

## Chapter 12

### Research

#### Section 12-1. Ethical Standards of Conduct

- a. In the conduct of research and scholarly activities, faculty members and staff shall adhere to strict ethical standards of conduct. Failure to adhere to ethical standards includes, but is not limited to: falsification of data, plagiarism, abuse of confidentiality, dishonesty in publications, deliberate violation of regulations, property violations, the failure to report observed fraud, and potential conflicts of interest.

#### Section 12-2. Principal Investigator.

- a. Only University Board appointees may serve as a Principal Investigator.

#### Section 12-3. Right to Investigate and Disseminate

- a. The University recognizes the right of the scholar to inquire and disseminate the results of inquiry according to the established forms of academic freedom, recognizing that an individual's work may have profound effects on the academic community.
- b. 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 overhead administrative services to facilitate the research. Whenever a given research proposal, however, involves special financing, whether by agencies inside or outside the University, there is a joint decision to submit the proposal by the principal investigator and the various University reviewers.
- c. 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.
- d. Notwithstanding the right of individual investigators to choose whether to participate in projects for which the sponsor may impose certain limitations on dissemination it is the policy of the University to press for maximum openness among agencies—governmental or private—that place any kind of restriction upon access to information of a scholarly character.

- e. 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.

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.

#### Section 12-4. Classified Contracts.

- a. In the interest of fostering an open academic community for students and investigators, classified research should not be conducted on campus.
- b. The President and the University's duly appointed Facility Security Officer shall possess or be processed for a personnel security clearance for access to classified information at the level of University's Facility Security Clearance. The Facility Security Officer shall be responsible to ensure that the institution complies with all policies, regulations and contractual stipulations relative to safeguarding classified information .
- c. Members of the Board and the administration who are not specifically identified above as requiring a personnel security clearance shall not require, shall not have and can be effectively excluded from all access to classified information disclosed to the University. They do not occupy positions that would enable them to adversely affect the University's policies or practices in the performance of classified contracts.

#### Section 12-5. Patent and Copyright Policy (see Administrative Rules, Title 20, University of Hawai'i, Chapter 3 and appropriate collective bargaining agreement.)

#### Section 12-6. Establishment and Review of Organized Research Units.

- a. The Board approves extra-departmental administrative structures, commonly referred to as organized research units ("ORU"). ORU

provide a locus for faculty, staff and students to engage in focused, collaborative research and training activities. They are expected to generate significant grant and contract funding.

- b. The President shall establish procedures for review of proposed ORU, including review and recommendations by the relevant campus faculty senate and administrative officers.
- c. No organized research unit may be formally established or discontinued until review as prescribed by the President has been completed, the President makes a recommendation to the Board and the Board has given its approval.
- d. Once established, an organized research unit will be reviewed periodically at intervals of seven years or less, according to procedures established by the President.
- e. All major reorganizations of the administrative structure of an organized research unit must be in conformance with provisions of the Board policy on establishment and reorganization of organizational units.

Section 12-7. Research Corporation of the University of Hawai'i ("RCUH").

- a. The RCUH was established by state statute to facilitate the research effort of the University of Hawai'i. It is a corporate body governed by an independent board, separate from the University. A statutorily determined number of members of the Board also comprise the RCUH board. The Chairperson shall assign Board members to the RCUH board annually.
- b. The University service orders research contracts and grants to RCUH. However, RCUH shall not be used to circumvent statutes, Board policies, contracts, settlements, or regulations.
- c. Service ordering to RCUH shall be for the direct support of a research or training project and shall not include major construction (CIP) and repair and maintenance (R&M) projects, employment of any person in excess of one year, purchases in excess of \$500,000 (total value), as a means to supplement existing University contracts or salaries, and contracting of services exceeding \$500,000 in total value unless prior Board approval is obtained.
- d. No University funds, regardless of source, shall be directed to RCUH or any external agency without being received by the University's office responsible for the administration of research and training grants and contracts. Upon receipt, a determination by the University shall be made as to service ordering to RCUH based on this policy.
- e. The Board shall execute a document of relationship between the University and RCUH delineating the parameters of service to be

rendered. This document shall be reviewed annually to allow for periodic amendments as necessary.

Section 12-8. Awards for Excellence Research.

- a. Awards may be made annually and will consist of an appropriate cash sum plus a suitably engraved Board of Regents' medal.
  - (1) Three awards for excellence in research may be made for the statewide University system.
  - (2) No person may receive more than one award in teaching and one award in research in their period of service to the University.
  - (3) Awards for teaching and research will be presented by the president in the name of the Board at a convocation or faculty meeting.
- b. Selection process
  - (1) Selection of the recipients of the awards for excellence in research from among those nominated may be made by the University Research Council.
  - (2) The chancellors shall forward their nominees to the President for endorsement and transmittal to the Board .