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MEMORANDUM

DATE: June 25, 2003
TO: Tony Waldrop, Vice-Chancellor for Research and Economic Development
FROM: Vin Steponaitis, Chair, Faculty Committee on Research
RE: Recommendations for new policy on classified research

At your suggestion, the Faculty Committee on Research spent considerable time this year formulating recommendations for a new UNC policy on classified research. In pursuing this task, we first reviewed the existing UNC-CH and UNC system policies, and also reviewed policies at a variety of other major research institutions, including the University of Virginia, the University of Maryland, N.C. State University, the University of California at Berkeley, and the Massachusetts Institute of Technology. The committee consisted of professors H. Shelton Earp (Lineberger Cancer Center), Sandra Funk (Nursing), Laura Janda (Slavic Languages), Mark Peifer (Biology), Gary Marchionini (SILS), Michael Stegman (Public Policy), Jonathan Wahl (Mathematics), and me as chair. We were greatly assisted in our discussions by Jacqueline Resnick (PDI), Alison Roberts (PDI), and David Parker (Associate University Counsel). I feel a debt of gratitude to all these colleagues for their hard and thoughtful work.

After appropriate deliberation, both in meetings and by email, the committee reached consensus and unanimously approved the draft policy attached, which we hereby transmit to you as our recommendation. This draft maintains the essence of our existing campus policy, in that it allows for the possibility of classified research with the prior permission of the chancellor (see http://www.unc.edu/campus/policies/classified_research.html). It differs from the existing policy mainly in spelling out some details, clarifying relationships to other policies, and stipulating the role of students in such research.

If you have any questions or would like to discuss any aspect of the recommended policy further, please feel free to contact me.

cc: Sue Estroff (Chair of the Faculty)
Judith Wegner (Chair-elect of the Faculty)
James Moeser (Chancellor)
Robert Shelton (Provost and Executive Vice-Chancellor)

Recommended UNC-CH Policy on Classified Research
(Faculty Committee on Research draft of June 9, 2003)

In keeping with the traditions of a free university community, the University of North Carolina at Chapel Hill has long-standing commitments to academic freedom, the free flow of ideas, maximizing communication of new knowledge, and service to the citizens of North Carolina and the nation as a whole. These commitments generally work in harmony. However, in the very rare cases when they come into conflict, balanced solutions must be found that consider both the University's academic mission and the general public interest.

In general, the University should not accept or participate in any research grant or contract that will prevent or restrict investigators from publishing fully and freely the results of their investigations. Rare exceptions to this general policy with respect to classified research (i.e., research that falls under the provisions of Executive Order 12958) may be made only with the prior approval of the Chancellor. In such cases, the following additional considerations apply:

- * All such exceptions must be reported in writing to the UNC President prior to execution of a contract or acceptance of a grant [pursuant to UNC Policy Manual, Section 500.1].
- * Whenever possible, the University shall retain the right to disclose the existence of the proposed research and the identity of the sponsor.
- * Students may participate in approved classified research, so long as this participation does not significantly impede their progress toward a degree. No thesis or dissertation submitted in fulfillment of degree requirements may be classified, in whole or in part.
- * Consulting and other external activities involving classified research are not prohibited, so long as they are consistent with the University's Policy on External Professional Activities for Pay.
- * In times of national emergency, rapid access to campus expertise or facilities may be required by government agencies for purposes other than long-term research. Permission for such short-term access may be granted by the Chancellor.

This Policy is effective as of