

Sponsored Research with Embedded Confidentiality Provisions

The University of Wisconsin has a commitment to academic freedom encompassing the pursuit of knowledge and the free exchange of ideas and information. We hold the publication and access to results of our research as a duty to the public that funds the institution. An increasing number of sponsored research agreements contain confidentiality provisions that prohibit disclosure of certain aspects of the research. Often, elements of the protocol or the research materials are confidential to the sponsor, and they wish them to remain so during and after the agreement is complete.

While this is certainly within reason for the sponsors of research, a problem can arise when this confidentiality may limit an investigator's publication options once the work is finished. Because the confidentiality must be maintained, it is possible that the investigator may not be able to publish the results in the journal of their choice. This may be the case even though the ability to publish is not restricted anywhere in the sponsored research agreement- something the University of Wisconsin would never allow.

The best course of action if you are considering sponsored research would be to not accept sponsored research with these kinds of confidentiality provisions. If you were to accept confidential research protocols in your sponsored research agreement, there needs to be discussion of these restrictions and their consequences.

The CALS Research Division requires that you do not involve postdocs and graduate students in this type of work because publication of their research is critical to their success in scientific careers. Furthermore, the doctoral dissertation is a published document and we must maintain the ability to allow for our students to complete their degrees. We also request that you notify all collaborators of the confidentiality provision in the sponsored research agreement so that they will be able to make a determination about how the agreement could affect their ability to publish in the way they choose.

If, in those rare cases when you determine that you will accept confidential terms in sponsored research and that you can carry out the work without the assistance of graduate students and postdocs, we ask that you sign the accompanying form to indicate that you understand the CALS policy and return it to the CALS Research Division.

[Confidential Protocols](#)