

## Managing Research Records

### OVERVIEW

The University, its faculty, and its trainees have a common interest and a shared responsibility to ensure that research is:

- Appropriately and accurately recorded;
- Retained for the legally required length of time; and
- Available for review under appropriate circumstances.

Original research records are essential to:

- Protect intellectual property rights;
- Answer ongoing questions regarding management of a research program;
- Address possible questions that may arise regarding the propriety of research conduct; and
- Assure contribution to ongoing research and discovery in one's discipline.

The University's ownership and stewardship of research records are based on both federal regulation and sound management principles and apply to:

- Projects conducted at the University;
- Projects conducted under the auspices of the University; and
- Projects conducted with University resources.

### Definitions

#### Research

Research means a systematic investigation, including research development, testing, and evaluation, that is designed to develop or contribute to generalizable knowledge (45 *CFR* 46.102).

University research includes sponsored and non-sponsored research.

#### *Sponsored Research*

Sponsored research is funded by external funding sources designated specifically for the purpose of supporting research.

#### *Non-sponsored Research*

Non-sponsored research is funded by internal, rather than external, funding sources. Such sources include, but are not limited to, salary and start-up funds.

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### Research Records

Research records are comprised of raw data and any other data necessary for the reconstruction and evaluation of reported results, regardless of the form or the media. Research records are created in connection with the design, conduct, and/or reporting of:

- Research performed or conducted at or under the auspices of the University; and
- The events and processes leading to the research results.

Research records may differ among disciplines, but the term does not include information incidental to research administration, such as financial, administrative, cost or pricing, or management information.

Research records are created at the University by faculty, staff, students, trainees, and visiting scientists in the course of their scholarly activities.

### Records Retention Schedules

To help meet state and federal records retention requirements, the University, in coordination with the State Records Committee, has established records retention schedules for use by all WSU units. The schedules are published as the All-University Records Retention Schedules in *BPPM* 90.01.

Many records series related to research may be viewed in the Research and Sponsored Project Records table in *BPPM* 90.01.

Investigators and staff must adhere to the minimum retention requirements for records series included on the research records retention schedule, as well as other applicable retention schedules published in *BPPM* 90.01.

For more information regarding University records retention and disposition requirements, refer to *BPPM* 90.01.

### Additional Information

For more information regarding post federal award records requirements for grants awarded on or after December 26, 2014, refer to the *Code of Federal Regulations*, Title 2, Part 200, Subpart D, Record Retention and Access.

### Administrative and Operational Data Policies

For data security and administration rules refer to EP8: University Data Policies. Also, refer to EP4: Electronic Communication Policy—Policy on Electronic Publishing and Appropriate Use of Information Technology Resources for issues related to appropriate use.

### RETENTION OF RESEARCH RECORDS

The senior member of a research team (i.e., the principal investigator (PI)) is responsible for the appropriate long-term maintenance of the research records of that team.

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### RETENTION OF RESEARCH RECORDS (cont.)

The PI is obligated to ensure that team members:

- Understand the elements of a high-quality research record.
- Produce and retain records that adequately document the experimental methods and accuracy of data collection, as well as the methods and accuracy of data interpretation.
- Understand the University's obligation to retain records for the minimum periods required and approved by the state (see *BPPM 90.01*).

In the event the PI leaves the University for any reason, it is the responsibility of the supervisor to gain access to the projects research records. The PI must notify their supervisor of the location of project's research records.

The PI may take copies of the project's research records upon leaving the University. In cases where copies are not adequate for continuing research purposes, the PI may take original research records. However, the PI must provide the University with documentation and copies of all of the research records they are removing.

Other members of the research team may not take original research records with them upon leaving the University. However, they may take copies of relevant research records that the PI determines to be appropriate.

### Essential Records

The PI also must establish and maintain procedures for the protection of essential records in the event of a natural disaster or other emergency (see *BPPM 90.15*). Such procedures are particularly important for long-term research projects.

### Records of Historical Value

In addition, if the PI believes that the research records rise to the level of historical value, they are to contact all of the following:

- The chair/director, dean, or chancellor.
- The Vice President for Research.
- Manuscripts, Archives, and Special Collections in Terrell Library.

See *BPPM 90.02* regarding archival records.

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### OWNERSHIP AND ACCESS TO RESEARCH RECORDS

The University retains title to:

- Research records and data arising from sponsored and non-sponsored research projects.

NOTE: The University may agree to assign ownership of research records to a sponsor of a grant or sponsored research agreement, subject to the University's right to use and reproduce the records for research and educational purposes;

- Research performed at the University or under the auspices of the University.
- Research performed by University personnel in the course of University employment.
- Research for which the University provided the funds and/or significant resources.

The University has the right of access to the supporting records for all research for which it retains title or which it must access to fulfill its legal obligations, compliance obligations, or other obligations to research sponsors.

To the extent possible, when accessing and/or sharing such records, the University safeguards the confidentiality of sources or human subjects who participated in the research. When possible, the University provides reasonable notice to applicable researchers, sources and/or human subjects, and research sponsors of its need to access the records and avoids interruption of ongoing research. In all cases, the University is subject to Washington State laws and regulations, including the Washington Public Records Act, *RCW* 42.56. See also *BPPM* 90.05.

The University's right of access to the data continues regardless of the location of the responsible investigator or location of the records.

External research sponsors may have the right to review the data and records resulting from that support.

Co-investigators and trainees who are an integral part of a research project have the right to review all records and data that are part of the project and are necessary to perform their duties.

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**Administrative Management** In the event the PI is not available to address questions regarding the research records, the matter may be referred to the appropriate University official in order of administrative authority, in the following order:

- 1) Chair of the PI's department and/or the unit administering the research
- 2) Applicable dean
- 3) Vice President for Research

Disputes regarding research records must be administered as provided under [Dispute Resolution Procedures](#).

### Student Class Research Projects

The University does not retain intellectual property rights (e.g., title) to student class research projects. See *BPPM* 90.06 for further information regarding student records.

### STORAGE OF RESEARCH RECORDS

Original research records must be stored in systems that are accessible by the University, regardless of whether the records are in paper or electronic form.

For online systems, the PI is the owner of all electronic accounts used to manage research records, and must delegate responsibility as appropriate. The PI is also responsible for ensuring that all research records are accessible in a prompt manner upon University request, including identifying a backup individual who can access the records when the PI is unavailable.

If original research records are stored in a digital/electronic medium, the records must be safeguarded using encryption or other effective method to comply with any applicable confidentiality requirements and file backup or other effective method to ensure the records' continued accessibility.

### DISPUTE RESOLUTION PROCEDURES

When disputes occur regarding research record rights, the Office of Research recommends following the general model set forth in the *Faculty Manual*, Section II F. Disciplinary Process/Procedures, parts 5 and 5(a) as follows:

It is the overall goal of the University to resolve concerns or problems at the lowest possible level. To this end, prior to initiating a formal complaint with the Provost, individuals feeling aggrieved by a faculty member's actions are encouraged to use the following resource for attempted resolution of disputes:

- Supervisory chain of authority (e.g., the faculty member's department chair, dean).

### Unresolved Disputes

If individuals are unable to reach a resolution using the guidelines provided above, the matter may be brought to the attention of the Office of Research.