It is proposed that Board of Regents Policy Section 5-15 on Research be amended as follows:

Section 5-15 Research. Basic and applied research conducted by university faculty and students has become an indispensable part of the educational process in all major American universities. While expanding the horizons of human knowledge, research carried out by the University of Hawaii makes a vital contribution to the State of Hawaii, the United States, and the health and well-being of all mankind. The University’s Research Program is the collective research activities of its faculty and their partners, as defined by the contracts and grants accepted by the University.

a. Ethical Conduct. 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 the failure to disclose potential conflicts of interest. (Oct. 20, 1989; am: Nov. 17, 1995)

b. Principal Investigator. Only University Board of Regents appointees may serve as a Principal Investigator. (Jan. 8, 1954; am: Nov. 17, 1995)

c. Right to Investigate and Disseminate.

(1) 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. (am: Nov. 17, 1995)

(2) At the University of Hawai‘i 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. (March 25, 1970)

(3) 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.

(4) Notwithstanding the absolute right of individual investigators to choose whether to publish, 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.

(5) Whenever a given research proposal is accepted by the University of Hawai`i, 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 has freely 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. (Mar. 25, 1970; am: Nov. 17, 1995)

d. Classified Contracts

In the interest of fostering an open academic community for students and investigators, classified research shall not be conducted on campus. The University Administration shall work with the faculty on an ongoing basis to implement this policy.

(1) Administrative Unit for Classified Contracts. A "Managerial Group" shall be responsible for the negotiation, execution, administration, and institutional compliance of classified contracts that are subject to the Department of Defense National Industrial Security Program Operating Manual (NISPOM) requirements. Recognizing that research is a faculty enterprise, regardless of the University’s organizational structure and titles at any point in time, the "Managerial Group" should always include the senior academic administrator responsible for University research. Occupants of the following University positions shall comprise the "Managerial Group" pursuant to the requirements of the Department of Defense's "National Industrial Security Program Operating Manual" (NISPOM):
(a) Vice President for Research,
(b) Vice President for Legal Affairs and University General Counsel,
(c) Secretary of the Board of Regents,

(2) Security Clearance. The President and members of the Managerial Group shall possess or be processed for a personnel security clearance for access to classified information to the level of the facility security clearance granted this
institution. Members of the Board of Regents and administration not named in
this paragraph shall not require, nor shall have and can be effectively denied,
access to classified information in possession of the University. They do not
occupy positions that would enable them to affect adversely the University’s
policies or practices in the performance of classified contracts from the
Department of Defense.

(3) Facility Security Officer. The University’s duly appointed Facility Security
Officer shall insure that the institution complies with all policies, regulations and
contractual stipulations relative to safeguarding classified information accessed
by this University. (Feb. 16, 1954; June 8, 1961; Sept. 22, 1966; Oct. 17, 1986;

f. Outside Research Projects.

(1) The following rules apply to requests from individuals or organizations to
utilize University facilities to conduct research that is not a part of the University's
research program.

(a) Only requests coming from other universities or research institutions shall be
considered. (b) No requests shall be granted unless space and facilities are
available, and then only for definitely limited periods.

(c) Researchers under such an arrangement must have a University
appointment, for example as Research Associate or as Research Assistant.

(d) A specific list of facilities and equipment required shall be submitted and
arrangements for payment must be made prior to permission being granted.

(2) It is understood that the limitations in (a) above do not apply to cooperative
research projects where arrangements for the utilization of facilities by visiting
scientists were made when the project was established. (June 15, 1954; am:
Nov. 17, 1995)