

Research Data Ownership, Retention, and Access Policy

Policy Statement

Various sponsoring agencies have formulated data ownership, retention, and access policies. Chapman's policy supports these federal requirements and, in the absence of any specific regulations, spells out the requirements for data ownership, retention, and access. This policy applies to all sponsored research and researchers, regardless of funding source, if any. For sponsored research, any relevant policies of the sponsor shall apply in addition to those provided here. Any apparent conflicts of procedures are to be resolved in writing and approved by the Vice President for Research before accepting an award, contract, or other binding agreement. More information can be found in Chapman's [Invention and Patent Policy](#) and the [Record Retention Policy and Matrix](#).

Reason for the Policy

Chapman University supports a wide variety of research and scholarly activities. A fundamental component of many research investigations is the creation and use of data. It is in the interest of the research enterprise at large to make such data available to others to the extent possible and in Chapman's interest to facilitate these processes and to assist and protect those who conduct research and scholarly activities on behalf of the University.

External Policies and Guidelines

Several federal and non-federal agencies set forth data management, sharing, and retention policies. For example,

- The Office of Management and Budget's (OMB) Uniform Guidance - [Retention requirements for records](#)
- The National Science Foundation's annual [Proposal & Award Policies & Procedures Guide](#)
- The National Institutes of Health's [Grant Policy Statement](#)
- [The Gates Foundation Open Access Policy](#)

Data Definition

Data shall be construed as all recorded information, regardless of medium, and all actual samples or examples, that were created or gathered and could influence or support a research finding or conclusion. Data does not include such items as research papers cited by the researcher, preliminary notes or paper drafts, reviews, related communications, or items already the property of others. This definition is intended to characterize current research norms, not to modify them.

Data Ownership

Chapman University is the owner or joint owner of all data created or collected by its employees or contractors, except when the creation or collection of such data is governed by a written agreement or contract to the contrary, approved in writing by the Vice President for Research. Chapman's Inventions and Patents Policy and Copyrighted Works Policy policies may also apply.

When another research institution or entity has joint ownership rights to data, agreed in writing before the creation of the data, the data shall be owned jointly as agreed. Each such institution shall have unfettered access rights to the original data. Such an institution not holding or serving as custodian for the original data may copy and own the copy.

When a creator of data ceases to be an employee or contractor of the University, the creator must arrange with their school or department to leave the data in the physical possession of the owner(s) but will continue to have access rights to the data. Subject to applicable privacy regulations and policies regarding the data and the terms of the sponsored agreement, or other related policies, the creator may take a copy of the data at the creator's expense.

Data Custody

The researcher(s) who created the data typically serve as the custodian of the University's data. Such researchers act on behalf of the University without limiting the University's ownership rights. Data may be stored remotely via cloud storage or other computing methods, assuming that the storage method used is appropriate for the classification of the data (<https://www.chapman.edu/campus-services/information-systems/security/data-risk-classification.aspx>). The custodian of the data shall take all reasonable steps to protect the data from damage or loss, including damage or loss due to catastrophic events. The owner of the data shall provide storage space and financial support as necessary to maintain the data. The University may elect to serve as custodian of the data (to protect and maintain the data) but may not limit the creator's access to those data.

Principal Investigators will decide what research data should be preserved or dispositioned based on norms set by the scholarly discipline, provided that the requirements of Chapman, the funder, and other related contracts are met. Further, the Principal Investigator for the sponsored project is responsible for meeting the sponsor's data management and reporting requirements. Chapman will assist Principal Investigators in meeting these requirements, for example, in interpreting the sponsor's requirements, in assisting with the development of data management plans, and assisting in identifying appropriate data repositories through the Office of Research, the Leatherby Libraries, and Information Services & Technology, and other campus services. To the fullest extent possible, the sponsor shall bear any costs associated with complying with its requirements.

Data Quality

Data shall be maintained in a manner that prevents alteration or that makes all alterations evident. For example, written data should be recorded in a bound notebook with numbered pages, and a copy of the original electronic data should be retrievable. If a datum is revised, the reason for revising it must be documented and dated. Electronic laboratory notebooks can be helpful here. The creator of data should be able to document and defend any modification of the data.

Data Retention

If the data were created as part of a sponsored research project, then the data shall be kept for at least three years after the final report to the sponsor has been submitted or the ending date of the project, whichever is later. The data shall be retained for longer as any applicable policy or written agreement

dictates. If more than one minimum retention period is deemed to apply, the data will be retained for the longest of these periods. For example, if the data led to the granting of a patent, then the data shall be kept for the life of the patent and its extensions. In addition, the data shall be retained while any litigation or legal action, or investigation of allegations regarding it is pending. The data will not be discarded or destroyed when it is known to be in use by other Chapman researchers. Further, research data may not be destroyed while an audit, research misconduct inquiry, investigation, public records request, or legal action involving such research data is pending. See more information about Chapman's [Records Retention Policy and Matrix](#).

Data Access

Researchers shall endeavor to make their data publicly available as soon as possible and to the extent practicable. Access may be delayed while the correctness of the data is being verified, until an initial publication based on the data appears, or for the minimum period needed to file a patent application, or for any other reasonable need. Data should be released early if a public benefit is likely.

No data may be published or made available in a form that would breach confidentiality. For example, the medical and financial records of an individual are private. The identity of human subjects is also typically held in confidence. Confidential data are to be protected by both the custodian and the owner of the data. This may include physically securing the data.

Researchers will take steps to make the data public to the greatest extent possible. If the data cannot be made satisfactorily anonymous, it shall not be made public, and the Vice President for Research will be informed of the existence of the data and the reasons that it cannot be made public. The creator of the data must make every reasonable effort to release the data in a useful form. If the veracity of confidential research data is challenged, the creator must cooperate with the Vice President for Research to devise a means to satisfy the challenge. As the owner, the University will defend any challenge with the cooperation of the researcher. All applicable laws and legal protections regarding confidentiality will be obeyed.

Data that is deemed sensitive may require restricted access or other limitations. The owner and custodian of such data will comply with applicable laws.

Applicable non-disclosure agreements must be honored. However, the Office of Research must approve any non-disclosure agreement beforehand. Such contracts shall generally be of limited duration to give a sponsor sufficient time to file a patent application or for other protection.

When a collaboration ends, and data is created during the collaboration, each member of the collaboration shall retain access to that data.

Additionally, researchers must adhere to Chapman's Privacy Policy with special attention to personal health information and personally identified information. (See related materials below). Questions to privacy@chapman.edu.

Office Responsible for the Policy: The Office of Research, Vice President of Research

Date Approved: May 1, 2023