

UNH FACULTY SENATE
MOTION # XIX-M9

on endorsement of policy on data management

1. Motion presenter: Wayne Fagerberg, chair of the Research and Public Service Committee
2. Dates of Faculty Senate discussion: 11/3/2015, 2/23/2015, 3/2/2015
3. **Motion: The RPSC moves that the senate vote to endorse the update to the proposed policy on data management at UNH, specifically:**

Proposed change to 5.3 (bolded) and additional sentence (5.3.1) (bolded) to the UNH policy on Ownership and Management of Research Data:

5.3 Custody. Through this policy, **except as stipulated in 5.3.1**, the University automatically assigns custody of all University-owned research data to the PI, Other Investigator, or Sponsoring PI (for students), as applicable, who carries out her/his custodial responsibilities in accordance with this policy.

5.3.1 For research studies initiated by UNH where data about the institution are collected for purposes of institutional decision making, the University assigns custody of the research data to an UNH Academic Administrator who carries out her/his custodial responsibilities in accordance with this policy.

4. **Rationale:** The committee finds that:

1. The institution wants to ensure that the custodianship of research data collected by a faculty, staff, or student in response to a request from the institution (e.g., at the request of an administrator or a department) on behalf of the institution and which are about some aspect of the institution (e.g., employee experiences, attitudes towards an issue, status of physical infrastructure) remain at and under the control of the institution in the event of the departure from UNH by the person collecting the data.
2. This proposed addition is in response to a recent situation where UNH employee committees/councils asked an employee on their behalf to conduct a study that involved surveying UNH faculty and staff. The information collected was considered sensitive in nature and particularly had there been a breach of confidentiality, potentially harmful to certain individuals. Shortly after the study was conducted and the results shared with the employee committees/councils, the employee who conducted the study left UNH. According to the current UNH policy on Ownership and Management of Research Data, that employee could as the principal investigator take the original data as the employee was the custodian of the data. The employee wanted to use the data in subsequent research and the university was worried that the data may have be used in such a manner that would negatively impact respondents and/or the University.

Clarifications:

1. The sentence applies to all studies, regardless of funding, where initiated by the institution involving the collection of institutional data for institutional decision making purposes.
2. The sentence does not apply to studies initiated by faculty, staff, or students (rather than at the request of the institution) in pursuit of their own research projects. For example, it would not apply to the following:
 - A student designs a research project funded by a SURF grant that involves conducting a survey of students about their experiences with weight and health issues during their first year at UNH.
 - A faculty member as part of his research agenda designs a study that involves, in part, assessing UNH's technological infrastructure and applies for federal funds.
 - A staff member conducts a study that assesses the spirituality of students as part of a master's degree.
3. The term "principal investigator" is used as this is the term used throughout the policy to refer to the faculty or staff member who is charge of the project and who is custodian of the data (2.1.1 "**Faculty or Staff Principal Investigator (PI): A faculty or staff employee of the University who holds primary responsibility for the research project/activity for which data will be collected.**")
4. The additional sentence does not change the ownership of any research data as, with few exceptions, research data are owned by UNH. Rather, it places the custodianship of data collected at the request of the institution about the institution for institutional decision making with an Academic Administrator rather than faculty or staff principal investigators. An Academic Administrator has certain fiduciary obligations, which would mean that the data would remain at the institution if that person left UNH.
5. As the UNH policy on Ownership and Management of Research Data does not address authorship issues, the additional sentence does not have any implications on authorship decisions. The additional sentence is purely to address custodianship of data.

5. Senate action: The senate voted in favor of the motion-30 ayes, 0 nays, and 3 abstentions

6. Senate chair's signature: Albert B. Manal

Forwarded to: President Mark Huddleston, on March 10, 2015

Provost Lisa MacFarlane, on March 10, 2015

P.T. Vasudevan, Senior Vice Provost for Academic Affairs, on March 10, 2015

All college deans, on March 10, 2015

All department chairs, on March 10, 2015