

THE UNIVERSITY OF ALABAMA
POLICY AND PROCEDURES
FOR RESEARCH AND OTHER SPONSORED PROJECT
DATA OWNERSHIP AND RETENTION

I. INTRODUCTION

The University of Alabama (UA) has both rights and responsibilities for the retention of research or other data acquired or developed as a result of a grant, contract or other sponsored agreement. Accurate and appropriate research and programmatic records are an essential component of any research or sponsored project. The University and the Principal Investigator/Project Director (PI) have responsibilities and rights concerning access to, use of and maintenance of original data including scientific data. Except where precluded by the specific terms of sponsorship or other agreements, tangible research or sponsored project property, including all data and other records conducted under the auspices of UA, belong to UA. Furthermore, data produced from federally sponsored research are increasingly subject to requirements not only from the OMB Circular A-110 Section 36(d) Intangible Property and Section 53 Retention and Access Requirements for Records but also from 45 CFR, as amended by 56 FR 28003 Use of Human Subjects in Research.

II. APPLICABILITY

This policy shall apply to all UA faculty, staff, students and any other persons at UA involved in the design, conduct or reporting of research or sponsored projects at or under the auspices of UA, and it shall apply to all research or sponsored projects on which those individuals work, regardless of the source of funding for the project. UA must retain research and sponsored project 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 the research or sponsored project. It is the responsibility of the PI to determine what needs to be retained under this policy. Where research or a sponsored project is funded by a contract with UA that includes specific provision(s) regarding ownership, retention of and access to technical data, the provision(s) of that agreement will supersede this policy.

III. DEFINITION

Research and sponsored project data include laboratory notebooks and field notebooks as well as any other records that are necessary for the reconstruction and evaluation of reported results of research or a sponsored project and the events and processes leading to those results, regardless of the form or the media on which they may be recorded. Furthermore the term includes software (computer programs, computer databases and documentation thereof), and records of scientific or technical nature. In practice scientific data include both intangible (statistics, findings, conclusions, etc.) and tangible data.

Tangible data include but are not limited to notebooks, printouts, computer disks, photographs, slides, negatives, films, scans, images, videotapes, autoradiograms, electrophysiological recordings, gels, blots, spectra, samples, specimens, IRB consent forms, research reports, analytical results, analysis, data contained in theses and dissertations and all other materials that are relevant to the research or sponsored project.

IV. OWNERSHIP AND ACCESS

- A. The University's ownership and stewardship of the scientific record for research and sponsored projects conducted at UA, under the auspices of the UA, or with UA resources is based on both regulation (OMB Circular A-110, Sec. 53) and sound management principles. UA's responsibilities in this regard include, but are not limited to:
1. complying with the terms of research or sponsored project agreements;
 2. ensuring the appropriate use of animals, human subjects, recombinant DNA, etiological agents, radioactive materials, and the like;
 3. protecting the rights of students, postdoctoral scholars, and staff, including, but not limited to, their rights to have access to data results from research or sponsored projects in which they participated;
 4. securing intellectual property rights; and,
 5. facilitating the investigation of charges, such as scientific misconduct or conflict of interest.
- B. Both the PI and UA have responsibilities and rights concerning access to, use of, and maintenance of original research or sponsored project data. Research or sponsored project data belongs to UA. UA can be held accountable for the integrity of the data even after the PI(s) has left the university. Although the primary data should remain in the UA laboratory where it originated, consistent with the precepts of academic freedom and intellectual integrity, the PI may be allowed to retain copies of the research records and materials created by him/her. Also see Section VI below.
- C. Where necessary to assure needed and appropriate access, UA has the option to take custody of the data in a manner specified by the Vice President for Research. When a collaborative team is dissolved, UA will allow each member of the team to have reasonable access to the data and materials with which he/she had been working, unless some other agreement was established at the outset. The unique materials prepared in the course of the research or sponsored project should be available/accessible under negotiated terms of a transfer agreement.

V. COLLECTION AND RETENTION

- A. The retention of accurately recorded and retrievable research or sponsored project data is of utmost importance for the progress of scientific integrity. The PI is responsible for the recording, collection, management and retention of research or sponsored project data. These records should include sufficient detail to permit examination for the purpose of replicating the research or sponsored project, responding to questions that may result from unintentional error or misinterpretation, establishing authenticity of the records, and confirming the validity of the conclusions.
- B. PIs should adopt an orderly system of data organization and should communicate the chosen system to all members of a research or sponsored project group and to the appropriate administrative personnel, where applicable. Particularly for long-term research or sponsored projects, PIs should establish and maintain procedures for the protection of essential records in the event of a natural disaster or other emergency.
- C. The experimental notebook and field notebook are the most common mediums for documentation of experiments and field work and their proper maintenance is of utmost importance. In addition to the study title, the investigator's name(s), and the study hypothesis, the experimental notebook should include detailed information on the materials used, sources of the materials, experimental methodology, statistical treatments, results and conclusions so as to enable replication of the experiments by others at any time. In the event that it is not possible, explicit instructions as to where the data can be found (e.g. location of disks, samples, specimens, etc.) should be included in the notebook.
- D. For studies involving several investigators/collaborators, possibly in more than one laboratory, it is recommended that the PI of record maintain a master log that catalogues the experiments of the whole study and provides the location of other experimental and/or field notebooks, data, and relevant materials stored in other laboratories or other locations.
- E. There are state and federal regulations prescribing the length of time researchers must maintain the original data. The times required to retain data vary from three to seven years depending on the governmental organization. Unless a longer period is specified by the State of Alabama or the sponsor, research data should be kept for a minimum of three years after the project ends or, if funded research, three years after all of the final project close-out documents have been sent to the government. In addition, any of the following circumstances may justify longer periods of retention:
 1. data must be kept for as long as may be necessary to protect any intellectual property resulting from the work;

2. if any charges regarding the research or sponsored project arise, such as allegations of scientific, scholarly or financial misconduct or conflict of interest, data must be retained until such charges are fully resolved; and/or,
 3. 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.
- F. Beyond the period of retention specified herein, the destruction of the research or sponsored project record is at the discretion of the PI and his or her department or laboratory. Records will normally be retained in the unit where they are produced. Research and sponsored project records must be retained on the UA campus, or in facilities under the auspices of UA, unless specific permission to do otherwise is granted in writing by the Vice President for Research or his/her designee.

VI. TRANSFER IN THE EVENT A PI LEAVES UA

- A. In the event that the PI or other key researchers or project managers leave UA, they may negotiate an Agreement for the Disposition of Research or Sponsored Project Data for projects on which they have worked. Original data, however, must be retained at UA for the period specified in Section V.E. above.

1. A written Agreement on Disposition of Research or Sponsored Project Data may be negotiated by the PI or other key researcher or project manager and the Department Chair or Unit Manager and approved in writing by the Dean and the Vice President for Research or his/her designee to allow transfer of research records. Without an Agreement on Disposition of Research or Sponsored Project Data in place, no PI, other key researcher or project manager may take data with him/her when he/she leaves UA.

Agreement(s) on Disposition of Research or Sponsored Project Data will be kept in the Department or Unit.

2. If a PI leaves UA with a funded research project and the project is to be moved to another institution, ownership of the data may be transferred with the approval of the Vice President for Research or his/her designee and with written agreement from the PI's new institution that guarantees:
 - a) the new institution's acceptance of custodial responsibilities for the data; and,
 - b) UA's access to the data, should that become necessary.

3. All Agreements on Disposition of Research or Sponsored Project Data must include a provision that UA has the right of access to all research records and materials for a reasonable cause after reasonable prior notice regardless of the location of the PI, other key researcher or project manager for the period of time specified in Section V.E. above.