Section 5-15 Research.

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. (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. Classified Research.

(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. The University must insure, however, that there are no restrictions in making available the scholarly results of inquiry included in any
contract or grant to which the University is formally a party, except for matters normally held in confidence, such as those between doctor and patient.

(4) It is also 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 is free to publish the research results; 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. 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 NISPOM:

(1) Secretary of the Board of Regents,

(2) Vice President for Legal Affairs and University General Counsel,

(3) Vice President for Administration and Chief Financial Officer,

(4) Vice President for Research,

(5) Vice President for Academic Affairs, and
e. 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.

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; am: Nov. 17, 1995; am: Mar. 20, 1998; am: Oct. 18, 2002)

f. Outside Research Projects.

(1) The following rules apply to requests from individuals or organizations to utilize University facilities to conduct research which 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