



University of Connecticut Health Center

POLICY NUMBER 2003-42

October 1, 2003

POLICY: DATA OWNERSHIP POLICY

POLICY STATEMENT:

Research data are the foundation of scholarly work at the Health Center. In order to assure the principles of academic freedom, free publication of new knowledge and research integrity, research data must be preserved in a manner that makes them available to those individuals (faculty, students and other research staff) who provided significant input into their generation and analysis. In addition, such data must be preserved in a manner that satisfies the Health Center's legal obligations under federal and state law. It is equally important, however, that research data not be subject to premature or inappropriate disclosure. Additionally, the Health Center's ability to preserve the value of intellectual property through legal means such as patents is entirely dependent upon a complete data record. Thus, it is the policy of the Health Center that all faculty, students and staff exercise reasonable efforts to preserve research data as outlined in this document, comply with requirements of federal and state laws and/or regulations governing access to research data and refrain from capricious or unauthorized dissemination of research data. The principles below shall be adhered to in fulfilling the mandate of this policy. The Health Center data ownership policy shall be distributed to all members of research groups and the principal investigator (PI) should discuss with each member of the group policies specifying the rights and responsibilities of those participating in the research, with respect to access, custody and publication of research data and materials generated as a result of the research activity.

Definitions

Research Data – recorded information necessary to validate or reconstruct research findings. Examples of research data include but are not limited to field notes, completed questionnaires, data abstraction forms, laboratory notebooks, patient charts, cage cards, audio tapes, video tapes and electronic data files. Research materials and devices include but are not limited to chemical or biological reagents, field specimens, devices and copyrightable instruments used in the collection of data (e.g., questionnaires, scales, psychosocial assessment and personality inventories, etc.), created as a result of research. Research materials and devices are considered property, not research data.

Principal Investigator (PI) – the person, usually a faculty member, who is the senior member of a research team, responsible for proposing, conducting and administering research by that team. In large, multidisciplinary research programs funded by mechanisms such as program project or

center type grants, the PI is generally the person responsible for one of the component projects of the program.

Principles

1. Research materials, inventions or devices developed through the use of Health Center resources are the property of the University of Connecticut Health Center. Rights to such property may be transferred to other parties (such as commercial sponsors) with the express written authorization of the Health Center. Copyrightable materials are generally not the property of the University.
2. With the exception of the situations described in paragraph (5) below, research data are considered the property of the PI, or the joint property of collaborating individuals when research data are generated by a principal investigator working in collaboration with one or more faculty colleagues. Research data generated by postdoctoral fellows, graduate students, research trainees or others who have had significant intellectual input, shall be considered the joint property of the collaborating individuals. The individual named as PI by the organization sponsoring the work shall, however, retain the principal responsibility for custody of the data.
3. The PI will assure the safe and orderly collection and management of research data. The data must be retained for a minimum of three years after the “final closeout” of grants or contracts that supported the research generating the data. In addition, data must be retained for as long as may be necessary to allow students to complete degree requirements; to protect intellectual property resulting from the work; and/or to allow completion of any administrative actions (e.g., research misconduct investigations or litigation) involving the research.
4. Research data subject to a research sponsor’s disclosure requirements, such as outlined in the federal OMB Circular A-110, the Public Health Service Grants Policy Manual (or other such policies) represent special situations which place obligations for the stewardship of research data on the Health Center. Data generated in projects supported by grants or contracts containing such provisions shall be jointly owned by the Health Center and the PI. The Health Center shall have an irrevocable right to obtain such data from the PI at any time, even if that individual has left the institution. Custody of the data will continue to be the responsibility of the PI.
5. Research data may not be released for publication or for commercial uses without the expressed permission of all individuals who made significant intellectual contributions to the project. In case of dispute, the Executive Vice President (EVP) will appoint an ad hoc faculty committee of three to make recommendations to the EVP to resolve the dispute.
6. When a contractual agreement is established between a principal investigator and consultants, service facilities, or other individuals or corporations, the research data resulting from the contractual relationship remains the property of the principal investigator, and the research materials, inventions or devices resulting from the contractual relationship remain the property of the University of Connecticut Health Center unless otherwise specified in the contractual agreement.

7. Nothing in this policy shall be construed as negating State, Federal or University policies regarding patent rights.
8. Nothing in this policy shall be construed as interfering with the investigation of alleged misconduct under the policies of the University of Connecticut Health Center, including the responsibility of whistleblowers to sequester data in good faith that relate to allegations of research misconduct.

Peter Deckers, M.D. (signed)

10/1/03

Executive Vice President for Health Affairs

Date

Replaces: NEW POLICY