

## 02-23-00 Research Compliance and Security Policy

### PURPOSE

The purpose of this policy is to ensure adherence to federal and state standards on the ethical conduct of research and research security. This policy specifically addresses human subjects, animal subjects, technology transfer, research security, and recruitment programs by foreign countries. It does not supplant federal regulations or other state or federal law. Due to the complexity of the field of research, institutions and their faculty or staff engaged in research must be familiar with the applicable laws, regulations, policies, and guidelines.

### POLICY/GUIDELINE

#### I. Protection of Human Subjects in Research

- A. Research involving human subjects must comply with the standards concerning the conduct of research involving human subjects established by the United States Department of Health and Human Services (HHS) within the "Protection of Human Subjects" (Title 45 CFR, Part 46).
- B. Each community college, as well as the TBR system office, will place into effect an institutional review board (IRB), or a process for reviewing research proposals for requirements and compliance, and the necessary procedures to ensure that the rights and welfare of human subjects are properly protected. The system office IRB (TBR IRB) will serve as an IRB for TCATs.
  1. Research involving human subjects conducted by personnel affiliated with the TBR system must be reviewed and, when appropriate, approved pursuant to 45 CFR § 46.111 by all appropriate IRBs.
  2. Research conducted by persons not affiliated with TBR who are seeking to conduct human research utilizing individuals, groups, or existing confidential data within the TBR system must obtain IRB approval pursuant to 45 CFR § 46 .111 from the appropriate IRB.
  3. Researchers publishing data analyses or reporting from data obtained from the TBR system office or TBR institutions, either electronically or in print, must comply with the federal requirements in the protection of editable, small cell data, including but not limited to the federal Gramm Leach Bliley Act, 15 U.S.C. §§ 6801-6809. (See [TBR Guideline B-090, Safeguarding Nonpublic Financial Information](#).)
- C. All researchers utilizing human subjects or their personally identifiable data must submit requests for IRB approval and administrative approval to all relevant colleges or the TBR IRB in accordance with applicable community college or system office IRB processes and procedures.

Researchers who wish to conduct research involving human subjects or participants may be required to have a valid human subject research certification and sign an assurance form.

- D. TN eCampus data may not be used without first obtaining permission from the Vice Chancellor for Academic Affairs or designee to ensure no improper use of data, including, but not limited to, university student data. If IRB approval is necessary, an application for review must be submitted to the TBR IRB.
- E. All requests for TBR system confidential data for research purposes must be reviewed by the Office of Policy and Strategy, involving the TBR IRB as appropriate.

## **II. Policy for Use of Animals for Research**

- A. Researchers must comply with applicable criteria for the humane treatment of animals used in scientific research in accordance with the Guide for the Care and Use of Laboratory Animals [2011 or the most current version published by the Institute for Laboratory Animal Research, Division on Earth and Life Studies, National Research Council) and/or the Animal Welfare Act (Title 9 CFR Chapter 1 Subchapter A)].
- B. Each researcher engaged in research using animals is personally responsible for complying with applicable provisions of the Guide and/or Animal Welfare Act.
- C. Individual colleges must have an Institutional Animal Care Use Committee (IACUC), if required by federal law or regulation.
  - 1. Colleges should review the United States Department of Agriculture (USDA) policy and consult with the Office of General Counsel as needed, to determine the need for an IACUC.
  - 2. Colleges should be aware of the need to file an assurance with the agency prior to obtaining funds with said agency.
  - 3. Colleges should be aware that there are reporting requirements with the USDA for all animals that fall under its definition.

## **III. Technology Transfer**

- A. TBR colleges must comply with federal laws concerning the protection of national security and military secrets by preventing foreign governments from accessing military and other technologies via the research processes of American colleges and universities.
- B. Colleges must implement, to the extent necessary, a process relating to the transfer of technology, which must comply with the provisions of the Arms Export Control Act, 22 U.S.C. § 2778.

**IV. Research Security**

- A. Pursuant to T.C.A. § 49-7-188, Section IV is designed to safeguard research from foreign adversaries, to promote a culture of research security, to further national security interests, and to mitigate against threats to the security of research activities.
- B. To ensure that the college remains eligible for federal funding, the college and individuals conducting research at TBR colleges and the system office must comply with applicable laws, regulations, and contractual obligations for securing and protecting research. The principal investigator for each research matter has primary responsibility for ensuring that the research is conducted in accordance with applicable legal and contractual requirements.
- C. Any research that is funded by a source other than a federal or state agency and that a reasonable person would believe potentially implicates national security interests must be reviewed and approved by the Chancellor or designee. Such review does not replace any required IRB or other administrative approvals.
- D. Research activities, at a minimum, must comply with the cybersecurity requirements established by the college. Colleges are encouraged to take additional protections with respect to any research that might implicate national security concerns or that might be of significant value to a foreign adversary.
- E. Colleges are encouraged to have individuals engaged in research activities complete training modules made available by the National Science Foundation.
- F. Colleges shall require any individual who performs research on an export-controlled technology to complete training on U.S. export control and compliance requirements. Colleges may comply with this requirement through the administration of relevant training provided by the Bureau of Industry and Security in the federal Department of Commerce or the Directorate of Defense Trade Controls in the federal Department of State.
- G. Unless a college designates another person, the chief academic officer for each community college is responsible for:
  - 1. Maintaining publicly accessible contact information for the IRB; and
  - 2. Facilitating the distribution of communications designed to enhance research security.
- H. Research security protocols shall be continuously improved to address new and emerging research security threats. College research security policies should be reviewed and revised as necessary, but no less than every five years.
- I. Any person who has a concern about research security or undue foreign influence must report the concern to the college IRB, the TBR IRB, or the TBR Office of System-wide Internal Audit.

**SOURCES**

- [2.08.00.00 Research Compliance and Security \(TBR\)](#)
- [TBR Guideline B-090, Safeguarding Nonpublic Financial Information](#)

**RELATED POLICIES**

- [2.08.00.00 Research Compliance and Security \(TBR\)](#)

*Approved by NSCC Cabinet 2/24/25*