



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

Operating Policy and Procedure

HSCEP OP: 73.02, **Ownership and Transfer of Projects, Equipment, and Research Records**

PURPOSE: The purpose of this Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) Operating Policy and Procedure (HSCEP OP) is to state the policy to be used for the transfer of projects, equipment and research records to another institution upon the Principal Investigator/Project Director (PI/PD) leaving TTUHSC El Paso.. If the PI/PD will be moving to another institution or if TTUHSC El Paso will be sharing data/records with another institution, a Data Use Agreement (DUA) will apply.

REVIEW: This HSCEP OP will be reviewed on July 1 of each even-numbered year by the associate managing director of Sponsored Programs or designee and the managing director of the Office of Research or designee, with recommendations for revision submitted to the vice president for research (VPR) by July 15.

POLICY/PROCEDURE:

- I. TTUHSC El Paso follows United States Public Health Service guidelines for the transfer of grant funds and equipment. Externally funded grants and contracts are awarded to TTUHSC El Paso, **and not to the PI/PD**. TTUHSC El Paso personnel, equipment, facilities, patients, etc., are provided to the PI by the institution in order to meet the conditions of the agreement with the granting agency and are therefore 'property' of TTUHSC El Paso **and not the PI**.
- II. The legal and administrative responsibility for administering a grant- or contract-supported research project or activity may be transferred from one legal entity to another after consultation with the vice president for research who will work with the incoming institution to develop the terms for the items transferred. Upon a PI/PD leaving the employment of TTUHSC El Paso, balances "accrued" in any accounts from any such agreements will not be transferred with the PI/PD. If a study is incomplete, the work may be transferred to another institution if the sponsoring agency, the "new" institution, and TTUHSC El Paso agree to transfer terms, and the proper documentation is completed for the transfer. Equipment (as defined in HSCEP OP 63.10) that was purchased with extramural funded projects can be transferred only with permission given by the vice president for research following negotiations/discussions with the the "new" institution. Equipment may be purchased at fair market value with final approval by the vice president for research and subsequently transferred from TTUHSC El Paso to the new institution in accordance with HSCEP OP 63.10 with the new institution paying 100% of the shipping/moving costs.
- III. Original research records (including, but not limited to data, research notes, laboratory notebooks, computer files and regulatory documents) from the research grant or contract are the property of TTUHSC El Paso. TTUHSC El Paso has the right of access to supporting records for all research carried out by TTUHSC El Paso faculty or employees, and this right shall continue regardless of the location of the PI/PD. Original records may be required to answer questions regarding research management and conduct or to comply with requirements of extramural funding or contracting agencies. When a PI/PD leaves TTUHSC El Paso, the faculty member's academic department must retain the original research records as required by and specified in HSCEP OP 10.09 Attachment A, category 6, section 6.4. At least 10 business days prior to the employee's last working day, the PI/PD's department and collaborators on the project at TTUHSC El Paso should designate the location where original research records will be housed and permanently stored. The departing PI/PD may keep copies of necessary de-

identified research records, and prior to departure, the PI must sign a **Data Transfer Agreement (Attachment A)** that lists all of the copies of de-identified research records that are being taken. If the PI/PD will be moving to another institution or if TTUHSC El Paso will be sharing data/records with another institution, a Data Use Agreement (DUA) will apply (please contact Institutional Compliance for further guidance).

- IV. This HSCEP OP applies to PI/PDs. All co-investigators and research staff (including students, post-doctoral fellows, and research technicians) may take copies of de-identified research records -- including, but not limited to data, research notes, laboratory notebooks, computer files and regulatory documents -- only with the expressed written consent of the PI/PD.
- V. This HSCEP OP does not apply to research materials including cell lines, plasmids, nucleotides, proteins, transgenic animals, plant varieties, bacteria, pharmaceuticals and other chemicals. PI/PDs who wish to transfer these types of research materials should contact Sponsored Programs to execute a Material Transfer Agreement, which is a binding written contract that governs the exchange of research materials between individuals at separate institutions or organizations.