



Policy Title: RE7012 – Research Security Policy (Preliminary)

Subject Area: Research

Responsible Official(s): Executive Vice President for Research and Innovation

Responsible Office(s): Research and Innovation

Policy Statement

The mission of The University of Memphis (the “University”) is to serve all Tennesseans and beyond through education, discovery and outreach to create strong economic, social and environmental well-being. The University of Memphis Board of Trustee (the “Board”) is committed to a tradition of integrity, transparency, honesty, respect, and accountability in our conduct of research activities.

The Board is committed to safeguarding the University’s research enterprise and adhering to federal, state, and all other applicable legal requirements. This policy has been established to provide an institutional framework to comply with federal and state laws, regulations, and requirements for a research security program that safeguards academic research activities against undue foreign influences, mitigate threats to research integrity, protects intellectual properties, fosters a culture of research compliance, and furthers national security interests.

To comply with such program, the Executive Vice President of Research & Innovation (EVPR) will set up a standing Task Force of the University of Memphis Research Council (UMRC) and designate a Research Security Officer (RSO) for the University.

The RSO shall be responsible for: (i) ensuring compliance with these policies, procedures and guidelines developed hereunder; (ii) coordinating and overseeing University research security risk assessment and monitoring programs; (iii) advising and coordinating with research security training, reviews, and program implementation; (iv) referring research security incidents to EVPR for review and implementing resolution decisions; (v) maintaining a website and other appropriate communication initiatives concerning the University Research Security Program; and (vi) certifying University compliance with governmental research security program requirements.

To promote collaboration and consistency across the University, a Research Security Council (RSC) shall be established consisting of members from the Research Development Action Committee (RDAC). The RDAC will be designated as the Research Security Council (RSC) for operationalizing

and implementing Research Security measures. The RSC will report to the UMRC, which is a higher body for research oversight based upon shared governance.

Definitions

A. Covered Individuals:

As defined in Section 10638(1)(A) of the CHIPS and Science Act of 2022, an individual who contributes in a substantial and meaningful way to the scientific development or execution of a research and development project proposed to or funded by a federal or state agency. For the purpose of this policy, Covered Individuals include University faculty, staff, and students whose research and development activities are funded by federal or state awards.

B. Conflict of Interest:

A situation where an individual engages in outside activities, either paid or unpaid, that interferes with the individual's primary professional obligation and commitment to the University.

C. Conflict of Commitment:

A situation in which an individual's financial, professional, or other personal considerations may directly or indirectly affect, or have the appearance of affecting, the individual's professional judgment in exercising University duties or responsibilities. It also applies to situation where the total commitment of faculty amounts to greater than 100%.

D. Covered International Travel:

Any travel outside the United States for official University business, teaching, conference attendance, speaking engagements, or research purposes by Covered Individuals. This does not include personal travel by a Covered Individual.

E. Disclosure(s):

Information that is required to be provided on all outside professional activities and/or significant financial interests in external entities, and includes foreign talent recruitment programs by University employees, graduate research assistants (GRAs), and Covered Individuals in advance of performing the activity or whenever the situation associated with the activity changes.

F. Federal Research Funding Agency:

Any agency of the U.S. federal government that provides funding for research, including, but not limited to, the Department of Defense, the National Science Foundation, the National Institute of Health, the Department of Energy, the National Aeronautics and Space Administration, the U.S. Department of Education, the Public Health Service, the U.S. Department of Agriculture, and the U.S. Department of the Interior.

G. Foreign Country(ies) of Concern:

The People's Republic of China, the Democratic People's Republic of Korea, the Russian Federation, the Islamic Republic of Iran, or any other country determined to be a country of concern by the U.S. Department of State. An up-to-date list of countries determined to be countries of concern by the U.S. Department of State is maintained and accessible on their website.

Policy

A. Disclosures to Federal Research Funding Agencies

1. Federal Research Funding Agencies have established requirements and guidelines for investigators to disclose all forms of research funding, in-kind support of research, and detailed information about significant research collaborations related to federally funded projects. Covered Individuals must disclose the following information to Federal Research Funding Agencies, in accordance with the guidelines and requirements established by the relevant agency:

- a. All foreign and domestic academic, professional, and institutional positions and appointments.
- b. All current and pending support, including grants, awards, contracts, agreements, in-kind support, and external support for students and postdoctoral fellows.
- c. Any research performed outside of University (e.g., via consulting or other appointments).
- d. Any participation in programs sponsored by foreign governments, instrumentalities, or entities, including talent recruitment programs (see UoM Policy RE7010: Malign Foreign Talent Recruitment Programs).

B. Conflict of Interest and Conflict of Commitment

1. Covered Individuals have the right to acquire and retain outside interests of a professional, personal, or economic nature that do not conflict with University interests or with the Covered Individual's commitment to University and its students, sponsors, or other parties to whom it has a duty.

2. Outside Professional Activities should not interfere with a Covered Individual's obligations to University.

3. Covered Individuals must not use their official University positions or influence to further gain or advancement for themselves, parents, siblings, spouse or partner, children, dependent relatives, or other personal associates at the expense of University and against University policies (see UoM Policy GE2021: Conflict of Interest; UoM Policy RE7003: Financial Conflict of Interest in Research). Personal associates include anyone outside the Covered Individual's family whose interests the Covered Individual seeks to promote.

4. Covered Individuals must promptly disclose all actual or potential conflicts of interest or conflicts of commitment to the Research Compliance Office as potential conflicts arise or are identified. They must also provide additional relevant information concerning disclosed or undisclosed matters as may be requested by their supervising authority, or the appropriate research conflict of interest committee, for the purpose of evaluating actual or potential conflicts of commitment or interest.

C. Cybersecurity

1. University has policies and procedures, including data encryption, access controls, and secure storage practices designed to protect research data, including sensitive and confidential information, from unauthorized access, loss, or breach (see University Policy IT6005: Data Security).

2. University is committed to the implementation of a cybersecurity program that is consistent with the cybersecurity resources for research institutions published by the National Institute of Standards and Technology (NIST) of the Department of Commerce (see University Policy IT6007: Information Security Program).

D. Foreign Travel Security

1. University has policies on travel to comply with state and federal laws and regulations, ensure efficient use of University funds, and provide guidance for University employees (see University Policy BF4001 : University Travel; University Policy RE7000: Sponsored Programs, Grants, Contracts and Agreements).

2. There are additional reporting requirements for Covered Individuals participating in Covered International Travel for University sponsored and foreign sponsored events:

a. The Research Compliance Office will maintain a record of Covered International Travel by Covered Individuals.

b. Covered Individuals must register with all Covered International Travel with the Research Compliance Office and provide the required information, including, but not limited to, destination of travel, transit countries, purpose of travel, how the travel will be paid for, and export information, including technology and information to be shared while traveling.

c. Laptops, cellular devices, encryption products, data, technology, blueprints, or other technical drawings may fall under export control regulations (see University Policy RE7011: Export Control). Individuals participating in Covered International Travel are responsible for ensuring that no items are subject to export control. Covered Individuals engaged in Covered International Travel may contact the Research Compliance Office at least one month prior to the trip if assistance is needed to determine whether an export license is required.

d. Covered Individuals are prohibited from taking university-provided laptops, phones, tablets, and/or equipment to Foreign Countries of Concern. This includes transiting through Foreign Countries of Concern. This prohibition does not apply to cleanly imaged devices that are loaned out to faculty and staff by University's Information Technology Services to lessen security risks while traveling abroad.

e. The Research Compliance Office will develop further guidance on foreign travel security based on federal requirements as they become available. This information will be available on the Research & Innovation – Research Compliance Office website.

E. Research Security and Insider Threat Awareness Training

1. Research security and insider threat awareness cover a wide range of initiatives that safeguard the research enterprise against threats to national and economic security, integrity breaches, and foreign interference. These initiatives are enumerated in the

National Security Presidential Memorandum 33 (NSPM-33), subsequent guidance from the Office of Science and Technology policy (OSTP), and the CHIPS and Science Act of 2022. University remains committed to international collaboration and an open research environment while also safeguarding our researchers and remaining in compliance with federal and state laws and regulations. The following key measures have been implemented to meet these often-competing objectives.

a. University provides the Collaborative Institutional Training Initiative (CITI) course, or other training as may be designated by the Research Compliance Office, in research security to meet federal and state training requirements for Covered Individuals.

b. All Covered Individuals listed on the application for a federal or state Sponsored award are required to complete the CITI Research Security Training course, or other training as may be designated by the Research Compliance Office.

c. Covered Individuals must maintain records of their completion of the CITI Research Security Training course, or other training as may be designated by the Research Compliance Office, and ensure that their certificate remains valid during the entire duration of the Sponsored award.

F. Export Control Training

1. University has a policy in place to ensure compliance with federal laws and regulations related to export controls (see University Policy RE7011: Export Control).
2. University provides the Collaborative Institutional Training Initiative (CITI) course, or other training as may be designated by the Research Compliance Office, in export controls to meet federal and state training requirements for Covered Individuals.
3. All Covered Individuals listed on the application for a federal or state Sponsored award are required to complete the CITI Export Controls course, or other training as may be designated by the Research Compliance Office.
4. Covered Individuals must maintain records of their completion of the CITI Export Controls course, or other training as may be designated by the Research Compliance Office and ensure that their certificate remains valid during the entire duration of the Sponsored award.

Reporting

A. All Covered Individuals are required to familiarize themselves with University Policy, which details reporting requirements and procedures involving research security.

B. The Research Compliance Office serves as the point of contact for all questions and concerns involving research security and integrity. This office can be contacted via e-mail at researchcompliance@memphis.edu or by phone at (901) 678-4272.

Interpretation

The Executive Vice President of Research and Innovation or his/her designee has the final authority to interpret the terms of this policy.

Citations of Authority

T.C.A. § 49-7-188

National Security Presidential Memorandum (NSPM) - 33

CHIPS and Science Act (Public Law No: 117-167)

Office of Science and Technology Policy (OSTP) Guidelines for Research Security Programs at Covered Institutions (July 9, 2024)

Related Documents, Policies and Forms

[GE2021 - Conflict of Interest](#)

[BF4001 – University Travel](#)

[RE7000 – Sponsored Programs, Grants, Contracts and Agreements](#)

[RE7001- Research Misconduct](#)

[RE7003 - Disclosure of Financial Interests Related to Sponsored Research](#)

[RE7010 – Malign Foreign Talent Recruitment Programs](#)

[RE7011 – Export Control](#)