

Policy Manual

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II-27.2 Principles Governing Access to Research Information

(President 7/20/84; amended 8/99; 11/06; 7/1/23; 7/3/24)

Effective July 1, 2023, and July 3, 2024, this policy has been revised. For the most current version without redlining, return to [II-27](#).

- a. General. The University of Iowa exists primarily for expanding and disseminating knowledge. Therefore, research activities that are subject to indefinite suppression, censorship, or control by a body outside the university ordinarily are not, ~~and should not be,~~ conducted within the university. Where the advancement of science and other considerations, such as the proper protection of the proprietary rights of research sponsors, make restrictions on the access to research information unavoidable, such research activities may be permitted provided that public knowledge is available about the purposes of the research, the identity of the investigators, the amount and sources of funds to be expended, and the university facilities utilized in the research.

Unless specifically excepted by the [Vice President for Research](#) ~~in consultation with the University Research Council~~, the contents of a funded proposal and related research outcomes will be available for inspection in accordance with [II-27.3](#) below.

- b. ~~Policy on secret research. "Secret research" is defined in this policy as research for which the nature, purpose, and non-proprietary results are not freely communicable. No faculty, staff, administrative officer, or student of The University of Iowa may utilize University facilities for the purpose of engaging in secret research. As used in this policy, "secret research" includes activities designated as "classified" by the federal government. Maintaining the confidentiality of proprietary information does not constitute secret research.~~

Policy on classified research. “Classified research” as used in this policy includes activities that contain a security classification from the federal government and activities that require the use of classified information and materials. Maintaining the confidentiality of proprietary information does not constitute classified research. Use of university facilities for the purpose of engaging in classified research by any faculty, staff, or student requires approval from the Vice President for Research. Agreements for the performance of classified research may be accepted if the following conditions are met:

- (1) Approval is obtained from the Vice President for Research based on review of a written proposal from the principal investigator *prior to* any application for funding;
- (2) Appropriate facilities, infrastructure, and administrative resources are available for the research; and
- (3) The sponsors of the research provide funding towards costs associated with the security requirements of the research.

If questions regarding the suitability of a project arise, the Vice President for Research may consult with other senior leadership or the University Research Council as deemed appropriate in reaching a decision.

- c. Restrictions on research participation, access, and dissemination. Research conducted by faculty, staff, and students of the University of Iowa is public domain "fundamental research" as that term is defined in [National Security Decision Directive \(NSDD\) 189](#). ~~When proposed University research involves information, technology, or other materials that are subject to applicable export control laws and regulations, thereby restricting dissemination of results and access to and participation in research activities by foreign nationals, acceptable language pertaining to the application of export control requirements must be negotiated with the sponsor prior to the University's acceptance of the award and conduct of the research.~~ When university research involves information, technology, or materials that are subject to export control laws and regulations, sponsor requirements may restrict the dissemination of research results and access to research activities by foreign nationals. Before accepting any award or funding for such research, the university must negotiate acceptable language regarding the application of the export control requirements with the sponsor.

The university will consider the following when reviewing the proposed research:

- (1) The conduct of research in compliance with applicable export control laws or regulations, including the International Traffic in Arms Regulations ([ITAR](#)) and the Export Administration Regulations ([EAR](#)), shall not be deemed to be in conflict with the university's ~~prohibition~~ limitations on conducting ~~secret classified~~ research ~~with participation, access, and dissemination restrictions~~.
- (2) Compliance with federal select agent laws or regulations shall not be deemed to be in conflict with the university's ~~prohibition~~ limitations on conducting ~~secret classified~~ research with participation, access, and dissemination restrictions.
- (3) The acceptance of confidentiality restrictions on U.S. Government Controlled Unclassified Information (CUI), if non-CUI research results may be freely published, shall not be deemed to be in conflict with the university’s limitations on conducting research with participation, access, and dissemination restrictions.
- (4) The acceptance of confidentiality restrictions on proprietary information, if non-proprietary research results may be freely published, shall not affect the status of any university research project as public domain fundamental research.

- d. Protection of faculty, staff, and postdoctoral researcher rights. Activities that require restrictions on openness or academic freedom, including classified activities and export controlled research, may pose challenges for the process of granting promotion and tenure for faculty where publication limitations of research results exist. Probationary faculty should consult with their DEO or Associate Dean for Research to determine how classified research will be assessed for promotion and tenure. If there is agreement to proceed, a Memorandum of Understanding (MOU) should be developed to ensure that the faculty member is appropriately evaluated at the time of reappointment, promotion, and tenure. Staff and postdoctoral researchers involved in the research shall receive written notification that there may be an inability to publish work in the open literature.
- e. Protection of student rights. No student may undertake a thesis or dissertation project that requires restrictions on openness or academic freedom, unless the Provost grants an exception to this policy. In such cases, the student’s mentor, committee, department/program, and the Dean of the Graduate College (for graduate students) or Provost (for other students) must confirm that the student understands the potential negative consequences these activities may have on the appearance of productivity and progress. This same group should determine in advance the criteria by which the student will satisfy requirements for the degree if the work is not available for assessment of its scholarly merit.
- f. Restrictions. This policy statement should not be construed to restrict the activities of university personnel who provide private consulting or other professional services outside of their university responsibilities. Such arrangements must be in accord with university policies on conflicts of interest and commitment and cannot involve the use of university resources or facilities, including the receipt or storage of classified materials on university property.
- g. ~~Enforcement~~ Responsibilities. Although it is the responsibility of the Office of the Vice President for Research to ensure that this policy on access to research information is enforced when negotiating grant or contract terms and conditions, it is also the responsibility of principal investigators to call to the attention of the Office of the Vice President for Research any restrictions of which they are aware in grant or contract clauses proposed by sponsors. If questions regarding a project's compliance with this policy arise, or if an investigator requests a waiver of this policy, the Vice President for Research will consult with the University Research Council and may also consult with other senior university administrators as they deem appropriate in reaching a decision.
- h. ~~Protection of faculty and staff rights. This policy statement should not be construed to restrict the activities of University personnel who provide private consulting or other professional services outside of their University responsibilities and, in doing so, do not use University resources or facilities.~~