

UNIVERSITY OF ROCHESTER

Access to and Retention of Research Data

Background

Research data is created at the University of Rochester by faculty, staff, and students in the course of their scholarly activities and often while conducting sponsored programs funded by external sponsors. By tradition and for practical reasons, the creators of the data retain control to access and use of that data even though the University, through contractual or other agreement with external sponsors, may be required to hold title to or own the data. Because of those obligations, the University recognizes that it has responsibilities with respect to access and retention of data, particularly data generated under sponsored agreements.

Recent interpretations of federal regulations as well as congressional investigations into various issues concerning the government's support of research, including instances of scientific misconduct, have prompted the University to develop this policy for retention and access to data. Of particular concern to the University are the requirements of *OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200.333 –337 (OMB Uniform Guidance)*. OMB Uniform Guidance specifies that financial records, supporting documents, statistical records, and all other records pertinent to an award shall be retained by the institution. The term "all other records pertinent to an award" encompasses all records that were produced in connection with the award, including laboratory data and primary data."

Policy

Research data created while individuals are pursuing research studies as faculty, staff or students of the University of Rochester, and data created by visiting scientist utilizing the facilities of the University of Rochester, are to be retained by the University for a period of three (3) years after submission of the final report on the research project for which the data were collected, unless a longer retention period is specified by the sponsor. OMB Uniform Guidance 2 CFR 200.333 requires longer retention periods for certain circumstances including, but not limited to: (a) when any litigation, claim or audit is started before the expiration of the 3-year period; (b) when notified in writing by a federal agency or pass-through entity to extend the retention period.

In accordance with OMB Uniform Guidance Section 2 CFR 200.335, "when original records are paper, electronic versions may be substituted through the use of duplication or other forms of electronic media provided that they are subject to periodic quality control reviews, provide reasonable safeguards against alteration, and remain readable."

The original research data shall be in the custody of the senior investigator on behalf of the University, but must be returned to the University upon request of the Provost. Additionally, such data must be available to representatives of external sponsors of the research or designated governmental officials, when such access is appropriate. Such data must not be destroyed or altered during the time period referenced above unless explicit written approval for such disposition is received from the Provost or designee.

INFORMATION RELATED TO POLICY STATEMENT

Definition of Data

As used in this policy, data means recorded information, regardless of the form or the media which records it. The term includes computer software computer programs, computer databases, and documentation thereof), and data of a scientific or technical nature. For the purposes of this policy, the term does not include information incidental to award administration, such as financial, administrative, cost or pricing, or management information. In practice, scientific data includes, but is not limited to, materials contained in laboratory notebooks or other media such as computer disks and machine printouts. Data also includes both intangible data (statistics, finding, conclusions, etc.) and tangible data (notebooks, printouts, etc.).

Investigator Responsibilities at the University

It is important that investigators have the ability to document the results of research, both for the sake of assisting the University in meeting its scholarly and legal requirements as well as for the more traditional reasons of establishing priority for patentable items, publishing manuscripts, and the like. Senior members of research teams have obligations to discuss the responsibilities of data management and retention with other members of a research team. As a matter of practice, original data should be left with the senior investigator when a student leaves the institution, but copies of that data, where feasible to do so, should be provided to the student.

Investigator Responsibilities After Leaving the University

When an investigator leaves the University, he or she must recognize that the University must have access to the data. It is neither feasible nor desirable for the original research records to remain at the University, but departing investigators must understand that they have an obligation to hold these data in trust for the University and that such data must be returned to the University if requested during the three (3) year period after submission of the final report on the research project for which the data were collected, unless a longer retention period was specified by the sponsor.

Further Information

For additional information, please contact the Office of Research and Project Administration at X5-4031.