INTRODUCTION

A Data Use Agreement (“DUA”) is a binding contract governing access to and treatment of nonpublic data provided by one party (a “Provider”) to another party (a “Recipient”). DUAs are often required by external parties before they permit data to be received by Harvard and may also be necessary for Harvard data to be disclosed to another organization. DUA terms and conditions vary depending on the laws and regulations governing the specific type of data to be shared, as well as the policies and/or requirements of the Provider and Recipient. Formal agreements in these cases help to avoid misunderstandings and disputes over the use and storage of data, appropriate access and security measures, and other important matters, including publication rights and ownership of results.

POLICY STATEMENT AND EXCEPTIONS

All DUAs shall be considered research-related agreements and must be reviewed and signed by the Office for Sponsored Programs or the Longwood Area Offices for Research Administration (HMS/HSPH) in accordance with the Delegation of Signing Authority with Regard to Grants and Research Contracts as amended. The signature of an institutional official certifies that commitments made on such agreements can and will be honored and ensures that all DUAs conform to all relevant laws, regulations, agency guidelines, and University policies and guidelines.

All such agreements or requests for such agreements shall be submitted through the University-wide Agreements system (add link) for review, negotiation, and endorsement by the appropriate sponsored programs office. Harvard has its own standard DUA template that may be used as well. For further information, including details regarding procedures, roles, and responsibilities of all involved parties, as well as defined terminology, please see the Data Use Agreement (DUA) Guidance.

Any exceptions to this policy must be approved by the Office of the Vice Provost for Research.

RESOURCES

Data Use Agreement (DUA) Guidance
Contacts:
- Office of the Vice Provost for Research (OVPR) viceprovost_research@harvard.edu
- Harvard T.H. Chan School of Public Health: Sponsored Programs Administration (SPA) dua@hsph.harvard.edu
- Harvard Medical and Dental Schools: Office of Research Administration (ORA) SPAContracts@hms.harvard.edu
- University Area, all other Harvard schools: Office for Sponsored Programs (OSP) dua@harvard.edu