
• Management of Research Data to ensure efficient and effective retrieval by the PI, other personnel within project team, or appropriate administrative personnel or research sponsors;
• Development of a formal Research Data plan and procedures where appropriate;
• Consideration of a system for preserving Research Data in the event of a natural disaster or other emergency;
• Retention of Research Data for the requisite period of time (see below); and
• Documented communication of the management system and description of the data managed to members of a research group and to the Chief Research Officer.

Specific Obligations Regarding Preservation of Research Data

The PI or the laboratory/department head must preserve Research Data for a minimum of six (6) years after the final project close-out, with original data retained where feasible, and unless otherwise required by law. The following circumstances may require longer retention:

• If data supports a patent (or patent application), such data must be retained as long as the patent and any derivative patents are valid;
• If Allegations of scientific Research Misconduct, conflict of interest, or other charges arise, data must be retained until such charges are fully resolved plus seven (7) years;
• If a student participates in the project, Research Data must be retained at least until the degree is awarded or the student has unambiguously abandoned the work; and
• As required by the terms of a grant, contract, other agreement, or applicable law.

Beyond these periods, destruction of the Research Record is at the discretion of the PI or the laboratory/department head. Research Data will normally be retained in the administrative unit where generated. Research Data must be retained in a University facility unless specific permission to do otherwise is granted by the Chief Research Officer.