



MICHIGAN STATE UNIVERSITY
BOARD OF TRUSTEES
Executive Action Summary

Academic Affairs-Attachment 1

APPROVED
OCTOBER 25, 2024
BOARD OF TRUSTEES
MICHIGAN STATE UNIVERSITY

Committee Name: Academic Affairs

Date: October 25, 2024

Agenda Item: Revisions to BOT 303, *Standards for Research Policy*

Information

Review

Action

Resolution:

BE IT RESOLVED that the Board of Trustees hereby approves revisions to BOT 303, *Standards for Research Policy*, as indicated in Attachment A.

Recommendation:

The Trustee Committee on Academic Affairs recommends that the Board of Trustees approve revisions to BOT 303, *Standards for Research Policy*, as indicated in Attachment A.

Prior Action by BOT:

BOT 303, *Standards for Research Policy*, was last amended in December 1982.

Responsible Officer:

Douglas A. Gage, Vice President of Research and Innovation

John Albrecht, Executive Director of University Research Organization

Summary:

The revised policy defines the responsibilities of MSU researchers (faculty, academic and support staff, graduate and professional students, undergraduate students, and administrators) to conduct research in compliance with current federal, state, and local regulations.

Revisions include:

- Specific mention of the scope for the policy to include all faculty, academic and support staff, graduate and professional students, undergraduate students, and administrators conducting research at the University.
- Definitions of Export Controls, Trade Sanctions, and Research Security.
- Inclusion of Related Polices and Information with links to the MSU Faculty Handbook and Graduate Student Rights and Responsibilities (GSSR)

Many of these regulations either did not exist, or were significantly changed, when the earlier policy versions were approved. The full scope of current regulations is included in the revised policy. The Office of Research and Innovation is specifically charged with maintaining, and updating where necessary, the standards for research required by regulations. Academic freedom in research, including freedom to publish, remains a guiding principle, balanced by the need to conduct research responsibly. In certain cases (e.g., research related to national security) publication restrictions may be permitted.

Additions Include:

- Specific mention of Office of Research and Innovation including website link
- Specific delegation to the University Research Organization for exceptions to the policy
- Includes reference to Fee-for-Service (MOBP Section 315) work for outside entities (e.g., field trials, sample analyses) having the potential to restrict publication

Consistent with the Bayh-Dole Act, the revised policy explicitly states that faculty and students have the right to use their intellectual property, and background intellectual property, for research and educational purposes.

Background Information:

Board of Trustees Policy 303, *Standards for Research Policy*, was first enacted in March 1970. It was later amended in December 1982. This policy outlines provisions that guide university administration and the Office of Research and Innovation on responsibilities and requirements of conducting research in compliance with current federal, state, and local regulations. The policy was amended in December 1982, to include requirements under the Bayh-Dole Act, enacted in 1980, which enabled universities to own, patent, and commercialize inventions developed under federally funded research.

Source of Funds:

Not applicable.

Resource Impact:

Not applicable.



Board of Trustees Policy

POLICY NUMBER: 303

POLICY NAME: *Standards for Research*

Effective Date:	<i>March 20, 1970</i>
Last Review Date:	<i>October 25, 2024</i>
Next Scheduled Review Date:	<i>October 2029</i>

I. POLICY STATEMENT

Standards for sponsored research must be respectful of the purposes, needs, and integrity of the University and the rightful claim of the public interest; thus, it is incumbent upon the academic community to be mindful of the ~~conflict-of-interest situations which may arise~~ rights granted to scholars that protect their academic freedoms, and the various policies that govern research at the university.

II. RESPONSIBLE OFFICE

Office of Research and Innovation

III. SCOPE

Standards for Research apply to all scholars at Michigan State University, including faculty, academic and support staff, graduate and professional students, undergraduate students and administrators.

IV. DEFINITIONS

Export Controls: A set of U.S. laws and regulations that govern the transfer of controlled items, materials, software, data and services to destinations outside of the U.S., and at times, to non-U.S. persons within the United States.

Trade Sanctions: Financial and trade restrictions imposed against individuals, entities, and jurisdictions that violate U.S. foreign policy or national security goals.

Research Security: Requirements as outlined by congressional mandates, executive orders, federal funding agencies, and other applicable regulations to safeguard the research enterprise against the misappropriation of research and development to the detriment of national or economic security, related violations of research integrity, and foreign government interference. Institutional research security programs should include elements of cyber security, foreign travel security, insider threat awareness and identification, and, as appropriate, export control training.

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IV. POLICY

The MSU Faculty Handbook (Handbook), Graduate Student Rights and Responsibilities (GSSR) and references therein outline the rights and obligations of faculty, graduate students and other researchers as they relate to the pursuit of their research and creative activity. The policy affirms the fundamental right of academic freedom for researchers while emphasizing the need to balance this right with their associated responsibilities. The University looks to the members of the research community to exercise their rights responsibly and to meet their obligations fully as professionals.

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Research projects ~~should~~ must comply with federal, state, and local regulations, and conform to all appropriate ~~and established~~ university policies established at MSU that govern the conduct of research. Oversight of these research policies and practices are the responsibility of the Office of Research and Innovation and include: Responsible and Ethical Conduct of Research; Conflict Disclosure and Management; Human Research Protection; Stem Cell Research; Animal Research and Animal Care; Environmental Health & Safety; Research Security; Export Control and Trade Sanctions; Sponsored Projects, Fee-for-Service, and Gifts (per Manual of Business Procedures); and Patent and Copyright. (e.g., patents, copyrights, the use of human and animal experimental subjects, the use of radioactive isotopes and other hazardous substances, etc.).

Research compliance standards will be maintained and updated as necessary by the Office of Research and Innovation to remain consistent with changes in regulations. Such procedures are available on the Office of Research and Innovation website (research.msu.edu). All scholarship should also be consistent with the policies and plans of the department(s), college(s) centers, institutes and facilities in which the research will be conducted. ~~Sponsored research should be consistent with the policies and plans of the department(s) and college(s) in which the research will~~

~~be conducted.~~

The University should retain for its scholars, including students, the right of first publication. The University should also retain for its scholars, including students, the right to utilize for research and education purposes any intellectual property developed under a Sponsored Research Project. Additionally, any use of University background intellectual property in a Sponsored Research Project should not impede the University's right to commercialize such background intellectual property. The imposition of restriction on publication of research results is incompatible with the basic concept of an educational institution. Exigencies at times may make exceptions to this policy on publication necessary, specific examples including projects in the interest of national defense that may be appropriately managed within the MSU University Research Organization (URO) or the provision of non-research services to a sponsor that are properly characterized as Fee-for-Service as outlined in MOBP Section 315 (MOBP-315). ~~of national defense may at times make exceptions to this policy on publication necessary.~~

Prior to accepting grants or contracts which do not cover all direct and indirect costs, the institution may seek alternative sources of financial support with full recognition that it is making a contribution to the cost of the work. The right to make this decision is delegated to the Office of Research and Innovation under the IDC waiver (Waiver) and matching funds commitment processes (Cost Share).

~~Research projects should conform to established University policy on patent rights.~~

III.VI. PROCEDURES

Not applicable.

VII. RELATED POLICIES AND INFORMATION

Academic Freedom

Conflicts of Interest, Faculty/Academic Staff

Faculty Rights and Responsibilities

Students Rights and Responsibilities

Outside Work for Pay

Patent and Copyright

MSU Faculty Handbook (Handbook)

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VII. HISTORY

Enacted: March 20, 1970

Amended: December 3, 1982;

October 25, 2024

Retired Policy No. 03-05-01