

UNIVERSITY RESEARCH RELATIONS WITH GOVERNMENT AGENCIES AND PRIVATE ENTITIES

A. Appropriateness of University Research

All activities of the University of North Carolina, including research collaborations with private entities, foundations, and government agencies, must support its teaching, research, and public service missions. The University environment must allow faculty and students to freely pursue learning and research. The University must also maintain its independence and integrity to assure impartiality, and it may not agree to any inappropriate limits on the freedom to publish research findings. Most importantly, the University must retain the public's trust by engaging in research activities that are consistent in nature, quality, scope, and importance with its mission, and that are conducted under conditions that ensure its academic integrity. The chancellors are the responsible officers for the administration of this policy and they are to take such steps as are necessary to maintain it.

B. Proprietary Information

Faculty and students of the University must have the right to disseminate freely and openly their research findings, and research sponsors may not abridge this basic right. However, in certain exceptional cases, the sponsor may be in possession of proprietary and confidential information that the institution and the research sponsor must share to conduct the research project. A constituent institution, with the approval of its chancellor, may enter into agreements to guard the confidentiality of such proprietary information. Disclosure of information pursuant to an agreement to protect proprietary information must comply with the requirements of the North Carolina Public Records Act and Trade Secrets Act. Information in the public domain, or information that a constituent institution legally obtains from a third party, or information independently developed or possessed by a constituent institution is expressly excluded from the definition of proprietary information. Any agreement that involves the joint use of University facilities for proprietary purposes, or that purports to restrict faculty or students from publishing freely the results of their own work, shall be reported in writing to the President prior to its execution. No agreement, however, may interfere with the publication or oral defense of research theses and dissertations of graduate students.

The University Patent Policy provides that, under specified circumstances, publication may be delayed for not to exceed one year while patent protection is being secured.

C. Classified or Other Confidential Research Projects

Research conducted under any form of sponsorship must maintain the University's open teaching and research philosophy and must adhere to a policy that prohibits secrecy in research. However, in cases involving United States government classification which impose actual or potential limitations on publication or dissemination of research findings, or in any other case which clearly involves exceptional circumstances, the chancellor is authorized to waive this requirement if it is in the national, state, or institutional interest to do so. All such agreements must be reported in writing to the President prior to their execution.