1. **PURPOSE**
   To describe the administrative practice required to request and obtain institutional signatory approval for Restricted Data Use Agreements (RDUA).

2. **SCOPE**
   All researchers at CUNY receiving restricted research data from non-CUNY individuals or organizations. For information regarding researchers at CUNY sharing research data (whether restricted or unrestricted) with non-CUNY individuals or organizations, or both sharing and receiving research data (whether restricted or unrestricted), see Data Transfer Agreements.

3. **DEFINITIONS**
   RDUAs are contracts that describe the receipt and use of non-CUNY restricted data by CUNY researchers. “Restricted data” is defined as datasets that cannot be distributed to the general public because of, for example, participant and other confidentiality and privacy concerns, third party licensing or use agreements, or national security considerations. RDUAs serve to address any limitations on the use of the data, obligations to safeguard the data, liability for harm arising from the use of the data, publication, and privacy rights associated with the data.

4. **RESPONSIBILITIES**
   CUNY’s General Counsel is the authorized signatory for all RDUAs. Research team members (including the Principal Investigator) or others at the CUNY Colleges do not have the authority to sign RDUA on behalf of CUNY.

5. **WORK INSTRUCTION**
   1. Upon receipt of an RDUA, **ensure the correct study title, name of the CUNY Principal Investigator**, and all other identifying and pertinent contact information for the CUNY Principal Investigator, the Non-CUNY Principal Investigator and the signatory authority for the Non-CUNY Organization are listed correctly on the agreement or listed separately. The name of the entity entering into the RDUA is “The City University of New York on behalf of [name of college or school].”

   2. Forward the unsigned agreement to the **research compliance staff responsible for research agreements** for review and signature.

   3. If a student is the PI or will otherwise need access to the restricted data, the **CUNY IT Security Policy** requires that the student receive an **IT security waiver**. The College should work directly with University Chief Information Security Officer to obtain this waiver. The waiver must be submitted to the research compliance staff with the request for signature on a RDUA.
6. REFERENCES

http://ori.hhs.gov/Chapter-6-Data-Management-Practices-data-sharing

https://privacyruleandresearch.nih.gov/pr_08.asp