RES-003 Federal Classified Research

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Policy Type University

Contact Office Vice President for Research (Office of the)

Oversight Executive
President of the University

Applies To Academic Division, the Medical Center, and the College at Wise.

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Reason for Policy

This policy sets forth requirements for conducting classified research at the University. The University of Virginia encourages the greatest possible freedom of communication of ideas and information in all areas of academic endeavor. However, in some instances, academic inquiry may produce results, the full and immediate disclosure of which would be detrimental to the national security of the United States of America. In such cases, it may be appropriate for the University to accept certain limitations on the communication of research results.

Definition of Terms

Federal Classified Research

Description

Research whose procedures and results are legally knowable only by individuals with United States government security clearance.

Principal Investigator (PI)

Description

The individual(s) designated by the applicant organization/recipient to have the appropriate level of authority and responsibility to direct the project or program to be supported by the award. The applicant organization may designate multiple individuals as program directors/principal investigators (PD/PIs) who share the authority and responsibility for leading and directing the project, intellectually and logistically.

Sponsored Program

Description

Any externally funded research, public service, or scholarly activity (including hosting or attending conferences) at the University that has a defined scope of work often including a set of specific programmatic objectives and/or deliverables, and line-item-based budget, providing the basis for sponsor expectations and awardee accountability (i.e., a reciprocal transfer of something of value). Sponsored programs are funded through grants, agreements, and contracts that include terms and conditions for the disposition of tangible properties and outcomes (e.g., equipment, records, specified technical reports, theses, or dissertations) or intangible properties and outcomes (e.g., rights in data, copyrights, and inventions). **Note:** The terms *sponsored program*, *sponsored project*, s*ponsored award*, and/or *sponsored activity* are often used interchangeably.

Policy Statement

Each proposal including federal classified research will be considered on its own merits. Among the factors to be considered in determining whether a particular federal classified research proposal is acceptable to the University are the academic merit, compatibility with the mission of the University, the nature of the restrictions placed on communication of research results, and its potential for compromise of basic human dignity and freedom. The responsibility for assessing these factors on behalf of the University is delegated to the following:

- The department chair(s) of the individual(s) proposing to conduct federal classified research.
- The dean(s) of the individual(s) proposing to conduct federal classified research.
- 2 representatives of the Faculty Senate Research, Teaching & Scholarship (RT&S) Committee.
- The Vice President for Research (VPR). After giving due consideration to the feedback and recommendations of the other reviewers, the VPR will make the final decision whether to move forward with a proposal including federal classified research (e.g., submitting the funding proposal or accepting the sponsored program).

(***Note:*** Units with a structure that differs from the above should obtain authorization from the individual's immediate supervisor and the supervisor's supervisor, in place of the department chair and dean. No substitutes may be made for the Faculty Senate or VPR reviews.)

Federal classified research must not be conducted in buildings of the University that have a primary academic focus.

No part of a thesis or dissertation submitted for an advanced degree at the University may be classified. It is the policy of the University to advise graduate students that classified research shall not comprise a major portion of their graduate studies.

Classified research may not be considered in decisions about promotion and tenure of faculty until the research has been declassified.

The University discourages any restriction on its faculty in communicating unclassified information to any individuals, including foreign nationals and institutions, engaged in research at the University or in the international community of scholars.

1. **Exclusions:**
   Excluded from this policy are:
   a. Classified activities that are ancillary to the performance of unclassified research in a proposal or resulting sponsored program do not make it "federal classified research" subject to this policy. Examples of ancillary classified activities include, but are not limited to, receiving access to classified information; participating in classified meetings or conferences; and accessing classified facilities.
   b. External Consulting. The University places no restriction on the nature of the activities of its faculty as private consultants, except that such activities must conform to University policy HRM-045: Faculty External Consulting and Internal Overload.
2. **Safeguarding Classified Information:**
   U.S. government classified information must be safeguarded in compliance with the National Industrial Security Program Operating Manual (NISPOM) and as directed by the University's Facility Security Officer (FSO). For additional information, see the Classified Research page of the VPR's website.
3. **Sponsored Program Terms and Conditions:**
   Sponsored programs involving federal classified research must not prohibit the University from identifying the sponsor and the general nature of the research in University systems of record. This is necessary to allow for the effective administration of sponsored programs by the University. In addition, once approved for release, the scholar(s) have a responsibility to disclose in publications and presentations of research results the identity of the sponsors of that research.

4. **Responsibility:**
   The ***University's FSO*** is responsible for:
   - Administering the institution's facility security program on behalf of The Rector and Visitors of the University of Virginia.
   - Implementing procedures necessary to facilitate compliance with the NISPOM.
   - Developing and delivering training and security briefings.
   - Performing compliance assurance activities.
   - Reviewing classified research terms and conditions in coordination with OSP.
   - Advising faculty on the development of proposals including federal classified research.
   - Annually reporting to the President and VPR all federal classified research conducted by the University. The information provided shall include the general nature of the research being conducted, the sponsor, and the funding level.

   Principal investigators are responsible for:
   - Obtaining approval from the FSO prior to initiating a proposal including federal classified research and working with the FSO to develop the final proposal.
   - Developing unclassified versions of proposal documents for internal review, approval, and routing through sponsored program systems.
   - Following the procedures, below, for proposals and sponsored programs including federal classified research.
   - Complying with the requirements of the University's facility security program and NISPOM.

   Prior to accepting a sponsored program for federal classified research, the ***Office of Sponsored Programs*** is responsible for:

- Obtaining and retaining documentation of approvals required by this policy.
- Confirming with the FSO that all necessary contractual documents (e.g., DD Form 254) have been provided by the sponsor, personnel have the requisite U.S. government security clearances, and all necessary safeguarding is in place.

5. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination or expulsion in accordance with relevant University policies.

   Direct questions about this policy to the Office of the Vice President for Research.

Procedures

Available on the Classified Research page of the VPR website.

Related Information

HRM-045: Faculty External Consulting and Internal Overload
RES-011: Investigator Eligibility and Responsibilities Related to Sponsored Programs

Major Category Research Administration

Next Scheduled Review Sunday, October 1, 2028

Revision History

Confirmed 10/1/25; Revised 9/7/21; Added Compliance section 7/21/21; Updated 2/23/21; 8/5/11.

Supercedes Policy Text

XV.E.3 Classified Research.

Approved By Policy Review Committee

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