

UC Davis Policy and Procedure Manual

Chapter 230, Sponsored Programs

Section 10, Publication Rights

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Responsible Department: Office of Research

Source Document: Contract and Grant Manual Chapter 1, Section 400, Publication Policy and Right to Results of Extramural Projects and Programs

I. Purpose

This section provide guidance regarding the University's publication rights.

II. Policy

- A. Freedom to publish is a major criterion when determining the appropriateness of a research sponsorship; a contract or grant is normally not acceptable if it limits this freedom.
- B. The campus cannot accept grants or contracts that give the sponsoring agency the right to prevent for an unreasonable or unlimited time, the release of the results of work performed.
- C. Exceptions may be granted when one or more of the following conditions, as described in [Contract and Grant Manual Chapter 1, Section 400](#), is met:
 1. The sponsor reserves first right of publication but surrenders this right to the University after a reasonable interval of time if the sponsor has not published.
 2. The statement of work is written so that the work done under the project or program comprises production of manual, book, etc. that the sponsor is "buying" from the University.
 3. Other special or extraordinary circumstances exist that do not involve censorship of the results (e.g., concerns for national security).

III. Procedures for Requesting an Exception

- A. The Principal Investigator completes a written request for exception, including the following:
 1. Justification for undertaking the project without publication rights.
 2. Signatures of the department chair and dean of the college or school, indicating their concurrence.
 3. If the request results from the sponsor's restriction on publication, a copy of the sponsor's written policy.
- B. The request package is submitted to Office of Research, Sponsored Programs, for review by the Vice Chancellor—Research.
- C. If the Vice Chancellor—Research agrees with the request, the package is forwarded to the Chancellor for review.
- D. The Chancellor either makes an approval decision regarding the request or determines if it must be submitted to Office of the President for review.

Any proposed restriction on freedom to publish or disseminate results based on national security considerations must be approved by Office of the President.
- E. The Office of Research will notify the principal investigator, department chair, dean, and the sponsor of the final decision.

- F. If an exception is not granted and the Office of Research cannot negotiate acceptable language with the sponsor, the contract, grant, or gift will not be accepted.

IV. References and Related Policies

- A. [UC Office of the President Contract and Grant Manual Chapter 1, Section 400, Publication Policy and Rights to Results of Extramural Projects and Programs.](#)
- B. [Academic Personnel Manual APM-010, Academic Freedom.](#)