

Committee on Research (COR)
Wednesday, September 7, 2016
11:00-12:00 PM KL 362
Documents available at [UCM BOX](#)

- I. **Chair’s Report – David Noelle**
 - a. Welcome & Introductory Comments
 - b. AY 15-16 COR Annual Report
 - c. Conflicts of Interest
 - d. Division Council Meeting – August 23, 2016

- II. **Consent Calendar**
 - a. Approval of the September 7th, 2016 Agenda

- III. **Committee Meeting Schedule & Activities**
 - a. **Proposed Meeting Schedule: One Hour Meeting Every Other Week**
 - b. **AY 2016-2017 High Priority Issues**

- IV. **Sierra Nevada Research Institute (SNRI) ORU Review Committee** **pg. 3**
 - a. **Background:** An ORU review committee must be assembled. It must consist of one representative from each of the three schools, and it will also include an external member from off campus. None of the members may be associated with SNRI. The membership may be drawn from COR, or other faculty may be recruited by CoC.
 - b. **Action:** Determine if COR members will populate this committee or if CoC will take up this responsibility. Communicate the results of this deliberation to VCRED Traina and, depending on the decision, to CoC.

- V. **Campus Review Items**
 - a. **Research Data Storage Policy Review and Comment** **pg. 17**
 - i. **Background:** “This policy/procedure is intended to promote a collaboration between researchers and Information Technology staff to ensure research data are being stored locally with appropriate security controls and in compliance with systemwide Electronic Information Security policies. This is an interim policy/procedure and may be revised as systemwide policies are revised and updated.”
 - ii. **Action:** COR sends comments to senatechair@ucmerced.edu by 5:00 PM, Sept. 7, for discussion at Sept. 8 DivCo meeting.

 - b. **UAV Policy Review and Comment** **pg. 24**
 - i. **Background:** “This policy is intended to promote safe operation of unmanned aircraft systems (UAS) and model aircrafts while meeting the University's regulatory compliance and reporting requirements.”
 - ii. **Action:** COR sends comments to senatechair@ucmerced.edu by 5:00 PM, Sept. 7, for discussion at Sept. 8 DivCo meeting.

VI. Upcoming Business

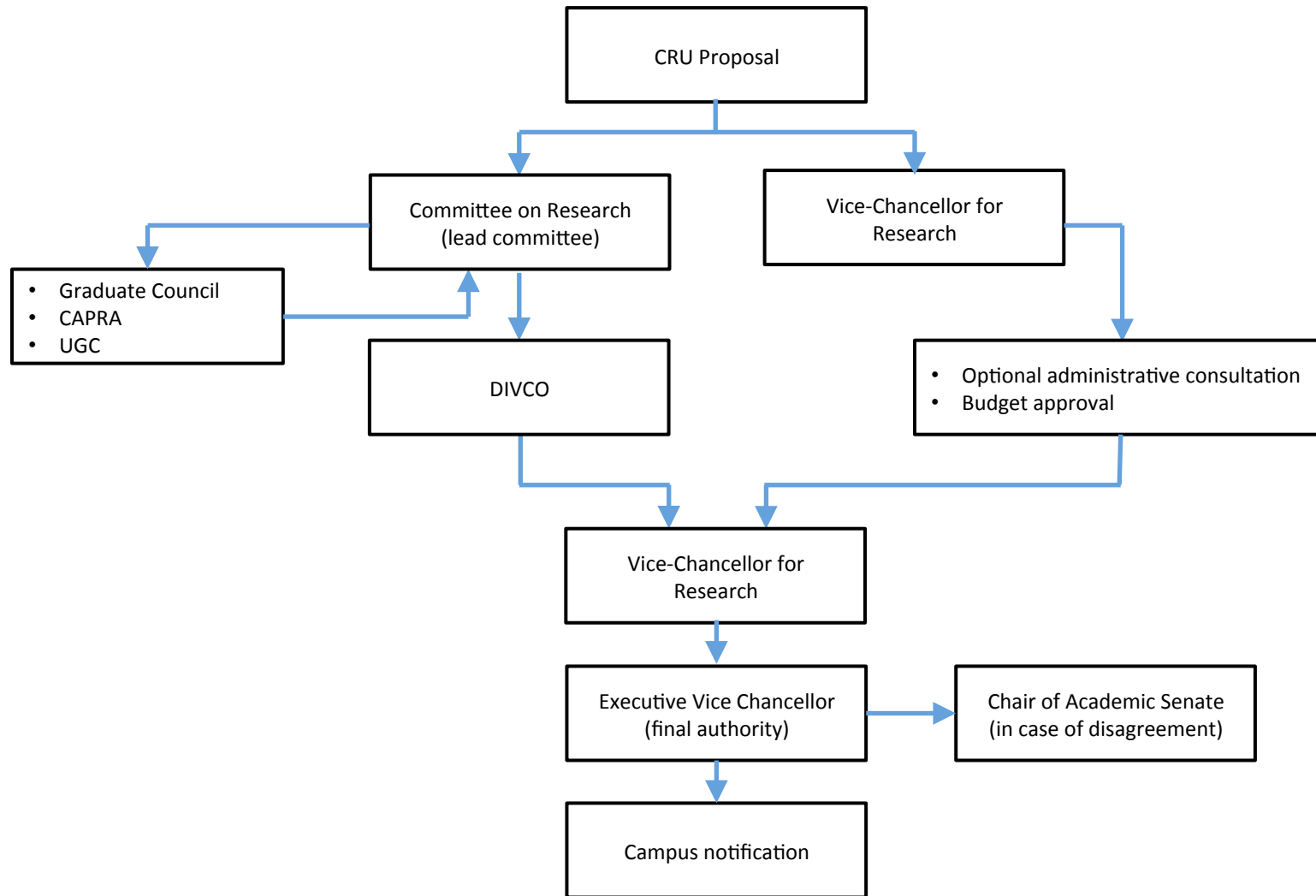
- a. Future Funding of Senate Faculty Grants Program
- b. Faculty Start-Up Funds & Other Campus Sources of Research Support
- c. SNRI Review
- d. ORU Proposal - Center for Human Adaptive Systems and Environments (CHASE)
- e. CCGA Proposals – MIST
- f. Administering the Senate Faculty Grants Program
- g. Monitoring Progress of the 2020 Project

VII. Other Business

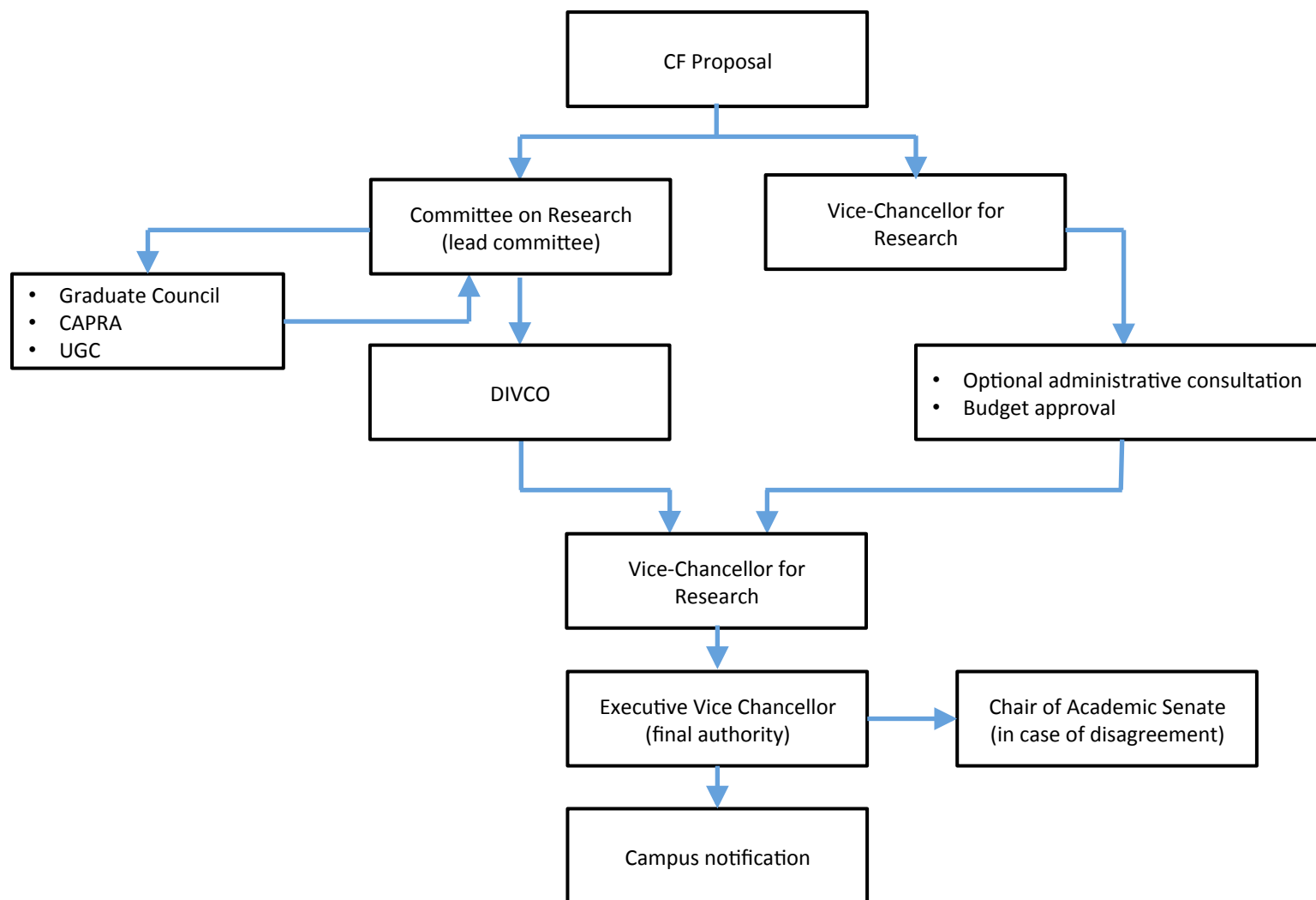
	CRU	Core Facility (CF)	ORU	MRU
Designations	Institute, Laboratory, Center, Station	Institute, Laboratory, Center, Station	Institute, Laboratory, Center, Station	Institute, Laboratory, Center, Station
Lines of Responsibility	CRU responsible to Vice Chancellor for Research (VCR) for administration, budget, space, personnel, and scholarship	CF responsible to VCR for administration, budget, space, personnel, and scholarship	ORU responsible to Chancellor or Chancellor's Designee (CD) for administration, budget, space, personnel, and scholarship	MRU responsible to the President and report through Chancellor or CD at host campus
Administration	Headed by Director who is a faculty member. Aided by Advisory Committee appointed by VCR.	Headed by Director who is a faculty member. Aided by Advisory Committee appointed by VCR.	Headed by Director who is a tenured faculty member. Aided by Advisory Committee Appointed by Chancellor or CD.	Headed by Director who is a tenured faculty member, aided by Associate Director on each campus at which unit is active. Aided by Advisory Committee appointed by President or President designee.
Budgetary Support	Potential funding by Office of Research based on merit review	Funding from recharge and contracts. Potential funding by Office of Research based on merit review	"[P]rovision is made in the campus budget for the unit's core administration support, Director's stipend, ..."	Administrative support from campus or from Office of the President
Proposal for Establishment	Faculty members submit a proposal stating unit's goals and objectives; describing added values and capabilities; explaining how mission extends beyond interests or needs of a single group, department, or school; and making clear how the unit will foster new intellectual collaborations, stimulate new funding, etc. [NB: CRU Policies include Review Criteria] Executive Vice-Chancellor has final authority for approval.	Faculty members submit a proposal stating CF's goals and objectives; describing added values and capabilities; explaining how mission extends beyond interests or needs of a single group, department, or school; and making clear how the unit will foster new intellectual collaborations, stimulate new funding, etc.	Faculty members submit a proposal stating unit's goals and objectives; describing added values and capabilities; explaining why goals cannot be achieved by existing campus structure; and making clear how the unit will foster new intellectual collaborations, stimulate new funding, etc.	Proposal originates at host campus and is submitted to the VCR, who seeks advice from all appropriate divisional Academic Senate Committees and administrative committees. After campus review, proposal is submitted to Vice Provost for Research by Chancellor or CD of host campus. The Vice Provost for Research reviews proposal and refers it to the Chancellor for comment. The Vice Provost for Research also refers the proposal to the Chair of Academic Council for comment by University Committee on Research Policy (UCORP), University Committee on Planning and Budget (UCPB), and CCGA. Vice Provost for Research retains final authority for recommending establishment of MRU to Provost and President. After Presidential approval, Provost informs Chancellors and Chair of Academic Council of the action.
Director	Appointed by VCR after a nomination procedure on which VCR and CoR agree. For new Director for an existing unit, nominates are solicited from Advisory Committee.	Appointed by VCR after a nomination procedure on which VCR and CoR agree. For new Director for an existing unit, nominates are solicited from Advisory Committee.	Appointed by Chancellor or CD after a nomination procedure on which the Chancellor and the Academic Senate agree. For new Director for an existing unit, nominates are solicited from Advisory Committee.	Appointed by the Provost after consultation with appropriate Chancellors and with advice of Search Committee appointed by Vice Provost for Research.

	CRU	Core Facility (CF)	ORU	MRU
Five-year Review	VCR initiates 5-year reviews. VCR in consultation with CoR should assure 5-year reviews are conducted at proper intervals. VCR appoints review committee from a slate nominated by CoR. Review committee's report should be provided to the Director for comment. Justification for continuation must be documented by review committee. The report is reviewed by appropriate Academic Senate committees. VCR decides on continuation and any changes in CRU, upon consideration of the ad hoc and Senate committee's recommendations. Disestablishment of CRU requires Provost's approval. To maintain portfolio campus CRUs, VCR transmits annual report to Chancellor, Executive Vice Chancellor, and the Academic Senate the establishments and disestablishments and a summary of 5-year reviews of CRUs.	VCR initiates 5-year reviews. VCR in consultation with CoR should assure 5-year reviews are conducted at proper intervals. VCR appoints review committee from a slate nominated by CoR. Review committee's report should be provided to the Director for comment. Justification for continuation must be documented by review committee. The report is reviewed by appropriate Academic Senate committees. VCR decides on continuation and any changes in CF, upon consideration of the ad hoc and Senate committee's recommendations. Disestablishment of CF requires Provost's approval. To maintain portfolio campus CFs, VCR transmits annual report to Chancellor, Executive Vice Chancellor, and the Academic Senate the establishments and disestablishments and a summary of 5-year reviews of CFs.	Chancellor initiates 5-year reviews. VCR in consultation with appropriate Senate Committee should assure 5-year reviews are conducted at proper intervals. The Chancellor or CD appoints review committee from a slate nominated by divisional Academic Senate. Review committee's report should be provided to the Director for comment. Justification for continuation must be documented by review committee. The report is reviewed by appropriate Academic Senate committees. The Chancellor or CD decides on continuation and any changes in ORU, upon consideration of the ad hoc and Senate committee's recommendations. Disestablishment of ORU requires Chancellor's approval. To maintain portfolio campus ORUs, the Chancellor or CD transmits annual report to the Vice Provost for Research listing ORU establishments and disestablishments and a summary of 5-year reviews of ORUs.	The Vice Provost for Research should assure that 5 year reviews are conducted at proper intervals. VCR appoints ad hoc review committee from a slate nominated by Chair of the Academic Council and the Chancellor or CD. Review committee's report should be provided to the Director for information. Justification for continuation must be documented by review committee. The 5-Year Review report is submitted to the Vice Provost for Research, who distributes it to the Vice Chancellors for campus comment and the Chair of the Academic Council for comment by UCORP, UCPB, and CCGA. Based on 5-Year Review Report and comments, the Vice Provost for Research approves continuation of unit, implements changes, or recommends disestablishment of unit to President.
Procedure for Disestablishment	Following a 5-year review, Executive Vice Chancellor approves request for disestablishment and informs the Chancellor, VCR, and Academic Senate of action.	Following a 5-year review, Executive Vice Chancellor approves request for disestablishment and informs the Chancellor, VCR, and Academic Senate of action.	Following a 5-year review, the Chancellor approves request for disestablishment and the Chancellor or CD informs the Vice Provost for Research of action.	Following a 5-year review, the Chancellor or CD submits request for disestablishment to Vice Provost of Research after appropriate campus administrative and Senate consultation and consultation with Advisory Committee. The request is referred by Vice Provost for Research to the Chancellors for comment. The Provost recommends disestablishment to the President. After Presidential approval, Provost informs Chancellors and Chair of the Academic Council of action.
Phase-Out Period	At most one full year after the end of the academic year	At most one full year after the end of the academic year	At most one full year after the end of the academic year	At most one full year after the end of the academic year
Procedure for Name Change	Director prepares a proposal to VCR describing rationale. After review by CoR, CAPRA, and appropriate campus administrators, Provost approves and informs Chancellor, VCR, and Academic Senate of action.	Director prepares a proposal to VCR describing rationale. After review by CoR, CAPRA, and appropriate campus administrators, Provost approves and informs Chancellor, VCR, and Academic Senate of action.	Director prepares a proposal describing rationale. After review by Senate and appropriate campus administrators, the Chancellor or CD approves and informs Vice Provost for Research of action.	Director prepares a proposal describing rationale. MRU Advisory Committee endorses requested name change. After review by appropriate host campus administrators and Senate committees of other participating campus, Director submits proposal package to Vice Provost for Research. After consultation with UCORP and favorable review at host campus and participating campuses, the host Chancellor approves name change and submits full documentation to Vice Provost for Research, who notifies other campus and the Chair of the Academic Council of change in name.
Annual Report	Unit should submit a report to VCR and CoR containing specific information.	Unit should submit a report to VCR and CoR containing specific information.	Unit should submit a report to VCR and CoR containing specific information.	Unit should submit a report to VCR and CoR containing specific information.

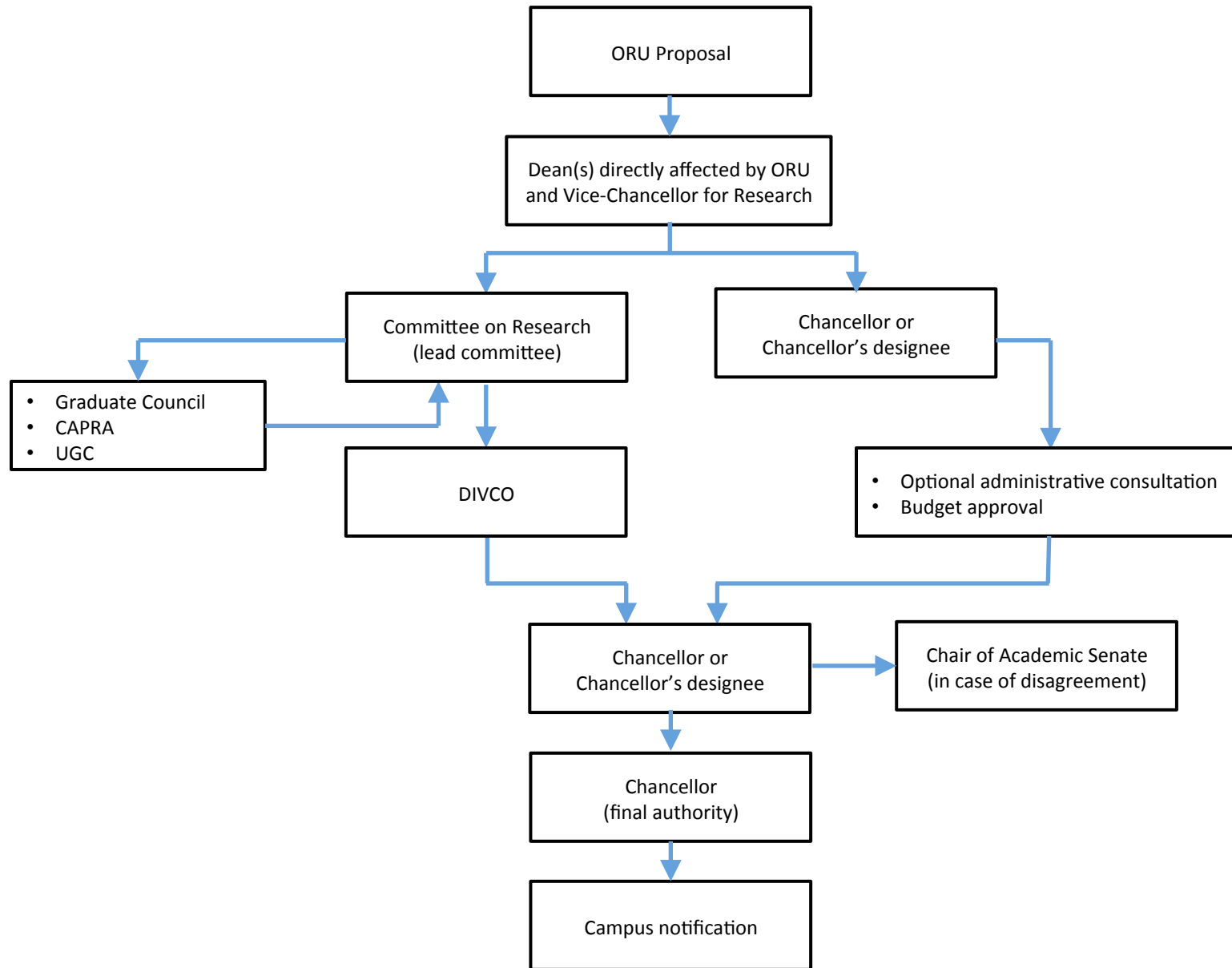
Approval Process for Establishment of a Centralized Research Unit (CRU)



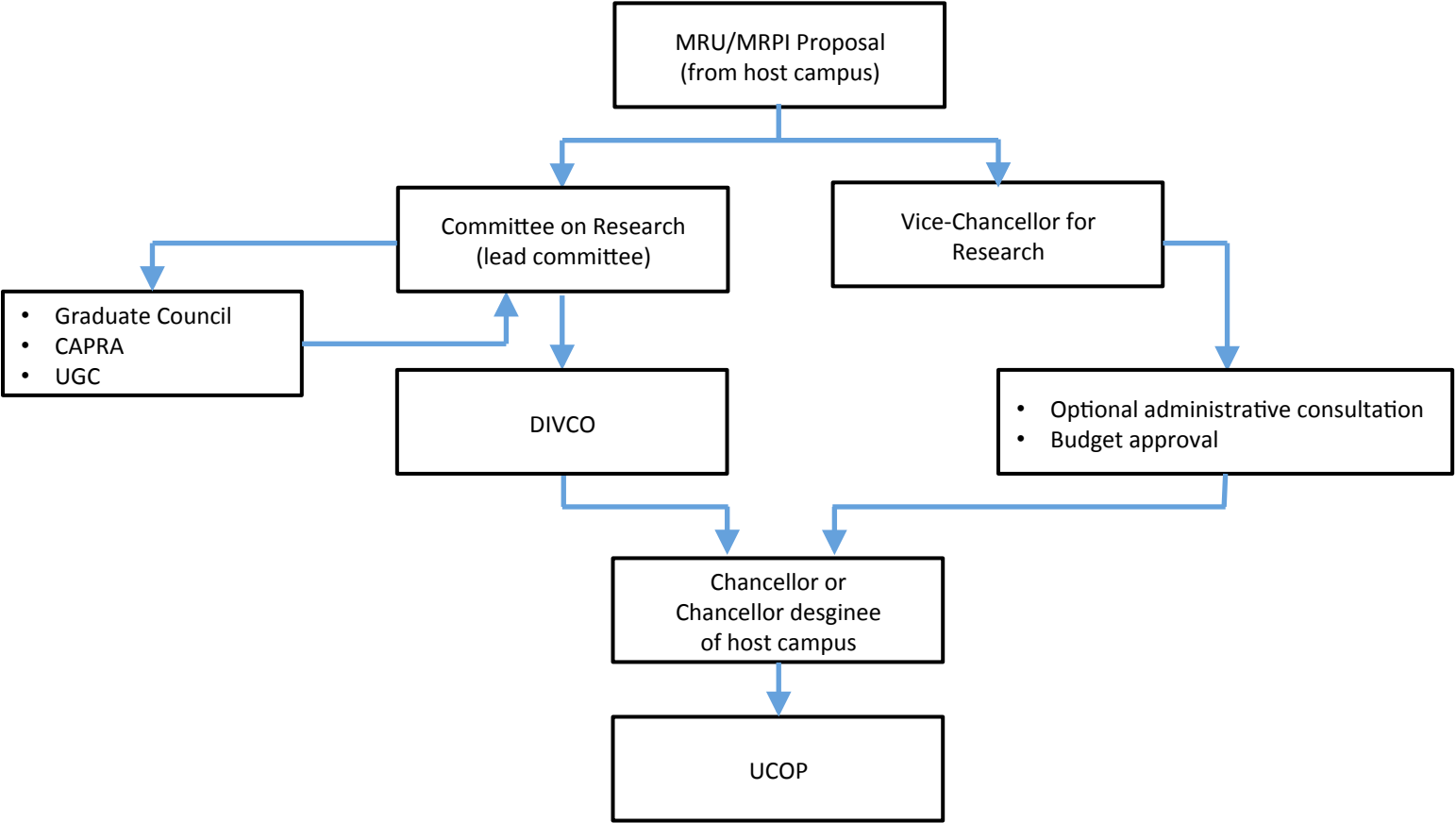
Approval Process for Establishment of a Core Facility (CF)



Approval Process for Establishment of a Organized Research Unit (ORU)



Approval Process for Establishment of an Multicampus Research Unit (MRU)/MRPI



Five-Year Review Criteria for Centralized Research Units

Five-year reviews by the Senate may be additional to reviews conducted by the Office of Research and other cognizant units. The objective of Senate review is to ensure that the units continue to reflect the criteria set by the Senate. The five-year review should be considered standard, but the Office of Research is empowered to request additional documentation at any stage. This review document should be no more than 5 pages.

Centralized Research Units (CRU) reviews will be evaluated according to the following:

1. CRU's original purpose
2. Present functions
3. Accomplishments (e.g., publications, grants, new collaborations, number of users, and educational/outreach activities associated with the unit)
4. Impacts
5. Future plans
6. Continuing development

CRU reviews will assess the following:

1. Adequacy of space and other resources made available to the unit
2. Success in meeting previously established objectives, planned changes in program objectives, and planned steps to achieve new objectives
3. Effectiveness and leadership of the Director and the participation of the Advisory Committee
4. Budget, including funds and expenditures

Five-Year Review Criteria for Core Facilities

Five-year reviews by the Senate may be additional to reviews conducted by the Office of Research and other cognizant units. The objective of Senate review is to ensure that the units continue to reflect the criteria set by the Senate. The five-year review should be considered standard, but the Office of Research is empowered to request additional documentation at any stage. This review document should be 5-10 pages.

Core Facility (CF) reviews must address the following:

1. CF's original purpose
2. Present functions
3. Accomplishments (e.g., publications, grants, new collaborations, number of users, and educational/outreach activities associated with the unit)
4. Impacts
5. Future plans
6. Continuing development

CF reviews will assess the following:

1. Adequacy of space and other resources made available to the unit
2. Success in meeting previously established objectives, planned changes in program objectives, and planned steps to achieve new objectives
3. Effectiveness and leadership of the Director and the participation of the Advisory Committee
4. Budget (including funds and expenditures, and adequateness and appropriateness to support the CF's mission)
5. Compliance with safety and operational regulations

Five-Year Review Criteria for Organized Research Units

Five-year reviews by the Senate may be additional to reviews conducted by the Office of Research and other cognizant units. The objective of Senate review is to ensure that the units continue to reflect the criteria set by the Senate. The five-year review should be considered standard, but the Office of Research is empowered to request additional documentation at any stage. This review document should be 5-10 pages.

Organized Research Units (ORU) reviews must address the following:

1. ORU's original purpose
2. Present functions
3. Accomplishments (e.g., publications, grants, new collaborations, number of users, and educational/outreach activities associated with the unit)
4. Impacts
5. Future plans
6. Continuing development

ORU reviews will assess the following:

1. Adequacy of space and other resources made available to the unit
2. Success in meeting previously established objectives, planned changes in program objectives, and planned steps to achieve new objectives
3. Effectiveness and leadership of the Director and the participation of the Advisory Committee
4. Budget, including funds and expenditures

Five-Year Review Criteria for Multicampus Research Units

Five-year reviews by the Senate may be additional to reviews conducted by the Office of Research and other cognizant units. The objective of Senate review is to ensure that the units continue to reflect the criteria set by the Senate. The five-year review should be considered standard, but the Office of Research is empowered to request additional documentation at any stage. This review document should be 5-10 pages.

Multicampus Research Units (MRU) reviews must address the following:

1. MRU's original purpose
2. Present functions
3. Accomplishments (e.g., publications, grants, new collaborations, number of users, and educational/outreach activities associated with the unit)
4. Impacts
5. Future plans
6. Continuing development

MRU reviews will assess the following:

1. Adequacy of space and other resources made available to the unit
2. Success in meeting previously established objectives, planned changes in program objectives, and planned steps to achieve new objectives
3. Effectiveness and leadership of the Director and the participation of the Advisory Committee
4. Budget, including funds and expenditures

Review Criteria for Establishment of Centralized Research Units

Centralized Research Units (CRU) proposals must address how the proposed unit will:

1. Foster new intellectual collaborations
2. Stimulate new sources of funding
3. Further innovative and original research
4. Support existing funded research
5. Supply research techniques or services to faculty groups
6. Contribute to the instruction mission of the university
7. Perform service and outreach to the public
8. Support a broad array of researchers, graduate group, schools, and the campus
9. Have sufficient faculty and technical expertise to ensure the successful operation of the unit
10. Have a management and financial plan that will ensure sustainability of the unit
11. Have a plan for how immediate and future space needs will be met
12. Procure extramural funds for its establishment and operation

Review Criteria for Establishment of Core Facilities

Core Facility (CF) proposals must address how the proposed facility will:

1. Foster new intellectual collaborations
2. Stimulate new sources of funding
3. Further innovative and original research
4. Support existing funded research
5. Supply research techniques or services to faculty groups
6. Contribute to the instruction mission of the university
7. Perform service and outreach to the public
8. Support a broad array of researchers, graduate group, schools, and the campus
9. Have sufficient faculty and technical expertise to ensure the successful operation of the facility
10. Procure extramural funds for its establishment and operation
11. Have a management and financial plan that will ensure sustainability of the facility
12. Have a plan for how immediate and future space and instrumentation needs will be met
13. Comply with existing safety and operational regulations

Review Criteria for Establishment of Organized Research Units

Organized Research Units (ORU) proposals must address how the proposed unit will:

1. Foster new intellectual collaborations
2. Stimulate new sources of funding
3. Further innovative and original research
4. Support existing funded research
5. Supply research techniques or services to faculty groups
6. Contribute to the instruction mission of the university
7. Perform service and outreach to the public
8. Support a broad array of researchers, graduate group, schools, and the campus
9. Have sufficient faculty and technical expertise to ensure the successful operation of the unit
10. Have a management and financial plan that will ensure sustainability of the unit
11. Have a plan for how immediate and future space needs will be met
12. Procure extramural funds for its establishment and operation

Review Criteria for Establishment of Multicampus Research Units

Multicampus Research Units (MRU) proposals must address how the proposed unit will:

1. Foster new intellectual collaborations
2. Stimulate new sources of funding
3. Further innovative and original research
4. Support existing funded research
5. Supply research techniques or services to faculty groups
6. Contribute to the instruction mission of the UC system
7. Perform service and outreach to the public
8. Support a broad array of researchers, graduate group, schools, the campus, and the university system
9. Have sufficient faculty and technical expertise to ensure the successful operation of the unit
10. Have a management and financial plan that will ensure sustainability of the unit
11. Have a plan for how immediate and future space needs will be met
12. Procure extramural funds for its establishment and operation



Research Data Storage (Interim Procedures)

Responsible Official:	Chief Information Officer
Responsible Office:	Information Technology
Issuance Date:	TBD
Effective Date:	TBD
Summary:	Procedure for the electronic storage of research data on UCM-managed environments.
Scope:	Faculty, staff, students, affiliates

Contact:	Ann Kovalchick, Chief Information Officer
Email:	akovalchick@ucmerced.edu
Phone:	(209) 228-4899

I. REFERENCES AND RESOURCES

UC Policies

- IS-3 Electronic Information Security
<http://policy.ucop.edu/doc/7000543/BFB-IS-3>
-

Guidelines/Resources

- <http://www.ucop.edu/research-policy-analysis-coordination/index.html>
- <http://it.ucmerced.edu/security/>

II. POLICY/PROCEDURE SUMMARY & SCOPE

Electronic storage of data by researchers at UC Merced must be performed in an environment that is provisioned, managed, or approved by UC Merced Information Technology. A collaboration between researchers and IT staff will ensure that research data is being stored locally with appropriate security controls. This document affects all employed or affiliated personnel, including volunteers and trainees engaged in research-related activities at the University of California.

III. DEFINITIONS

Physical storage: Location controlled by the researcher where data can be physically stored, independent of internet connectivity. Examples include hard drives, flash drives.

Local Storage: Location on UCM property where data could be stored electronically on a physical device with appropriate physical security and environmental, power and back-up controls.

Remote Storage: Location off-site from UC Merced where data may be stored. Examples include UC Berkeley, San Diego Supercomputer Center. Any remote location must be accessible to UCM IT Staff. Examples include CatDrive.

Cloud Storage: Non-tangible location where data may be stored, subject to existing business agreement with UC. Examples include box.com, Amazon Web Services. Any cloud location must be accessible to UCM IT Staff.

IV. POLICY TEXT

Data generated, collected, or otherwise handled by researchers at UC Merced shall be stored in a system provisioned, managed, or approved by UC Merced Information Technology. This data will be accessible and secured in alignment with current UCM-supported business agreements and UCOP best practices.

This policy will enhance the process of compliance with data management in a research environment and lower the possibility of data being made available to non-authorized parties.

V. PROCEDURES

UCM researchers are to contact Information Technology regarding the appropriate solution for storing their data to ensure the accessibility, integrity, and security of the data for the duration of the research period. After initial consultation, UC Merced IT will propose a storage solution to comply with the researcher's needs, applicable law/policy, and best practices. The solution may include physical, local, remote, or cloud storage.

Electronically-stored data will be accessible via UC Merced account credentials, consisting of UCMNetId and passphrase.

The types of data considered under this policy include "Human Subjects" data, "Animal Subjects" data, and other research data created and collected by the researcher. With the exception of Human Subjects data, we are reliant on the researcher's expertise regarding the nature of the research data for classification purposes.

UC Policy IS-3 – Electronic Information Security defines protection levels for university data. Data with higher protection level classifications require additional security measures as specified in the IS-3 policies and standards. These additional protections may include encryption, multi-factor authentication, or other measures specified by UCM IT. Researchers will be instructed by IT on how to use the suggested solution, including the technical aspects of sharing, securing, and working within the storage environment.

In the instance of data being shared with a remote collaborator (non-UCM affiliate), "Data Ownership" language will be validated by Campus Counsel, and consist of acknowledgement by the remote collaborator that all research data is owned by the UC Regents, and that the collaborator is expected to comply with all appropriate controls

around the handling and protection of the research data. A backup copy of the data may be stored at a remote location, so long as the data is secured following the same procedures in place for data secured locally. The collaborating institution must sign a formal data sharing agreement with UC Merced before the remote copy can be stored.

Campus Counsel and the Campus Privacy Official will also be consulted for any additional considerations when developing the appropriate storage solution for the research project.

VI. RESPONSIBILITIES

Principal Investigators

- Contacting Information Technology for advisement on research data storage requirements and available solutions.
- Compliance with UC security and policy regarding data handling.

Information Technology

- Assessment and categorization of data classification and appropriate protection level.
- Development of appropriate solution based on researcher requirements.
- Compliance with Legal and Privacy requirements, in consultation with Campus Counsel and Privacy Official.
- Maintaining the accessibility, integrity, and security of the data while in storage.
- Compliance with State or Federal requirements specific to the data being handled, including destruction of data at the end of the research project, if specified.

Collaborative Researchers

- Agree that all research data is owned by the Regents of the University of California
- Agree to comply with all UC controls and practices for handling and security data
- Sign a formal data sharing agreement with UC Merced

APPENDICES

This document outlines how electronic storage of research data by UCM-affiliated researchers is conducted. With awareness that a draft document exists, written by the Research Policy Analysis and Coordination (RPAC) unit of UCOP (<http://www.ucop.edu/research-policy-analysis-coordination/about-rpac.html>), and currently is in review by the UC Systemwide Academic Senate, the information within this document is subject to change for compliance with the RPAC. Following is the content of the RPAC document:

APPENDIX 1 – Draft of current RPAC Systemwide Policy

I. Purpose

The collection and generation of data and tangible research materials is an integral part of any research project. Accurate and appropriately recorded research data, and

the creation and retention of tangible research materials, enable scholars to report, replicate, and refute research findings, which ultimately advances the research enterprise. Both the University and researchers have responsibilities concerning access to, use of, and maintenance of research data and research materials. These obligations are not new and are not unique to the University; they arise from express provisions in awards and agreements with federal and other research sponsors, overarching regulatory requirements relating to funded research, and fundamental precepts of research integrity. University access to records of research is critical for oversight purposes, such as responding to audits, establishing that past use of University or research sponsor funds was appropriate, responding to government demands or subpoenas, defending research findings, facilitating research misconduct proceedings, and facilitating proper conduct of research with humans or animals. This document sets forth basic guidelines to ensure that Research Data, as defined below, are appropriately documented, maintained, retained for a reasonable time, and accessible to the University for review and use.

II. Scope and Administration of the Guidelines

These Guidelines apply to all University of California employed or affiliated academic personnel, staff, and trainees, engaged in research or research-related activities at the University of California, regardless of the funding source of such activities. These Guidelines may also apply to students and non-University employees conducting any research using University research funds, resources, or facilities and/or in collaboration with individuals with University appointments. The Vice Chancellor for Research at each campus or his/her designee(s) is responsible for each campus' oversight, interpretation and implementation of these Guidelines. Administrative protocols specific to each campus may supplement these Guidelines as appropriate. The University President or his/her designee(s) is responsible for UCOP's oversight, interpretation, and implementation of these Guidelines.

III. Definitions

- a. "Principal Investigator": For the purposes of these Guidelines, the "Principal Investigator" is the individual who personally participates and has primary responsibility for the design, conduct and administration of a research project, regardless of the source of funding or status of that project.¹
- b. "Research Data" are recorded information reflecting original observations and methods related to a research study, and documentation of such data needed to reconstruct and evaluate reported results of the study, regardless of the form or medium on which it may be recorded, that is produced: (i) within a University researcher's course and scope of employment; (ii) using University research facilities or other research resources; or (iii) using funds provided by or through the University. Such data include, but is not limited to, computer software, databases, and data of a scientific or technical nature, such as laboratory notebooks, field notes, electronic storage media, and printouts. Research Data also include Tangible Research Material, as defined below. Research Data do not include administrative

¹ Contract and Grant Manual, [Chapter 1-520: Leadership of a Sponsored Project](#).

records incidental to award administration such as financial records, contract and grant records, etc. While such administrative records generated by University researchers are not included in the definition of Research Data under these Guidelines, they are the property of the University and may be subject to terms and conditions of individual sponsored projects, federal and state regulations, and University retention and disposition requirements.²

- c. "Tangible Research Material" is a tangible item produced or collected in the course of research: (i) within a University researcher's course and scope of employment; (ii) using University research facilities or other research resources; or (iii) using funds provided by or through the University. Tangible Research Material includes, but is not limited to, biological specimens, environmental samples, devices, prototypes, circuits, chemical compounds, genetically engineered organisms, cell lines, cell products, viruses, genetic material, plants, and animals.

IV. Ownership and Use of Research Data

Research Data are the property of The Regents of the University of California.³ The Principal Investigator shall retain original Research Data on behalf of the University, in accordance with Section VI.b. of these Guidelines. The Principal Investigator is responsible for ensuring that Research Data, whether generated by the Principal Investigator or the Principal Investigator's research team, are recorded, stored, and used in accordance with the standards of his or her respective discipline and any requirements of applicable federal or state law or regulations, University policies and guidelines, and University contractual commitments.⁴ The Principal Investigator should consult the appropriate campus office regarding the use and stewardship of Research Data that may be subject to applicable export control regulations, laws and regulations protecting the rights and privacy of human subjects, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), or other applicable laws and regulations.

V. Data Sharing

The University of California supports the sharing of Research Data to advance public knowledge. In the interest of advancing knowledge, the University expects Principal Investigators to release and share final Research Data, particularly that which is described in a publication, for use by other investigators and researchers in a timely manner, consistent with the practices of the discipline involved. Further such release and sharing shall be in accordance with existing University policies and guidelines, including those related to intellectual property, sponsor requirements, and applicable laws and regulations, such as laws relating to protecting the rights and privacy of

² Other research data may be obtained through material transfer agreements, license agreements or other means. Such other research data that are not produced or collected by the University may be subject to third-party provider obligations, and should be handled in accordance with contractual commitments.

³ [University of California Regulation No. 4](#) (APM-020) provides that original records of the research are the property of the University. ("Original records" may include tangible records of research, such as biological materials, chemical compounds, plants, etc.). California Labor Code § 2860 provides that everything that an employee acquires by virtue of his/her employment (except compensation) belongs to the employer whether acquired during or after the term of employment.

⁴ Contract and Grant Manual, [Chapter 10-330: Principal Investigators](#).

human subjects. The National Institutes of Health policies on data sharing and sharing of biomedical research resources (http://grants.nih.gov/grants/policy/data_sharing/) and the National Science Foundation *Policy on Dissemination and Sharing of Research Results* (http://www.nsf.gov/pubs/policydocs/pappguide/nsf11001/aag_6.jsp#VID4) are models that investigators may find useful when planning for the sharing of Research Data. In all instances, Principal Investigators should consult relevant award and/or agreement terms to determine whether Research Data are subject to any special handling, use or restriction terms.

VI. Access to and Transfer of Research Data

a. University Responsibilities

- i. In most research contracts and grants, the University has committed to the sponsor that it will retain Research Data and make it available as appropriate.
- ii. Research agreements and clinical trial agreements with industry sponsors and other funding entities require careful negotiations to avoid placing restrictions on the University's access to, use of, and dissemination of Research Data.⁵
- iii. The University must be able to protect the ability of its affiliated academic personnel, students, postdoctoral scholars, and staff to access and use the Research Data from research in which they participated.⁶
- iv. The stewardship and storage of Research Data should be discussed and resolved as part of the exit process when a Principal Investigator leaves the University to ensure that Research Data continue to be accessible to the University in accordance with this guidance.

b. Principal Investigator Rights and Responsibilities

- i. In general, Principal Investigators should retain all Research Data for as long as possible, but not less than a minimum of six years after final reporting, publication, completion or abandonment of the project, unless a longer retention period is indicated by the funding source or other relevant agreement.⁷ The University may require a longer retention period to comply with applicable laws or regulations, support patent or intellectual property claims, or perform any necessary investigations associated with allegations of research misconduct. If a student is involved, Research Data must be retained at least until the student's degree is awarded or it is clear that the student has abandoned the work. Research Data may not be destroyed while an audit, research misconduct inquiry, investigation, public records request, or legal action involving such Research Data is pending.

⁵ [Principles Regarding Future Research Results: Open Dissemination of Research Results and Information](#); [Senate Concurrent Resolution \(SCR\) 66: Postsecondary education, academic research "gag clauses"](#).

⁶ [Principles Regarding Future Research Results: Accessibility for Research Purposes](#).

⁷ [Contract and Grant Manual, Chapter 17-310: Records Disposition Schedules for Contract and Grant Documents](#); [Administrative Records Relating to Research: Retention Requirements \(last updated June 2010\)](#).

- ii. If a co-investigator, student, trainee, or other member of a research team leaves the University, all original Research Data, including laboratory notebooks, must be left with the Principal Investigator. Except with respect to Tangible Research Materials, the departing researcher may take copies of Research Data for projects on which they have worked in accordance with these Guidelines. A co-investigator, student, trainee, or other member of a research team may not independently publish Research Data prior to first publication by the Principal Investigator without the written consent of the Principal Investigator. This should not be construed to prevent students from filing a copy of their dissertations or theses as required by their schools or departments, including depositing copies of their theses in archives as may be required by their schools or departments.
- iii. Handling of Research Data that are not Tangible Research Material Upon Leaving the University: Except in the case of Tangible Research Material, a departing Principal Investigator may take copies of Research Data produced by him or her or under his or her direction while at the University when he or she leaves the University. Copies of Research Data containing personally identifiable health information of patients or subjects may not be taken except pursuant to applicable laws, regulations and consistent with University policies.⁸ Original Research Data that are not Tangible Research Materials may be transferred only with approval of the Vice Chancellor for Research or his/her designee, generally under a written consent between the University and departing Principal Investigator. In all cases, the University reserves the right to access the original Research Data.
- iv. Handling of Tangible Research Materials Upon Leaving the University: When a Principal Investigator leaves the University, Tangible Research Materials shall remain at the University. Subject to any third-party restrictions, Tangible Research Materials may be transferred to a departing Principal Investigator only with the approval of the Vice Chancellor for Research or his/her designee, generally under a material transfer agreement between the University and the Principal Investigator's new employer.

⁸ [Contract and Grant Manual, Chapter 18-272: Records Retention, Inspection and Copying \(Protection of Human Subjects in Research\)](#).

I. REFERENCES AND RESOURCES

Federal Laws and Regulations

https://www.faa.gov/uas/regulations_policies/

State Laws and Regulations

- N/A

UC Policies

- N/A

Guidelines/Resources

<https://www.faa.gov/uas/faq/>

II. POLICY/PROCEDURE SUMMARY & SCOPE

This policy is intended to promote safe operation of unmanned aircraft systems (UAS) and model aircrafts while meeting the University's regulatory compliance and reporting requirements.

This policy applies to:

- University of California, Merced faculty, staff, and students and non-affiliates, including third party contractors and hobbyists, operating UAS or model aircrafts for any purpose on or above University owned or leased property;
 - The purchase of a UAS or the parts to assemble a UAS with funding by the University, including from university accounts, grants, or gifts and;
 - The hiring of or contracting for any UAS by a University unit.
-

III. DEFINITIONS

Unmanned Aerial System (UAS): UAS are also known as or may be characterized as drones. According to the Federal Aviation Administration (FAA), a UAS is the unmanned aircraft and all of the associated support equipment, including but not limited to, control station, data links, telemetry, communications and navigation equipment, necessary to operate the unmanned aircraft. UAS may have a variety of names including, e.g., quadcopter or quadrotor. Model aircraft regulated by the FAA as UAS and may be subject to different regulations, depending on the circumstances of use.

Model Aircraft - Model aircraft are generally defined as an unmanned aircraft capable of sustained flight that is flown for hobby and recreation purposes within the visual line of sight of the person operating the aircraft, and are not intended or used for business or research purposes. Depending on the operation, they may be regulated separately by the FAA, Use of UAS related to University operations do not qualify as model aircraft.

IV. POLICY TEXT

NOTE: The FAA is in the process of promulgating regulations controlling the use of UAS. This policy will be revised as needed pending finalization of proposed FAA rules and UC policy guidance.

1. The operation of unmanned aerial systems/vehicles (UAS) and model aircraft from, on or within 500 feet above the UC Merced campus or any UC Merced owned or leased lands, or within UC Merced interior building spaces, is prohibited except as approved in advance by the UC Merced Office of Campus Public Safety (OCPS).

2. All approved uses of UAS and model aircraft under this policy *must* comply fully with all applicable FAA regulations and state and local laws for the flight of UAS and model aircraft. All faculty, staff, students, or third parties (except hobbyists) must either possess or obtain a Certificate of Authorization (COA) issued by the FAA, or be operating under the privileges of UC Merced's existing Certificate of Authorization or through exemptions that may be granted to the University of California under [Section 333 of the FAA Modernization and Reform Act of 2012 \(FMRA\)](#). Hobby or recreational flying does not require FAA approval but requires advanced approval OCPS. Any required FAA documentation must be presented to OCPS at the time of application for approval to operate the UAS on or above UC Merced property. Model aircraft must be kept within visual sightline of the operator, and must weigh under 55 pounds unless certified by an aeromodeling community-based organization. Model aircraft must be flown a sufficient distance from populated areas as determined by OCPS.

3. Operation of a UAS and model aircraft by a third party, including hobbyists, on or above UC Merced property must be pursuant to an agreement to indemnify and hold the University harmless from any resulting claims or harm to individuals and damage to University property and the operator must provide evidence of insurance as required by Risk Services.

4. The proposed UAS and model aircraft operation must be in the best interest of the campus community and not pose an unacceptable threat to safety, privacy or the environment. Approval, once given, may be rescinded if it is determined that the information provided is incorrect or incomplete or if circumstances have changed and a determination is made that the planned operation is not in the community's best interest.

5. University funds cannot be used to purchase an UAS unless the individual has the appropriate authorization to operate it.

6. Prior approval for the use of UAS by the UC Merced Police Department and other law enforcement agencies (including but not limited to City of Merced Fire Department, City of Merced Police Department, or other first responders) in exigent or emergency circumstances is not required. Routine use of UAS by law enforcement agencies is subject to this policy. Any law enforcement agency operating an UAS in exigent or emergency circumstances without prior approval shall notify the UC Merced Police Department as soon as reasonably practicable.

7. For questions and to apply for approval, contact **XXXX**. Allow a minimum of 15 business days for the approval process prior to the date of planned operation.

VI. RESPONSIBILITIES

The UC Merced Office of Campus Public Safety is responsible for the implementation and enforcement of this policy.

VII. POLICY OR PROCEDURE REVISION HISTORY

Effective **XXXXXXXXXXXX**, 2016.