



EAST TENNESSEE STATE
UNIVERSITY

Research Data Ownership and Retention

Policy Name: Research Data Ownership and Retention

Policy Purpose

This policy ensures that research data are retained and available for review by the East Tennessee State University (ETSU or University), sponsors, and state and federal agencies.

Applicability

This policy applies to faculty, staff, students, post-doctoral fellows, scholars, and visiting scientists in the course of their scholarly activities.

Responsible Official, Office, and Interpretation

The Vice Provost for Research is responsible for the review and revision of this policy. For questions about this policy, please contact Office of Research and Sponsored Programs Administration. The Provost, in consultation with the Office of University Counsel, has the final authority to interpret this policy.

Defined Terms

A defined term has a specific meaning within the context of this policy.

Research Data

All recorded information in any form (e.g. laboratory notebooks; electronic data collected using laboratory instrumentation; computer software; videos; qualitative data (interview transcripts and coding); survey data; memoranda; research resources, including synthetic compounds, cell lines, microorganisms (bacteria and viruses) cloned nucleic acids, DNA sequences, plants and animals (e.g. knockout mice)). For clinical studies, research data includes case histories, clinical protocols, case report forms and supporting documentation.

Principal Investigator (PI)

Faculty or faculty sponsor/mentor with the primary responsibility of retaining research data and following the data management requirements of the University and the sponsor.

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Research/Scholarly Activity

Systematic investigation with the purpose of developing or contributing to knowledge.

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ETSU claims ownership of research data for projects conducted at the University, under the auspices of the University or using University resources by faculty, staff, students, post-doctoral fellows, scholars, and visiting scientists in the course of their scholarly activities. Principal Investigators and the University have rights and responsibilities for retaining research data.

This policy provides the requirements for the retention of data and data access as well as the transfer of data when an investigator leaves the University.

1. University Responsibilities

- 1.1. Comply with all federal and state regulations governing data retention and access.
- 1.2. Comply with the terms of all sponsored project grants and contracts.
- 1.3. Maintain confidentiality of research data, where appropriate (e.g., HIPAA data, etc.).

2. Principal Investigators Responsibilities.

The PI, as the custodian of the data, has primary responsibility for overseeing the conduct of research/scholarly activity, both extramurally funded and other, and is responsible for the retention of all data and records, providing access to the University, sponsors and regulatory agencies, and sharing data as required by the sponsor

3. Data Retention.

- 3.1. Research data must be retained a minimum of three years after the submission of all required reports (i.e., financial, special reports), or for the period designated by regulation in special circumstances (i.e., research misconduct investigations, export control, audit, etc.), or after students have completed their thesis or dissertation, whichever is longer.
- 3.2. Research data must be retained as long as required to protect any intellectual property that was produced as a result of the research.
- 3.3. Research data involving human subjects must be maintained and/or destroyed as required by the University's Human Research Subjects Protection Program according to federal regulations (e.g. OHRP and FDA)

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- 3.4. Research data must be retained, when students were involved in the research/scholarly activity, until the student's degree is awarded, the student leaves the University or the research is published.
- 3.5. Research data must be retained in the department or unit where it was generated (in the case of multiple departments, data should be retained by the department in which the PI of the study resides).
- 3.6. Following the conclusion of the period of retention, the PI may destroy the data in accordance with applicable federal regulations or sponsor requirements.

4. Transfer of Responsibility When a Researcher Leaves the University

If a staff member, student, post-doctoral fellow, scholar, or visiting scientist, other than the PI, departs the University, she/he may retain copies of all research data at the discretion of the PI, but the original data must remain with the PI. The PI's decision can be appealed to the Vice Provost for Research. If the PI leaves the University, the original data may be transferred to the new institution on approval by the University's Vice Provost for Research and Sponsored Programs and through a formal agreement that the new institution accepts responsibility for retaining the data, maintaining appropriate confidentiality and providing University access in order to fulfill its responsibilities under the terms of award, including allegations of research misconduct.

Procedures

N/A

Applicable Forms and Websites

[National Institutes of Health](#) and [National Science Foundation](#) regarding data management, retention and sharing, and as directed in the Office of Science Technology Policy Memorandum, [Increasing Access to the Results of Federally Funded Scientific Research \(February 22, 2013\)](#).

Authority and Revisions

Authority: TCA § 49-8-203, et seq;

Previous Policy: N/A

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The ETSU Board of Trustees is charged with policy making pursuant to TCA § 49-8-203, et seq. On March 24, 2017, the Board delegated its authority to ETSU's President to establish certain policies and procedures for educational program and other operations of the University, including this policy. The delegation of authority and required process for revision to this policy can be found on the [Policy Development and Rule Making Policy webpage](#).

To suggest a revision to this policy, please contact the responsible official indicated in this policy. Before a substantive change to the policy section may take effect, the requested changes must be: (1) approved by the responsible office; (2) reviewed by the Office of University Counsel for legal sufficiency; (3) posted for public comment; (4) approved by either Academic Council or University Council; and (5) approved by ETSU's President.