Chapter 12

Research

Section 12-1. 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. 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 President shall promulgate policies and procedures to address academic freedom disputes taking into account applicable provisions of collective bargaining agreements.

   c. 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.

Section 12-2. Principal Investigator.
   a. Only University Board appointees may serve as principal investigator, who shall have overall responsibility for management, administration and execution of projects in accordance with the terms and conditions of the award and University policies and procedures.

Section 12-3. Sponsored Research
   a. At the University, all research is undertaken voluntarily by individuals or groups of investigators. The “University” as such is not engaged in research. The University may provide facilities, equipment and certain kinds of overhead administrative services to facilitate the research. In cases when a given research proposal requires special finance and infrastructure resources, whether imposed by agencies inside or outside the University, a joint decision to submit the proposal by the principal investigator and the various University reviewers will be made.
b. Proposals for extramurally sponsored research and training may be submitted only by University of Hawai‘i Board of Regents appointees.

c. 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.

Section 12-4. 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 12-5. 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 12-6. Patent and Copyright Policy (see Administrative Rules, Title 20, University of Hawai‘i, Chapter 3 and appropriate collective bargaining agreement.)
Section 12-7. Establishment and Review of Organized Research Units.

a. The President may submit to the Board for its consideration a recommendation to establish an administrative unit that is not associated with a college or school as an organized research units (“ORU”). An ORU serves as a locus to which faculty may be tenured and where faculty, staff and students may engage in focused, collaborative research and training activities relating to the purpose of the ORU. Because the ORU’s focus is primarily on research and training, it is an expectation that an ORU will generate significant grant and contract funding to sustain its operations.

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. Once established, an organized research unit will be reviewed periodically at intervals of seven years or less, according to procedures established by the President. Based on the results of the review, the President may submit to the Board for its consideration a recommendation to discontinue an ORU.

d. 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 12-8. 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 President shall submit to the Board for consideration an agreement defining the services that the University expects that RCUH will render to the University and the administrative and operating relationship between the University and RCUH; and provided that the parties may be subject to a mutual agreement, amend the agreement from time to time. At a minimum, this agreement shall be reviewed annually by the President who may recommend amendments as appropriate.

Section 12-9. Awards for Excellence in 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 consideration and as deemed appropriate forward to the Board for its consideration.