



TITLE: **NONDISCRIMINATION IN RESEARCH AGREEMENTS**

ORIGINALLY ISSUED: APRIL, 1979 CURRENT VERSION: JANUARY 22, 2009

CLASSIFICATION: STANFORD UNIVERSITY POLICY

SUMMARY:

Stanford University does not engage in research agreements which permit discrimination on the basis of any characteristic protected by law, and does not limit participation in research on the basis of citizenship

RELATED RESEARCH POLICY HANDBOOK DOCUMENTS:

- 2.1, Principles Concerning Research
- 2.6, Openness in Research
- 10.2, Export Controls

AUTHORITY:

Senate of the Academic Council, reaffirmed in 1988 by the Committee on Research Revised and expanded in 2009 based on the recommendation of the Committee on Research

CONTACT PERSON:

Assistant Dean of Research

I. POLICY

Stanford University does not discriminate on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sex, age, sexual orientation, gender identity, veteran status, or any other characteristic protected by law, in connection with any aspect of employment at Stanford, or in its research agreements. Stanford also prohibits discrimination for any of these reasons in the admission of students, and in the administration of its educational policies and programs.

In addition, and in accordance with its policy on Openness in Research, Stanford does not limit participation in research activities on the basis of citizenship. This commitment to an open research environment supports the principle of freedom of access by all interested persons to the underlying data, to the processes, and to the final results of research, and preserves the ability of Stanford faculty to select the best qualified individuals to participate in research, including student participants.

Therefore, as a general proposition, Stanford does not enter into research agreements which permit discrimination on the basis of citizenship against individuals engaged in research activities proposed or conducted under its auspices.

II. PROVISIONS FOR EXCEPTIONS IN REGARD TO CITIZENSHIP

In the following circumstances, where and to the extent permitted by applicable law and consistent with the principle stated above of freedom of access and participation, an exception to this policy may be considered in regard to citizenship restrictions.

A. Citizenship Restrictions Established by Training Grants, Scholarships or Fellowships

The US Government has established funding mechanisms as a primary means of supporting graduate and postdoctoral research training to help ensure that a diverse and highly trained workforce is available to assume leadership roles related to the nation's research agenda. Typically, these funding mechanisms include training grants, fellowships and scholarships within particular disciplines with the restriction that students to be supported by these funds must be US citizens (or permanent residents). In addition, other organizations, including foreign governments, may provide support in the form of scholarships or fellowships to students meeting certain citizenship requirements.

Several differences should be noted between the funding being described in this category and research project funding.

1. Although they may focus on particular disciplines, training grants, scholarships and fellowships do not require the accomplishment of specific research Statements of Work. Their purpose is the training and support of student researchers, as opposed to the accomplishment of technical objectives. In that regard, these awards may be considered as a form of financial aid to the individuals being supported.
2. Unlike students funded to work on research projects (Graduate Research Assistants), the students funded on training grants, scholarships or fellowships are not paid a salary as student employees. Rather, their support is provided typically through the payment of a stipend to help meet living expenses, and the direct payment of some or all of the student's tuition and fees.

Stanford University may, in general and without prior review and approval beyond normal process, submit proposals for, and accept the award of such training grants, scholarships and fellowships in support of the education of its students.

B. Citizenship Restrictions for "Early Career"-type awards

Similar to the training awards described above, several Federal agencies award financial support for the explicit purpose of advancing the development within certain disciplines of individuals at the early stages of their academic careers. Typically such awards are limited to individuals within a certain period of time from the receipt of a doctoral degree or an initial academic appointment. They are awarded to support the individual, rather than to accomplish a specified

Statement of Work. As with training grants, some such awards are limited to US citizens or permanent residents.

Stanford University may, in general and without prior review and approval beyond normal process, submit proposals for, and accept the award of such “Young Faculty,” “Young Investigator” or “Early Career”-type awards. Acceptance of such an award does not limit the recipient’s ability to conduct his or her research program in compliance with Stanford University policies.

C. Citizenship Restrictions in Foreign-Sponsored Research Agreements

If a sponsoring country restricts entry of citizens of other nations into its country, the Principal Investigator should try to organize the research project and the University should try to draw up the agreement in such ways as to eliminate or reduce as far as practicable the discriminatory effect of those restrictions on participating Stanford personnel.

In such cases, the Office of Sponsored Research (OSR) will review the proposed research agreement for purposes of assessing any discriminatory impact. If, in its judgment, the proposed agreement would have a potentially significant discriminatory impact on Stanford personnel because of restrictions on travel by Stanford employees or students into the sponsoring country as part of the research activity, OSR will refer the proposal to the Vice Provost and Dean of Research to determine whether the proposed research agreement will be accepted.

D. Citizenship Restrictions Imposed by Export Control or Other Regulations

In rare circumstances, the conduct of research may require that a member of the research group must meet certain citizenship requirements in order to obtain or have access to certain proprietary or US Government-restricted information, where that information is subject to security classification, export control, or other regulatory restrictions. Such information or access may be accepted only to the extent that the provisions of Stanford’s Openness in Research policy are met.

E. Other Circumstances

In the rare event that (consistent with applicable law and with the principle of freedom of access to and participation in research) other circumstances arise in which a Principal Investigator wishes to request an exception to the nondiscrimination policy defined here in regard to citizenship, that request shall be sent for review and preliminary approval to the faculty member’s school dean, and shall then be forwarded to the Vice Provost and Dean of Research for his or her determination.

III. REVIEW

The Committee on Research shall review the implementation of the above policy, and report its findings to the Senate of the Academic Council within three years of the 2009 revision.