

III.A. GUIDELINES FOR THE CONDUCT OF SPONSORED RESEARCH

(Source: 1977 *Research Investigators Handbook*; revised, Office of the President, Almanac, April 7, 1981 (<https://almanac.upenn.edu/archive/v27pdf/n28/040781.pdf>); revised, Office of the Provost, November 21, 2022)

1. Roles and Responsibilities of the University and Its Faculty

The University imposes no limitation on the freedom of the faculty in the choice of fields of inquiry or upon the media of public dissemination of the results obtained. It is the obligation of faculty members to make freely available to their colleagues and to the public the significant results achieved in the course of their inquiries.

By providing financial support, physical facilities, and especially an intellectual environment conducive to research, the University encourages scholarly inquiry by its faculty. In doing so the University recognizes its responsibility to the faculty to maintain a research environment in which unrestricted scholarship and freedom of inquiry may continue to thrive.

The University recognizes that its faculty consists of self-motivated scholars and scientists; their participation in scholarly or scientific controversies does not involve the University beyond its general support. Such support is predicated on the University's confidence that its essential functions are best accomplished by freely permitting capable scholars to follow the search for truth wherever it may lead.

2. Sponsored Research Projects

An interdependent relationship between the University and the research skills of its faculty becomes manifest whenever the University becomes involved as a corporate entity in the administration of research. In pursuing a policy of encouraging free inquiry the University affirms its reliance on its faculty in all matters of judgment concerning the intellectual merits of a project.

For its part, as the beneficiary of gifts and as the recipient of grants and contracts, the University must reserve the right to accept only that support which does not in any way compromise the freedom of inquiry of its faculty, the integrity of its scholarship or its commitment to the policy of non-discrimination.

In its role as a degree-granting institution, the University views the substantial participation of graduate students in sponsored research as altogether appropriate to its educational mission.

The University administration does not distinguish between research activities that acquire new knowledge and research activities that apply existing knowledge. It leaves the decision of how to balance these two elements to the judgment of those who perform research and to their academic supervisors.

3. Academic Evaluation of Sponsored Programs

Approval of proposals for grants, contracts and other cooperative agreements by the appropriate department chair and/or Dean is an indication that a favorable evaluation for academic merit has been made.

Where research programs lie outside the normal departmental or school structure, the Provost, or a designated member of the Provost's staff, has a special responsibility to ensure that an appropriate academic review has been made.

4. Administrative Requirements for Sponsored Programs

The following seven conditions must govern any research agreement entered into by the University and a sponsor in order for a favorable evaluation to be made.

- Open identifications of sponsors and the actual sources of funding must be present in the agreement. Exception is made for anonymous sponsorship when, in the judgment of the Provost, such a condition is not harmful to the University nor to the integrity of the research and is essential for the award to be given.
- Unrestricted dissemination of all findings and conclusions derived from the project must be an integral part of the agreement, except where the privacy of an individual is concerned. The University regards any infringement on complete access to research findings as detrimental to free inquiry. It therefore neither seeks nor accepts security clearance for itself or any administrative unit. The decision of whether to seek clearance is an individual one to be made by each faculty member according to their judgment. Such decisions will not be influenced or judged in any way by the University and must be made in each instance on the basis that the benefit of clearance will balance its academic shortcomings. Exception may be granted by the Provost for privileged information but only in the form of a delay in the release of such information. The delay will only on rare occasions exceed three months.
- The resources or data sources on which research is wholly dependent must be free of control by the sponsor. The University views such control as incompatible with free inquiry and accepts exceptions to this condition only when no alternative source exists. Exceptions may be granted by the Provost for projects that are conducted abroad and subject to the legal restraints of foreign governments and their agencies.
- No conditions may be attached to the gift, grant or contract that would in any way jeopardize the University's commitment to the principle of nondiscrimination on the basis of race, color, sex, sexual or affectional preference, age, religion, national or ethnic origin or handicap.
- Academic appointments made with the support of gifts, grants, or contracts shall be made only in accord with established University procedures. A sponsor shall not ordinarily participate in the selection of persons to work on a project, and individuals employed by the University shall not be excluded by a sponsor from participation in a project for any reason other than when necessary because of insufficient competence or when required to protect privileged information.
- No financial obligations by the University in the present or at any time in the future can be implied other than those stated in the contract. When uncertainty exists in the Provost's judgment, the Provost or a designated member of the Provost's staff shall consult with appropriate officers of the University to ensure that this condition is met prior to the final approval of the agreement.
- The University relies primarily on the discretion of its faculty to limit the commercial aspects of research sponsorship, such as advertising and publicity. Contracts must not allow the use of the University's name for commercial purposes unless such use has been specifically approved by the President of the University. Agreements must not

permit the names of University investigators to be exploited for advertising purposes or permit reprint distribution to be made part of a publicity campaign.

5. Administrative Review of Sponsored Programs

Approval by the Provost or a designated member of the Provost's staff indicates that the evaluation of compliance with the University's administrative requirements has been favorable.

Grants and contracts which, in the judgment of the Provost, have features that pose potential embarrassment to the University or raise serious non-technical questions of compliance with this policy will require further review. This review is to be accomplished by the University Council Committee on Academic and Related Affairs.

Concurrently with the call for consultation, notice of the project shall appear in *Almanac*.

Failure to conform to the Guidelines is expected only on rare occasions marked by special circumstances, such as the exceptional public need of a national, regional or local emergency. On these occasions it is required that the President of the University, in consultation with appropriate faculty, shall give approval to such action.

(See page 4 - Almanac, April 7, 1981 (<https://almanac.upenn.edu/archive/v27pdf/n28/040781.pdf>))