

BOARD OF REGENTS  
BRIEFING PAPER

**HANDBOOK REVISION – CONFIDENTIALITY OF CERTAIN RECORDS**

**2. BACKGROUND & POLICY CONTEXT OF ISSUE:**

The Board of Regents at its June 2007 meeting adopted a policy on classified and proprietary research with specific provisions to address the confidentiality of records. The policy adopted by the Board included definitions of classified research, sensitive but not classified research, and proprietary research. UNR faculty raised a concern that this policy did not fully incorporate all aspects of classified and proprietary research. To this end, they developed a definition of “confidential research information” that was approved by the Research and Economic Development Committee at the August 9, 2007, meeting. The definition of “confidential research information” clarifies that such information includes, but is not limited to all records of an institution that have been developed, discovered, disclosed to, or received by or on behalf of faculty, staff, employees, or students of the institution concerning research that has not been published, patented or otherwise made public. In addition, the revision provides that the policy is not to be interpreted to require the release of any confidential patient or other medical records in violation of federal and state privacy laws.

**3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:**

Amend *Title 2, Chapter 9, Section 9.1* to provide for a definition of “confidential research information” and further state that policy is not to be interpreted to require the release of any confidential patient or other medical records in violation of federal and state privacy laws (See attached Policy Proposal).

**4. IMPETUS (WHY NOW?):**

The policy proposal is being brought forward in response to concerns raised about the need for two more areas to be included within the policy on confidential records previously

**8. COMPLIANCE WITH BOARD POLICY:**

- Consistent With Current Board Policy: Title #\_\_\_\_ Chapter #\_\_\_\_ Section #\_\_\_\_
- Amends Current Board Policy: *Title 2, Chapter 9, Section 9.1*
- Amends Current Procedures & Guidelines Manual: Chapter #\_\_\_\_ Section #\_\_\_\_
- Other:\_\_\_\_\_
- Fiscal Impact: Yes\_\_\_\_ No\_\_\_\_  
Explain:\_\_\_\_\_

**POLICY PROPOSAL**  
**TITLE 2, CHAPTER 9, SECTION 9.1**  
Confidentiality of Certain Records

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

INSERT THE FOLLOWING NEW SUBSECTIONS INTO SECTION 9.1 DEFINITIONS