

# Research Data Ownership Policy

## ROWAN UNIVERSITY POLICY

**Title:** *Research Data Ownership, Management, Sharing and Retention Policy*

**Subject:** *Research and Scholarly Activities*

**Policy No:** Res: 2016: 03

**Applies:** *University-Wide*

**Issuing Authority:** *President*

**Responsible official:** *Vice President for Research*

**Adopted:** 09/21/2016

**Last Revision:** 07/18/2019

**Last Reviewed:** 07/12/2019

### I. PURPOSE

The purpose of this policy is to outline how Rowan University will manage data generated during research and scholarly activities.

### II. ACCOUNTABILITY

Under the direction of the President, the Vice President for Research shall implement and ensure compliance with this policy.

### III. APPLICABILITY

This policy applies to all faculty, employees and students, post-doctoral fellows, visiting scientists or visiting scholars who create data or materials in the course of their research and scholarly activities through grants and contracts funded through external agencies or research and scholarly data or materials funded by the university as part of research or scholarly mission of the university. This policy does not address ownership of intellectual property, falsification, fabrication and plagiarism.

### IV. DEFINITIONS

1. *Research Data and materials* - Research or scholarly data means data or materials that are original derivatives of research or scholarly activities generated during the course of research or scholarly activity collected through various processes including, but not limited to data collected through observations, interventions, interactions, surveys, chart reviews, interviews, case reports, sample data, research experiments, data collected through instruments, chemical structures, chromatograms, images, charts and graphs, samples, materials, simulations and modeling in engineering and education, performance engineering, 3D models, data mining, data analysis that are recorded in laboratory notebooks or in electronic format.
2. *Investigator* - Principal Investigator (PI), co-principal investigator, co-investigators and any other University personnel (including faculty, non-faculty employees, residents, postdoctoral trainees and students), visiting scientists, visiting scholars who, in the course of their association with the University are or will be responsible for the design, conduct, administration, collaboration, analysis and/or generating data and materials, funded by external sponsors or university's internal funds or proposed for funding by any sponsor, or of unsponsored research or training activities.
3. *Records* - include recorded information of any kind and in any form including writings, drawings, graphs, charts, images, prints, photographs, microfilms, audio and video recordings, data and data

compilations, and electronic media, including e-mail.

4. *Research* - A systematic investigation, study or experiment designed to develop or contribute to generalizable knowledge or validation in all areas of basic and clinical sciences, behavioral sciences, social sciences, engineering, material sciences, mathematics and other scholarly activities.

## V. REFERENCES

1. [ICPSR: Guide to Social Science Data Preparation and Archiving](#)
2. [National Science Foundation Proposal & Award Policies and Procedures Guide](#)
3. [NIH Sharing Policies and Related Guidance on NIH-Funded Research Resources](#)
4. [Rowan University Data Policy](#)
5. [University Data Governance Policy](#)
6. [Rowan University Grant Transfers Procedures](#)
7. [Rowan University Intellectual Property Policy](#)
8. [Rowan University Record Retention Policy](#)
9. [Rowan University Research Integrity Policy](#)
10. [State of New Jersey Records Retention Schedule](#)

## VI. POLICY

1. Rowan University owns all research data resulting from research and scholarly activities including activities pertaining to instructional, public service or for administrative purposes and research data generated during external sponsored activities. The University owns the data meeting the requirements of external sponsors; however, for practical reasons researchers are required to meet the requirements of sponsors by working with the University.
2. The University has the right to take custody of research data at the discretion of Vice President for Research and the Research Integrity Officer for conducting research misconduct investigations, conflict of interest and to determine intellectual property rights.
3. PIs are custodians of research data and are responsible for the stewardship of research data:
  - a. PIs are held accountable for data and assume responsibility to data just like the institution is to the research sponsor.
  - b. PIs are responsible for retention of data in accordance with institutional policies, local state and federal regulations.
  - c. PIs are responsible for protecting research data, records and research-derived materials, maintaining confidentiality, and complying with applicable federal laws and regulations regarding retention and access.
  - d. The university requires PIs to be responsible for managing, storing, and sharing data.
  - e. PIs must adhere to requirements for studies sponsored by federal funding agency such as: the National Institutes of Health (NIH) and the National Science Foundation (NSF) requiring data to be shared widely and freely while safeguarding the privacy and confidentiality of data. PIs are encouraged to use the University's institutional repository, Rowan Digital Works, as appropriate to satisfy these requirements.
4. Data Transfer
  - a. When individuals other than the PI involved in research projects at Rowan University leave the University, they may take copies of research data for projects on which they have worked, subject to relevant confidentiality and HIPAA regulations. Original data, however, will be retained at Rowan University by the PI.
  - b. When a PI leaves Rowan University and a research project is to be moved to another institution, data may be transferred to that institution upon explicit permission from the Department Chair, Dean, the Vice President for Research, and written agreement from the new institution to accept responsibility for the data, negotiating Rowan University's access to that data (if becomes necessary), and relevant confidentiality and HIPAA regulations per Rowan University's guidelines on grants transfers referenced above.

- c. Data containing confidential data such as Protected Health Information (PHI) cannot be copied or taken out of Rowan University unless explicit permission is granted by Rowan University's Compliance and Privacy Officer.
  - d. Any tangible property or assets leaving Rowan University require execution of a Materials Transfer Agreement through the Office of Technology Commercialization.
5. Disputes
- a. Any dispute regarding requests for original data, copies of data, or transfer of data will be resolved by the Vice President for Research or his/her designee.
6. Administrative Records Retention
- a. Per the Records Retention and Disposition Schedule of the State of New Jersey, Agency number S510204, schedule number 001 and record series number 0001-0001, State, Federal and Private Grant Files that were approved must be retained for 7 years after termination of the grant. After such time, unless in litigation, the files should be destroyed. Financial records, supporting documents, statistical records, and all other records pertinent to awards shall be retained for a period of seven years from the date of submission of the final expenditure report or, for awards that are renewed quarterly or annually, from the date of the submission of the annual financial report. This record retention period of seven years also satisfies federal retention requirements.
    - i. If an allegation of research misconduct review is in progress, data must be retained until the investigation is complete or as otherwise instructed by the Research Integrity Officer and/or Office of General Counsel.
  - b. If the retention requirements specified in other statutes or external agency's regulations are longer, the more stringent agency requirements will apply.
7. Coordination with Other University Policies
- a. This policy augments, but does not supersede, the University's Data Policy (<https://confluence.rowan.edu/display/POLICY/University+Data+Policy>) and Data Governance Policy (<https://confluence.rowan.edu/display/POLICY/Data+Governance+Policy>), respectively.