Frequently Asked Questions

1. **Do Research Data and Tangible Research Materials include data generated by any non-University party?**

   Research Data and Tangible Research Materials do not include any results generated by any non-University party, unless and to the extent such results have been: 1) modified by a Workforce Members within the course and scope of their assigned or assumed role; 2) generated using University research facilities or other research resources; 3) transferred to the University by contract, grant or law; or 4) generated using funds provided by or received through the University.

2. **Do Research Data include administrative records related to a research project?**

   Research Data do not include administrative records incidental to award administration such as financial records, contract and grant records, or records related to institutional reviews and approvals, such as IACUC or IRB review. While such administrative records generated by University researchers are not included in the definition of Research Data under this Policy, as records, they are the property of the University and may be subject to terms and conditions of individual sponsored projects, federal and state regulations, other University policies and University retention and disposition requirements. Information on retention requirements related to research administrative records can be found [here](#).

3. **The UC Health systems hospitals and outpatient clinics have not traditionally been considered "research facilities or research resources." Under this Policy, do Research Data and Tangible Research Materials include data and materials generated in the performance of a clinical trial or clinical research study?**

   Clinical trial data and materials generated by Workforce Members using University-administered research funding for the clinical trial, regardless of where the information or material was generated (e.g., hospital or clinic), are considered Research Data and Tangible Research Materials under this Policy, respectively. However, administrative documents, regardless of funding, such as patient source documents and medical records created in the course of clinical care are not considered Research Data, but are the property of the University along with other types of administrative records (see FAQ # 2 above).

4. **Do Research Data include scholarly works?**

   Research Data do not include scholarly works. Scholarly works has the same meaning as "Scholarly & Aesthetic Works" (or the term most closely analogous to "Scholarly & Aesthetic Works") in the University of California's Copyright Ownership Policy. While this Policy applies to all Research Data and Tangible Research Materials generated by Workforce Members involved in the design, conduct, or reporting of research, it should not impede Workforce Members' ability to create scholarly works nor change current copyright and patent policies, which also apply to research.

Frequently Asked Questions

5. **Are biospecimens (e.g., remnant blood or tissue samples, etc.) collected from University patients in the course of clinical research considered Tangible Research Materials under this Policy?**

    Biospecimens collected or used for research: (1) within the course and scope of a Workforce Member's assigned or assumed duties; (2) using University research facilities or other University resources; or (3) with support from or through the University are considered Tangible Research Materials under this Policy. The collection and use of human biospecimens for research requires review by an IRB and may require other campus compliance review in accordance with local campus and hospital policies.

6. **Are Research Data stored on personal devices property of The Regents of the University of California?**

    Research Data are the property of The Regents of the University of California regardless of the medium or ownership where the Research Data is collected or stored. This includes Research Data that is collected or stored on personal devices. Note, however, that each campus may have its own policies on the use of personal devices