

March 9, 2003

University of Illinois at Chicago Policy on Classified and Restricted Research

It is the policy of the University of Illinois to maintain and encourage full freedom within the law of inquiry, discourse, research, and publication and to protect any member of the academic staff against influences, from within or without the University, which would restrict the member's exercise of these freedoms in the member's area of scholarly interest.

Toward that end, the University of Illinois does not enter into agreements with sponsors which grant sponsors permanent, exclusive benefits of research results. The original records of research projects are held by the University, but reports or copies of such records may be furnished to the sponsor. The University retains for its academic staff members in all such projects the exclusive right to publish, at their discretion, the results of scientific investigation and research. No account of a sponsored research project or reprints of scientific articles resulting from an investigation shall be published by the sponsor or by any other agency except with the consent of the University.

Prohibition against Classified and Restricted Research

The University of Illinois at Chicago (UIC) shall not accept any grant or contract involving Classified or Restricted Research, and no such work may be undertaken in the name of the University, or using UIC facilities or resources, except as permitted in this Policy, other University policies, or the General Rules. Classified Research is any research that carries a security classification under U.S. law. Restricted Research is any research for which a sponsor limits free access to, participation in, or dissemination of, the work or the results. The latter includes but is not limited to:

- a. Unclassified research that a government agency labels "sensitive," "non-releasable unclassified," or other similar designation.
- b. Research for which the sponsor requires a delay in submission of the result for publication in excess of six months from submission of the final report, or requires advance unconditional approval of the manuscript.
- c. Research under which a student's right to publish a thesis or dissertation is delayed more than six months, or a student's right to future use of acquired skills or knowledge is abridged.
- d. Research under which a post-doctoral employee's right to publish a manuscript or other scholarly work is delayed more than six months, or such employee's right to future use of acquired skills or knowledge is abridged.

Exceptions

There are no exceptions to the prohibition against Classified Research. However, the following are recognized exceptions to the prohibition against Restricted Research:

- a. Technical testing agreements (General Rules, Article II, Section 8);
- b. Projects which involve off-campus access to classified information, and are authorized by University agreement with the Department of Defense;

- c. The waiver by faculty members of their rights to publish or retain data, in circumstances where publishable results are unlikely and where no student publication rights are involved;
- d. Faculty consulting agreements;
- e. Delay of up to six months in submission for publication to allow a sponsor time to file a patent application;
- f. Restrictions expressly permitted by the University General Rules; and,
- g. Agreements approved by the UIC Vice Chancellor for Research, upon written proposal of the investigator prior to an application for funding, if possible, and if not, prior to acceptance of an award. The written proposal shall set out the circumstances of the research, identify fully the impact of the award on publication rights and students, and suggest remedial measures to minimize any adverse impact. Such agreements shall be subject to all University standard contract requirements.

Appointment of Standing Committee

In light of faculty interest in potentially restricted areas of research, the issues raised by such work for the University's mission and culture, and the continuing evolution of federal policy and programs, a faculty standing committee shall be appointed to monitor these issues, with particular emphasis on federal programs and regulations, publication rights, student rights, and related problems with industrial sponsors.

Emergency Exception

Upon approval of the UIC Provost, and in response to an imminent threat to national security that is documented by a government sponsor, UIC may waive or modify any provision of this policy regarding classified research. Any waiver shall be allowed for the shortest possible period and have a clear sunset provision.
