

Policy on Data Stewardship, Access, and Retention

Adopted By: Research Policy Advisory Committee

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Approved By: Vice Chancellor for Research

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- 1.0 Purpose:** Establishes University policy to assure that research data are appropriately maintained, archived for a reasonable period of time, and available for review and use under the appropriate circumstances.
- 2.0 Scope:** This policy shall apply to all University of Wisconsin-Madison faculty, academic staff, visiting scholars, postdoctoral fellows or other trainees, research technicians, and graduate or undergraduate students and any other persons at UW-Madison involved in the design, conduct or reporting of research at or under the auspices of UW-Madison, and it shall apply to all research projects on which those individuals work, regardless of the source of funding for the project.

3.0 Definitions:

Data means recorded factual material, regardless of the form or media on which it may be recorded, that is commonly accepted in the research community as necessary to validate research findings. For example, data may include writings, films, sound recordings, pictorial reproductions, drawings, designs, or other graphic representations, procedural manuals, forms, diagrams, work flow charts, equipment descriptions, data files, statistical records, and other research data.

This definition pertains to both primary and secondary data. **Primary data** means data generated by research conducted at the University, under the auspices of the University, or with University resources. **Secondary data** means data owned and or generated by another party, data collected from administrative records, or data designated for public use, but used in whole or in part for research conducted at the University, under the auspices of the University, or with University resources.

This definition of **data** excludes research results based on data such as preliminary analyses, drafts of research papers, published papers, plans for future research, peer reviews, or communications with colleagues.

This definition does not supersede any campus policy pertaining to intellectual property.

Principal investigator (PI), for purposes of this policy, means a researcher with primary responsibility for a research project, a definition that applies whether or not the research is sponsored by an external funding source. A PI's responsibility

includes both leadership of the scientific/technical aspects and compliance with administrative aspects of the research.

Others on campus, including certain academic staff titles, visiting scholars, postdoctoral fellows or other trainees, and graduate or undergraduate students, who would initiate a research project and are not themselves eligible to be a PI, must identify a faculty member, academic staff person with permanent PI status, or other authorized person to serve as principal investigator.

Other research contributors mean any persons other than the PI who have made a substantial contribution to the conception and design of research, acquisition of data, or analysis and interpretation of data. Contributors may include faculty collaborators, academic staff, visiting scholars, postdoctoral fellows or other trainees, research technicians, and graduate or undergraduate students. In general, persons performing narrow technical or clerical tasks would not qualify as contributors.

4.0 Policy: UW-Madison must retain research *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. It is the responsibility of the *Principal Investigator* to determine what needs to be retained under this policy.

4.1 Scope: The University's requirements for stewardship of the research record for projects conducted at the University, under the auspices of the University, or with University resources are based on regulation (OMB Circular A-110, Sec. 53), UW System policy, and sound management principles. UW-Madison's responsibilities in this regard include, but are not limited to:

1. Complying with the terms of sponsored project agreements;
2. Ensuring the appropriate use of animals, human subjects, recombinant DNA, disease-causing agents, radioactive materials, and the like;
3. Protecting the rights of students, postdoctoral scholars, and staff, including, but not limited to, their rights to access *Data* from research in which they have participated;
4. Facilitating the investigation of charges, such as scientific misconduct or conflict of interest; and
5. Support university personnel in securing and protecting intellectual property rights.

Where research is subject to an agreement with UW-Madison that includes specific provision(s) regarding retention of and access to *Data* and other records of research conducted under the auspices of the University of Wisconsin-Madison, the provision(s) of that agreement will supersede this policy. However, University of Wisconsin System Financial & Administrative Policies on Extramural Support

Administration (G2) Section V.B.(9) "Data" provides that "No agreement shall be entered into with any extramural sponsor which allows for the transfer of the ownership of data."

In the case where an outside party has provided a University of Wisconsin-Madison investigator with secondary *Data* for the purposes of research, requirements to retain research *Data* in sufficient detail and for an adequate period of time will apply to that portion of secondary *Data* used in the research.

4.2 Stewardship and Retention: *Principal Investigators* should adopt an orderly system of *Data* organization, access, and retention and should communicate the chosen system to all members of a research group and to the appropriate administrative personnel, where applicable. Particularly for long-term research projects, PIs should establish and maintain procedures for the protection of essential records in the event of a natural disaster or other emergency.

Research *Data* must be archived for a minimum of seven years after the final project close-out, with original *Data* retained wherever possible. Principles of good stewardship would justify longer periods of retention in the following cases:

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 arise, such as allegations of scientific misconduct or conflict of interest, *Data* must be retained until such charges are fully resolved; and;
3. If a postdoctoral scholar or other trainee, graduate student, or undergraduate student is a *Research Contributor*, *Data* must be retained at least until the degree is awarded, training is completed, or it is clear that the individual has abandoned the work.

Beyond the period of retention specified here, the disposal of the research record is at the discretion of the PI and his or her department or work unit (e.g., laboratory). As a practical matter, *Data* may be translated to more efficient storage media as long as the essential nature of the *Data* is not lost. For example, lab notebooks may be scanned, audio recordings transcribed, questionnaires coded and digitized, and the like.

Records will normally be retained in the unit where they are produced. Research records must be retained on the UW-Madison campus, or in facilities under the auspices of University of Wisconsin-Madison, unless specific permission to do otherwise is granted by the Vice Chancellor for Research.

4.3 Access: As part of the stewardship of research *Data*, the *Principal Investigator* shall create explicit understandings with *Other Research Contributors* regarding access to and use of *Data*. These understandings ought to reflect access appropriate

to one's role and contribution to the conception and design of research, acquisition of *Data*, or analysis, and interpretation of *Data*.

It will also be the responsibility of the *Principal Investigator* to follow the requirements of any sponsored agreements with regard to access to *Data*.

Where necessary to assure needed and appropriate access, the *Principal Investigator*, upon request of the university, must provide the university with research *Data*. Under extraordinary circumstances, such as research misconduct, the university will take all necessary steps to ensure integrity of the *Data* in a manner specified by the UW Policy for Misconduct in Scholarly Research (FP&P II-314).

None of these provisions is intended to supersede the *Principal Investigator's* right to keep *Data* proprietary until the results of the research have been published and the aims of the research have been fulfilled.

4.4 Transfer in the Event a Researcher Leaves UW-Madison: When individuals involved in research projects at UW-Madison leave the University or move to a different research group or position at UW-Madison, they may, with PI approval, take copies of research *Data* that they have generated or to which they have made a substantial contribution for projects on which they have worked. Original *Data*, however, must be retained at UW-Madison by the *Principal Investigator*.

If a *Principal Investigator* leaves UW-Madison, and a project is to be moved to another institution, the *Data* may be transferred with the approval of the Vice Chancellor for Research, and with written agreement from the PI's new institution that guarantees: 1) its acceptance of custodial responsibilities for the *Data*, and 2) UW-Madison access to the *Data*, should that become necessary.

Data sets comprised of directly or indirectly identifiable human subjects data may not be transferred outside of the University without UW IRB review and approval of the transfer. IRB review and approval to use the data may also be needed from the institution to which the data will be transferred.

5.0 Roles and Responsibilities: The *Principal Investigator* is responsible for the stewardship and retention of research *Data* as well as for determinations concerning access to and appropriate use of *Data*.

Other Research Contributors are responsible to cooperate with the PI in carrying out the requirements of this policy.

The dean(s) of the school(s)/college(s) in which the PI is appointed may hear appeals concerning issues of access to *Data* and determine who shall have access.

The Vice Chancellor for Research may hear appeals to a dean's determination concerning access to *Data* and make a final determination. The Vice Chancellor for

Research may determine, consistent with campus policy, who is eligible to serve as a *Principal Investigator*.

6.0 Related Documents/Resources:

University of Wisconsin-Madison Research Data Services (<http://researchdata.wisc.edu/>)

University of Wisconsin-Madison Intellectual Property Policy and Procedures (<http://research.wisc.edu/projectagreementsip/intellectualprop/ippolicies/>)

University of Wisconsin System Policies Regarding Ownership of Intellectual Property (<https://www.wisconsin.edu/financial-administration/financial-administrative-policies-procedures/gapp-numeric-index/g34-patent-policy/>)

Computer Software Ownership (G10)

(<https://www.wisconsin.edu/financial-administration/financial-administrative-policies-procedures/gapp-numeric-index/g10-computer-software-ownership/>)

Copyrightable Instruction Materials Ownership, Use and Control (G27)

(<https://www.wisconsin.edu/financial-administration/financial-administrative-policies-procedures/gapp-numeric-index/g27-copyrightable-instructions-materials-ownership-use-and-control/>)

Patent Policy (G34)

(<https://www.wisconsin.edu/financial-administration/financial-administrative-policies-procedures/gapp-numeric-index/g34-patent-policy/>)

University of Wisconsin System Financial & Administrative Policies Extramural Support Administration (G2) V. B. (9) Data

(<https://www.wisconsin.edu/financial-administration/financial-administrative-policies-procedures/gapp-numeric-index/g2-extramural-support-administration/>)

University of Wisconsin-Madison Procedures for Dealing with Misconduct in Scholarly Research

(<http://www.rsp.wisc.edu/misconduct/II-314.htm>)

University of Wisconsin-Madison Eligibility for Principal Investigator Status

(<http://www.grad.wisc.edu/research/policyrp/pistatus.html>)

Federal Office of Management and Budget Policy on Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (Circular A-110), Retention and access requirements for records (Sec. 53)

(<http://www.whitehouse.gov/omb/rewrite/circulars/a110/a110.html#53>)

7.0 Interpretation of Policy

Questions on the interpretation of this policy may be directed to the Vice Chancellor for Research and Graduate Education.