Building a University Platform for Data Use Agreements

By Eric Giegerich

The volume and complexity of data use agreements continue to increase, with research administrators handling more requests and negotiating tougher agreements. Universities now require more review checkpoints due to emerging regulatory and safety demands. As one measure of complexity, 137 out of 194 nations now have data privacy laws (UNCTAD, 2021). While the United States has no comprehensive data privacy laws at the federal level, they're proliferating in the states. California, Colorado, Connecticut, Utah, and Virginia have comprehensive data privacy laws (NCSL, 2022). And more are coming. Additionally, sectoral laws, like Health Insurance Portability and Accountability Act (HIPAA), Children's Online Privacy Protection Act (COPPA), and Fair and Accurate Credit Transactions Act (FACTA) for credit transactions, regulate specific industries. Data security and cybersecurity breaches are also on the rise in higher education (Whitford, 2022). Our own universities may be tightening procedures in response to an increasingly complex climate, but so are many research sponsors and data providers. Now we need regular risk reviews, privacy reviews, data security reviews, and legal reviews. How will research administrators navigate the mushrooming of laws, policies, and experts they now must consult?

Bridges and Platforms. The environment isn't getting simpler. But universities can become more sophisticated. Siloed departmental activity is often insufficient for this new complexity. We need bridges and platforms that enable us to work collaboratively with experts across the university. For instance, research administrators can establish bridges through regular outreach to privacy officers, data security officers, or Institutional Review Board staff. We can't go it alone. We need collegial connections with other experts across the university. Research administrators should be encouraged to meet with colleagues across campus. A one-to-one bridge is helpful for those two people and for that issue in the data use agreement. A platform approach is even better as it offers greater scale, efficiency and impact. A platform brings together all the proverbial bridges, connecting experts from research administration, privacy, information security, secure computing, human subjects, and export control. Regular meetings with multiple professionals touching data in some way, based on a platform model, can help address common issues, connect people to the experts and resources they need and keep everyone informed.

The Berkeley Platform. University of California, Berkeley (UC Berkeley) started a group in 2016 to map the relationships between administrative offices when new research data use agreements came into the queue. People from research data support service units across the university attended these meetings. While it took time to understand each other's systems and challenges, we persisted, mapped the landscape, identified gaps, and found solutions. Our solution involved building an online portal to help researchers, research staff, and support personnel navigate existing technologies, tools, and services necessary for successful research efforts. This required staff time, resources, buy-in, and endorsements. In October 2020, we launched the Berkeley Research Data Portal at a research town hall, with endorsements from the Vice Chancellor of Research and Chief Information Security Officer. Following the launch, we hosted a series of brown bag presentations and workshops for researchers focused on data access, management, security, sharing, and preservation.

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A platform model can solve the problem of navigating a complicated campus environment and finding experts on emerging laws, regulations, and risks related to research data. However, creating a comprehensive, cohesive platform will require coordination, staff time, leadership endorsement, and continued engagement with researchers and administrative staff. Additionally, a platform can serve as a university-wide expert network that fosters collegial relationships among staff and improves services for the campus community. N

To see UC Berkeley platform in action, please access the Berkeley Research Data Portal at https://researchdataportal.berkeley.edu/landing-page.

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