WHAT IS IT?

A Data Use Agreement (DUA) is a written contract used to govern the transfer of research data between organizations. A DUA documents the data being transferred and terms and conditions with respect to issues such as ownership, permitted uses of the data, publication of results, development of inventions, disposal of the data and liability. This job aid explains how to complete a request for a DUA in InfoEd.

GETTING STARTED:
HOW TO REQUEST A DUA (DATA USE AGREEMENT)

1. Create a Proposal

- Upon logging into the InfoEd portal, RAs should create a change request by clicking Sponsored Projects and then clicking Proposal from the Create New menu
  (Note: If you do not see the option to create a Proposal, you may need to submit a security form)

Learn more:
osr.northwestern.edu/agreements/dua
2. Complete the New Proposal Questionnaire

- **Step 0:** Set the PI on the record as the faculty member initiating the request
- **Step 1:** Choose create a New Proposal. Click Continue
- **Step 1: Continued:** Select Setup Proposal Manually. Click Continue
- **Step 2:** Select Proposal type as Non-Funded Negotiations. Click Continue
- **Step 3:** Set the sponsor as the organization with which Northwestern will negotiate the agreement. Click Continue

*(Note: If the organization does not appear in the drop-down list, set the sponsor to ZZZ and submit a request to add the organization via the OSR website https://osr.northwestern.edu/content/sponsorsubform)*

- Answer the remaining questions (e.g. title, date, and number of periods) and click Create Proposal to create the record
  
  *(For Project Title: Enter project title or short description of the proposed protocol study. If name/title is not available, enter as completely as possible, the subject matter of the discussions. Please do not insert terms like “TBD” or “DUA with (Sponsor Name)”)*
  
  *(For Project Start/End Dates: Enter the anticipated period of time that the DUA will be needed/in effect)*
  
  *(For Number of Budget Periods: Enter “1” period for all Non-funded negotiations)*

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3. Complete the Setup Questions
• On the Setup Questions, select the DUA option for the type of agreement from the drop-down. (Note: A warning about changing the template may appear, click OK)
• Click Save and then the Complete check box in the upper right corner

Learn more:
osrnorthwestern.edu/agreements/dua
4. Complete the DUA specific questions
   • Click on the Data Use Agreement tab with the name of the agreement type in the left hand navigation column
   • If the agreement is related to a sponsored project, link the agreement to the existing project by choosing the project number
   • To add yourself as the creator of the request, click on the icon to bring up a searchable directory. Search for yourself and choose the Select button

Data Use Agreement

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There are three options for party involvement regarding the transfer for information:
1) **Inbound** (data coming into Northwestern)
2) **Outbound** (sending data out of Northwestern)
3) **Two-way transfer** (data exchanged both ways)
(Note: "Two-way transfer" includes questions for both incoming and outgoing)

The remainder of this guide walks through all these questions.
(Note: If you only need a uni-directional DUA (i.e. inbound or outbound), you will only have to answer the questions specific to that request)
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Inbound Transfers

** Describe the data set you will be receiving (e.g. EEG data from patients with Alzheimer's, Cook County traffic pattern data, etc.):

• Upon selecting Other regarding receiving the data, a request for additional information will appear

** How will you be receiving the data? Other

** Describe method of transfer:

** Will you be receiving any information that may be subject to export controls?

• Upon selecting Yes regarding receiving the data, a prompt to provide the confirmation will appear

** Will the receipt of inbound data require particular security capabilities or infrastructure beyond that of data typically housed or received at Northwestern?

** Please provide confirmation from your IT personnel:

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- Upon selecting Yes regarding sharing the data with any outside (non-Northwestern) third parties, a prompt to provide to whom the data will be disclosed will appear

  - Will you be sharing the data with any outside (non-Northwestern) third parties? [✓] Yes [ ] No
  - To whom will the data be disclosed and why?

- Costs and Funding Sources

  Funding for accessing data: If there are costs associated with accessing the data and the costs are covered by another source, you will be asked to specify the source(s)

  - Has an invention disclosure been submitted by you related to the information that will be received or disclosed? [✓] Yes [ ] No
  - Provide the disclosure number: 

  - Are there any costs associated with Northwestern’s accessing/receiving the data? Costs covered by other source •

    - Specify sources of funding to pay for the data:
      - Departmental Funds
      - Industry
      - Federal Grant(s)
      - Non-Federal Grant(s)
      - Gift Fund(s)
      - Other [✓]

    Describe funding sources to pay for the data (if any): You are asked (above) to specify one or more funding sources for the costs associated with accessing/receiving the data. If you select anything except (in addition to) departmental funds, then you will be asked to describe the funding sources. That is, are there costs associated with accessing the data (e.g. paying an access fee to a data repository) or in getting the data to Northwestern (e.g. shipping a drive)?

Learn more:
osr.northwestern.edu/agreements-dua
**Funding for research:** For all requests, you will have to specify funding sources for the research using the data.

- Specify the funding sources for the planned research using this data:
  - Departmental Funds
  - Industry
  - Federal Grant(s)
  - Non-Federal Grant(s)
  - Gift Fund(s)
  - Other

- Describe funding sources for research (SP#, gifts, other):

  Funding for research is different than funding for accessing data. Funding for research refers to how you are paying for the work being performed on the data received / after the data is received. While it is likely that the funding sources for accessing data and the research using the data are the same, the sources may be different.

  (Note: In both cases, if you select any funding source(s) except (or in addition to) Departmental Funds, then you will be asked to describe the funding sources)

Upon selecting Yes to add any individual(s) in addition to PI, a request for additional information will appear. Click the plus sign (once or multiple times) to add as many lines needed to accommodate any/all additional individuals.

- Will any individual(s) in addition to the PI be disclosing and/or receiving confidential information? Yes □ No □

Enter the name of each individual and provide relevant details. If individual name is unknown, enter "TBD".
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* Is the data related to people (e.g. clinical trials, consumer data, survey responses, and other research involving human subjects)? ☑ Yes ☐ No

(Note: If the data is related to research involving human subjects, you will also be asked to describe the nature of the data set)

Inbound IRB Status

• Upon selecting Confidential, non-health personal data, Limited Data Set, or Protected Health Information, a request for additional information to describe the nature of the data set will appear

Inbound IRB

Describe the nature of the data set:

- Completely de-identified (i.e. includes NO personal identifiers)
- Confidential, non-health personal data (includes survey and consumer information)
- Limited Data Set (excludes specified direct identifiers)
- Protected Health Information (includes specific identifying patient information)

Within the request for additional information there are four Inbound IRB Status options that appear:

1) Approved
2) Exempt
3) In Process
4) Determined not human subjects research

If Inbound IRB Status is Approve, Exempt, or Determined no human subjects research, an option to Upload IRB appears

If the IRB Status is In Process a request to provide the IRB number appears

(Note: Upon selecting Completely de-identified (i.e. includes NO personal identifiers) nature of the data set, no request for additional IRB information will appear)

Learn more:
[osr.northwestern.edu/agreements/dua](osr.northwestern.edu/agreements/dua)
GETTING STARTED:
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Outbound Transfers

* Describe the data set you will be sending the other party (e.g., EEG data from patients with Alzheimer’s, Cook County traffic pattern data, etc.):

Upon selecting **Other** to the question regarding how you will provide the data, a prompt to describe the method of transfer of the data will appear.

* How will you be providing the data? **Other**

* Describe method of transfer:

Will you be providing any information that may be subject to export controls? **Yes** □ □ **No**

Will you be providing any confidential information other than the data itself? **Yes** □ □ **No**

Upon selecting **Yes** question regarding whether the data generated as a result of research sponsored by a funding agency, a prompt to identify the method of funding source, project title, and SP # (if known) will appear.

* Was this data generated as a result of research sponsored by the federal government, foundation, or company? **Yes** □ □ **No**

* Please identify the funding source, project title, and SP # (if known):
TIP SHEET

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• Upon selecting Yes to the question regarding if a collaborator contributed to the generation of the data, a prompt for more information will appear (Note: If you indicate that there is a collaborator/outside organization who may need to approve the DUA, a series of additional questions about the collaborator will be asked)

  * Is there a collaborator or organization outside of Northwestern who contributed to the generation of the data who may need to approve the DUA? Yes No

  * How did the collaborator contribute to the generation of the data?

  * Collaborator Institute or Company Name
  * Collaborator/Researcher Name
  * Collaborator Email

  ** Was there a DUA in place to govern the original transfer of data? Yes No

  ** What year was the DUA executed?

  DUA from original data transfer

  * Do you want the Recipient to provide you with a copy of publication(s) describing their use of Data? Yes No

  * Do you want the Recipient to notify you of any inventions from their use of the Data? Yes No

• Upon selecting No to the question regarding whether material has been published related to the Material, additional prompts will appear

  ** Have you already published information related to the Material? Yes No

  ** Do you intend to publish this data in the future? Yes No

• Upon selecting Yes to the question regarding intent to publish, additional prompts will appear

  * Do you intend to publish this data in the future? Yes No

  * Do you want restrictions on the recipient's ability to publish prior to Northwestern? Yes No

  * Do you intend for this to be a collaboration resulting in a joint publication? Yes No

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• Upon selecting Yes to the question regarding whether the data is related to an Invention Disclosure, a prompt for more information will appear.

* Is this data related to any Invention Disclosure that you submitted or plan to submit to INVO?  
* Name of Invention Manager:
Inventor, if not the PI:

• (Note: If you indicate that there is a collaborator/outside organization who may need to approve the DUA, a series of additional questions about the collaborator will be asked)

Outbound IRB Status

Within the request for additional information there are four Outbound IRB Status options that appear:

1) Approved
2) Exempt
3) In Process
4) Determined not human subjects research

If Outbound IRB Status is Approved, Exempt, or Determined no human subjects research, an option to Upload IRB appears.

If the IRB Status is In Process a request to provide the IRB number appears.

(Note: Upon selecting Completely de-identified (i.e. includes NO personal identifiers) nature of the data set, no request for additional IRB information will appear)

Outbound IRB

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https://osr.northwestern.edu/agreements/dua
GETTING STARTED: HOW TO REQUEST A DUA (DATA USE AGREEMENT)

5. Save
• Click **Save** at any time to save your work and return to it later

Learn more:
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