

RP 12.203 -Right to Investigate and Disseminate

Language under 12.203 III.B was clarified to emphasize that research is conducted on behalf of the university, which provides support or resources. However, the research is directed by individuals or groups of investigators associated with the university. The intent was to preserve the spirit of the original language and also reflect that externally sponsored awards are made to the university and not individuals per se.

Original language: At the University, all research is undertaken voluntarily by individuals or groups of investigators. The “University” as such is not engaged in research. It may provide facilities, equipment and certain kinds of facilitating administrative services to facilitate the research. Whenever a given research proposal, however, involves special financing, whether by agencies inside or outside of the university, there is a joint decision to submit the proposal by the principal investigator and the various university reviewers.

Proposed language: Research conducted on behalf of the University, whether funded by an external sponsor or through an application of University resources, is directed by individuals or groups of investigators associated with the University. University officials responsible for committing resources such as facilities, equipment and administrative support may decide whether to support projects or to apply for external funding for projects, but may not direct the research. Thus, research is conducted under joint decisions by investigators and university officials.

Language was added to 12.203 III.C to acknowledge that while the university recognizes a faculty member’s academic freedom, this does not mean that a faculty member’s research is immune from critical review.

Original language: The university guarantees the freedom to inquire of each member of the academic community and affirms the right of each member to gain access to all available relevant information. Each member also has the absolute right to choose whether, how, and where to publish scholarly conclusions and results of research.

Proposed language: The University guarantees the freedom to inquire of each member of the academic community and affirms the right of each member to gain access to all available relevant information. Each member also has the absolute right to choose whether, how, and where to publish scholarly conclusions and results of research. The commitment to academic freedom in the conduct of research does not imply that the faculty member’s research is not subject to critical review and judgment as to its quality and significance.

Although the language might be more applicable to externally sponsored research, the language under 12.203 III.E was retained and revised to be consistent with the proposed language under RP 12.202 III.B to reflect the general conditions for accepting research projects.

Original language: Whenever a given research award is accepted by the university, it means that the following conditions have been met: the proposal has scholarly merit; the investigator is deemed capable of undertaking it; those responsible for committing the use of facilities and other resources of the University agree to accept the commitment involved; the investigator accepted the terms and conditions of the contract or grant; and the investigator has disclosed all potential conflicts of interest.

Proposed language: Whenever a given research project or award is accepted by the University, it means that the following conditions have been met: the proposed program or activity is desirable and compatible with the mission of the respective academic or research unit; those responsible for committing the use of facilities and other resources of the University agree to accept the commitment involved; the investigator accepted the terms and conditions of the contract or grant; and the investigator has disclosed all potential conflicts of interest.

Language under 12.203 III.F was revised to remove references to a non-existent entity and to generically refer to due process available to faculty to resolve disputes regarding scholarly activity. This was done so that the RP would not have to be updated to reflect the different bodies established by campuses to handle disputes, which may change.

Original language: All cases of indecision, or unfavorable decisions to be reviewed by university authorities will be referred to the Academic Freedom Committee of the University Faculty Senate for hearing according to established due process procedures.

Proposed language: Any disputes of scholarly activity involving university officials designated with approving authority shall be resolved according to established University due process procedures.