

University Policy 4107: Research Data

Category: Academic Affairs

Subcategory: Research

Covered Individuals: USU Employees and Students

Responsible Executive: Vice President for Research

Policy Custodian: Office of Research; Division of Research Integrity and Compliance

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4107.1 PURPOSE AND SCOPE

Responsible stewardship of Research Data is key to meeting sponsor requirements and maintaining the quality and trust in the research and scholarship performed at Utah State University (USU). The purpose of this Policy is to describe the rights and responsibilities of the University and its Researchers (to include faculty, staff, and students) in managing the ownership, sharing, and retention of Research Data produced through University activities.

Procedure 4107-PR1: Research Data Stewardship provides procedural guidance on the proper implementation of this Policy.

4107.2 POLICY

2.1 Ownership of Research Data

Unless stipulated otherwise by this or other University policy, the University owns any Research Data resulting from all research and scholarship activities performed by or under the auspices of individuals with a formal University appointment or role (for example, faculty, staff, or students), regardless of location, intent, or funding source. Such activities include but are not limited to: Research Data generated as a result of grants, fellowships, internal funds, or other forms of sponsorship administered by the University; Research Data that faculty, staff, or students generate as part of employment or formal research roles; and/or Research Data generated using equipment, facilities, or other unique access afforded to University Researchers.

The University will generally not enter into any Research agreement granting the sponsor ownership and/or sole control over the resulting Research Data, with exceptions permitted by the Office of Research on a case-by-case basis.

When allowable, the University can grant rights to Research Data to others through, for example, contracts, data use and/or transfer agreements, licenses, or material transfer agreements. Principal Investigators (PI) or their delegates are responsible for the management of Research Data on behalf of the University, including the curation, analysis, or dissemination of Research Data in accordance with the terms of this Policy and Procedure 4107-PR1: Research Data Stewardship. Data generated through a sponsorship agreement or acquired from a third party are subject to the terms of any agreement under which they were acquired, and Researchers should work with both the Sponsored Programs Office (the unit responsible for data use agreements for Research Data incoming to USU) and Technology Transfer

Services (the unit responsible for data use agreements for outgoing Research Data) to understand their responsibilities when granting rights to such Research Data to others outside of USU.

Students own any Research Data they generate or acquire in their individual academic work, unless the data was generated or acquired within the scope of their employment at the University, generated or acquired through use of substantial University resources, or generated or acquired through the work of a research team.

2.2 Access to Research Data

Though the University owns most Research Data generated at USU, it encourages Principal Investigators or their delegates to increase widespread access to such data and to promote its noncommercial reuse by archiving Research Data for public access whenever possible. In particular, Researchers should publicly share, at the time of publication, the Research Data necessary to support findings in publications or other scholarly outputs.

When publicly sharing Research Data, Researchers should make data available in a manner consistent with the FAIR principles (findable, accessible, interoperable, and reusable), as outlined further in Procedure 4107-PR1: Research Data Stewardship. When engaging with community partners to collect Research Data, Researchers' conduct should be consistent with best practices. When applicable, data sharing plans should be co-developed with community partners to ensure all parties agree on how any resulting data will be curated or released for archiving or reuse purposes.

Protected or sensitive Research Data (for example, confidential data or data subject to human-subjects protections) may not be shared publicly without ensuring compliance with applicable community norms, laws, regulations, agreements, grants, contracts, and other University policies. PIs or their delegates seeking to change any approved protocols or agreements must always obtain prior approval from the cognizant office responsible for overseeing the relevant data protection program, such as the Sponsored Programs Office, the Institutional Review Board (IRB), or the Research Integrity and Compliance Office.

2.3 Retention of Research Data

Research Data must be stored and curated internally (by using any service or device provided by or on behalf of the University, including networks, infrastructure, devices, applications, and storage) for a minimum of three years after final closeout of a project or publication of the data, whichever occurs later. Allowable exceptions include when an applicable sponsor or data use agreement, contract, or grant requires a shorter or longer period of time. In cases when Research Data storage using available University systems is not possible or becomes cost-prohibitive for the entire three-year period (for example, for very large datasets), the Principal Investigator or their delegate must work with their unit and/or USU Libraries to identify alternative storage or archiving solutions.

For Research Data outside the retention period stipulated by this Policy, applicable regulations, and/or sponsor requirements, PIs may, at their discretion, sanitize the data in accordance with the process outlined in Procedure 4107-PR1: Research Data Stewardship, federal regulations, University policies on record retention and data disposal, sponsor requirements, and other applicable rules and guidelines. When the University requests that a PI sanitize Research Data outside the retention period (for example, to reduce the costs associated with storing and maintaining Research Data), the PI must sanitize the data or work with the University to identify alternative storage or archiving solutions.

4107.3 RIGHTS AND RESPONSIBILITIES

3.1 Rights and Responsibilities of Researchers

Because Principal Investigators (PIs) are responsible for the design, conduct, and/or reporting of research for all supervisees and staff, PIs have heightened responsibilities with respect to Research Data. USU PIs are therefore responsible for ensuring the necessary Research Data is created and properly maintained (to include the principles of protection, retention, dissemination, organization, and managing the work of

other Researchers) in accordance with the terms of any applicable grants and/or contracts, this and other applicable University policy, and the specific Researcher responsibilities outlined in Procedure 4107-PR1: Research Data Stewardship.

When a Researcher, including a PI, departs a project, and the project otherwise remains in place at USU, the remaining PI, as identified by the Sponsored Programs Office and the departing PI's department, must ensure the retention of any Research Data generated by that Researcher. In addition, Researchers who permanently leave USU must obtain permission, via written agreement with the University, to transfer the Research Data associated with projects on which they have worked.

3.2 Rights and Responsibilities of the University

The University has the right to access Research Data arising from all University research, regardless of the location, status, or rank of the Researcher, and may take physical custody of original Research Data and supporting records.

The University is responsible for providing a baseline level of support for management and storage of Research Data. In addition, the University is responsible, in accordance with Procedure 4107-PR1: Research Data Stewardship, for developing and following exit processes for instances in which Researchers who produce Research Data permanently leave the University.

In response to requests from Researchers who permanently leave the University to transfer either copies or, in limited cases, ownership rights of Research Data, the University, in its sole discretion and in accordance with Procedure 4107-PR1: Research Data Stewardship, has the right to agree to transfer only copies of Research Data and/or supporting documentation and records, or to refuse transfer of any Research Data.

4107.4 REFERENCES

- [2 Code of Federal Regulations 200.334](#) – Record Retention Requirements

4107.5 RELATED USU POLICIES

- [Utah State University Policy 4102: Research](#)
- [Utah State University Policy 4106: Intellectual Property](#)
- [Utah State University Policy 5200: Information Security and Appropriate Use](#)

4107.6 DEFINITIONS

Principal Investigator. Any Researcher who has primary responsibility within the University for the design, conduct, and reporting of research.

Researcher. Any person affiliated with USU whose role statement, job description, employment assignment, area of study, or function within the University, either in whole or in part, includes conducting research/creative endeavors or other activities overseen by the Office of Research. This includes faculty, professional research staff, research assistants, laboratory and clinical personnel, and others as may be designated by the Vice President for Research. Indicators that an individual qualifies as a Researcher include, but are not limited to, serving as an investigator or key personnel on proposals submitted to external sponsors (which can include instructional or other sponsored activities), submitting protocol applications to research oversight committees (e.g., Institutional Review Board, Institutional Biosafety Committee), and applying for or mentoring internally funded research/creative endeavors.

Research Data. The recorded material commonly accepted in the research community as necessary or useful to generate, validate, replicate, reconstruct, and/or evaluate research findings. This definition

applies across a broad range of disciplines involving quantitative and/or qualitative research and scholarship, from the humanities to the social, natural, and applied sciences. This definition also applies whether or not the data is used to support scholarly publications, and is independent of the media on which it is recorded. For the purposes of this Policy and Procedure 4107-PR1: Research Data Stewardship, Research Data also includes supporting information required to interpret the data, such as computer code, metadata, and observational records such as laboratory notes or other forms of documentation. In accordance with the [Uniform Guidance, 200.315\(e\)\(3\)](#), Research Data does not include:

- Preliminary data (as defined in Procedure 4107-PR1: Research Data Stewardship), drafts of scientific papers, plans for future research, peer reviews, or communications with colleagues. This “recorded” material excludes physical objects (for example, laboratory samples);
- Trade secrets, commercial information, materials necessary to be held confidential by a Researcher until they are published, or similar information which is protected under law; and
- Personnel, medical, and other personally identifiable information that, if disclosed, would constitute an invasion of personal privacy. Information that could identify a particular person in a research study is not considered Research Data.

Information below is not included as part of the contents of the official policy. It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the president.

RESOURCES

Procedures

- Procedure 4107-PR1 – Research Data Stewardship

Contacts

- Compliance Officer
Research Integrity & Compliance
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POLICY HISTORY

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