

Second Systemwide review of UC Research Data Policy

To: UCSC Community

From: John MacMillan, iVice Chancellor for Research

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Ownership of research data by the UC Regents is a long-standing precept originally articulated in Regulation 4 (Academic Personnel Manual 020), where it states “Notebooks and other original records of the research are the property of the University.” Regulation 4 was issued in 1958, and it is still in effect. The purpose of the new *Presidential Policy on University of California Research Data* is to 1) clarify ownership of and responsibility for research data generated during the course of University Research, 2) encourage active data management practices, and 3) provide guidance with respect to procedures when a researcher leaves the University. The first systemwide review of the draft policy, entitled *Presidential Policy on University of California Research Data and Tangible Research Materials*, was launched on December 17, 2020. The Research Policy and Analysis (RPAC) unit within Research and Innovation received many thoughtful comments on the policy and made revisions based on that feedback, which is broadly summarized below.

Feedback on the Originally Disseminated Draft Policy

The feedback RPAC received regarding the proposed *Presidential Policy on University of California Research Data and Tangible Research Materials* generally falls into four categories:

1. Concern that the scope of the University’s ownership of research data and tangible research materials is too broad, including by:
 1. Extending into works that are copyrightable or works that are personal
 2. Imposing ownership on data and materials owned by third parties
 3. overreaching into tangible artifacts (e.g., archeological material excavated out of the ground)

1. Concerns over how to implement the policy, including:
 1. costs
 2. management plans

3. transfer process concerns regarding unintended impact on core research facilities performing services on a fee-for-service or recharge basis
4. concerns over the unintended impact this policy might have on relationships with tribal nations

Revisions to the Originally Disseminated Draft Policy based on Feedback

RPAC made the following revisions and clarifications to the policy in response to the comments:

1. Explained that the intent of the policy is to clarify ownership of and responsibility for Research Data generated during the course of University Research and provide guidance with respect to procedures when a researcher leaves the University
2. Revised the definition of Research Data and rewrote the text of the policy concerning ownership to clearly differentiate between those data owned by Regents and those data covered under the Copyright Ownership Policy
3. Noted that there are exceptions to UC's ownership of Research Data when precluded by sponsorship or other related agreements
4. Removed the inclusion of tangible research materials in this policy
5. Revised the section of the policy related to procedures in the event that an investigator leaves the University

The proposed policy is [available online](#).

Comments may be submitted to the Policy Coordination Office at pco@ucsc.edu by close of business April 17, 2022.