

# **Data Management and Laboratory Notebook Ownership Policy**

EFFECTIVE DATE: June, 2016

## **Policy Statement and Purpose**

This policy sets forth the rights and responsibilities of the University and all University Affiliated Individuals regarding

## Scope

This policy, as amended from time to time, shall apply to all University Affiliated Individuals as defined in the [USA Patent and Invention Policy](#), which includes but is not limited to: faculty, students, graduate students, post-doctoral fellows and support staff, who are involved in the design, conduct or reporting of funded or unfunded Research or sponsored projects. Research or a sponsored project with the University that is funded through a grant or contract which includes specified provisions regarding Data management or management of technical Data, may contain provisions that supersede this policy.

It is vital that University Affiliated Individuals have the capability to document Research results for assisting the University in meeting its legal and scholarly requirements, as well as for more traditional purposes such as determining priority for patentable items and publishing manuscripts. The PI is responsible maintaining appropriate Data and documentation.

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## Definitions

**“Data”** means recorded factual material commonly accepted as necessary to validate Research findings. Research Data covers a broad range of types of information. Digital Data can be structured in a variety of formats. Data differs amongst disciplines and can include but is not limited to: documents, notebooks, Laboratory Notebooks, audiotapes, transcripts, photographs, test responses, slides, and algorithms. In practice, Research Data include intangible (statistics, findings, conclusions, etc.), as well as tangible Data.

**“Laboratory Notebook”** is defined to mean a primary record of Research in any form (e.g. paper notebook, electronic notebook, etc.).

**“Principal Investigator”** means the individual with primary stewardship of Research Data on behalf of the University. In this capacity the Principal Investigator (PI) is responsible for Data collection, recording, storage, access, and retention in keeping with this policy and best practices in the PI’s discipline.

**“Report”** means any summary, statement or description of Research activities published in the open literature or provided to the public, the University, a sponsor, or other Researchers by a University Affiliated Individual.

**“Research”** means a systematic investigation designed to develop or contribute to knowledge and may include the stages of development, testing, and evaluation.

**“Tangible Data”** is defined to include, but is not limited to notebooks, media devices, photographs, films, scans, slides, images, videotapes, gels, blots, spectra, electrophysiological

recordings, samples, specimens, IRB consent forms, Research reports, analysis, Data included in theses and dissertations, and any other materials relevant to the Research or sponsored project.

“**University**” is defined to mean all units of the University of South Alabama, including schools, colleges, hospitals, clinics, institutes, programs, centers and any other components not otherwise listed.

“**University Affiliated Individual**” is defined in the [\*USA Patent and Invention Policy\*](#).

## **Policy**

### **Data Ownership**

In accordance with federal policy and the common practice of higher education institutions, the primary owner of Research records is the University. Specifically, the University owns all Research Data generated through Research projects performed at or under the auspices of the University regardless of funding source, unless explicit terms of contractual arrangements (including subcontracts), other agreements, or sponsorship declare otherwise. In the event a dispute arises over Data management or ownership, the Vice President of Research and Economic Development will be the deciding official.

### **Custody of Research Data**

On behalf of the University, the PI serves as the custodian of Research Data including the scientific Data and other records.

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guidance by directing the request to the Office of University Counsel and the Vice President for Research and Economic Development to determine an appropriate response. The National Institutes of Health and the National Science Foundation have policies that govern

through participation in sponsored Research made available by USA, or with the use of the funds, resources or facilities administered by the USA, **shall be the property of USA**. As a natural consequence of this, USA also asserts ownership of any and all documents upon which proof of inventorship is based, e.g., Laboratory Notebooks.

Laboratory Notebooks and any and all documents upon which proof of inventorship is based remain the property of USA even in the event where a University Affiliated Individual's employment with USA is terminated. In such an event, the Laboratory Notebook must remain with the laboratory. Express written approval may be granted to transfer said Laboratory