

# Life Sciences

DISCOVERY FUND

## Grant Application Information – Public Disclosure Request

### Introduction

The Life Sciences Discovery Fund Authority (LSDF) awards grants for innovative research and development and commercialization activities through an application process initiated by a Request for Proposals (RFP). Applicant responses to an RFP may involve electronic submission of a letter of intent, a pre-proposal, and/or a fully developed proposal (each, or collectively, referred to herein as an “application”).

LSDF has determined that the best way to maximize the return on investment is to have applicants compete against one another for grant awards. A competitive grant-making process encourages applicants to submit the highest-quality proposals and is essential to LSDF’s ability to fund the highest caliber of research and development (R&D) and commercialization activities.

LSDF has a responsibility to maintain granting processes that are open to public scrutiny. The following description outlines the rationale and means through which LSDF addresses its public disclosure responsibilities.

### The Role of Confidentiality in the Grant-making Process

Applicant responses to an RFP include detailed descriptions of the proposed R&D and commercialization activities. Applications encompass information that is unpublished and not generally known to the public, such as research data, hypotheses, experimental plans, business plans, and intellectual property. The information within a grant application is of significant competitive value to the applicant. It is the unique currency through which applicants obtain the financial resources necessary to accomplish their R&D and commercialization agendas.

Applicants often submit the same plans and ideas to multiple grantors, either simultaneously or sequentially. Submitting this information carries risk, in that applicants share their best ideas with no guarantee of obtaining funding. These ideas could be of value to other individuals who, given the opportunity, might use them to enhance their own competitiveness for funding. Disclosure to third parties of information within unfunded LSDF applications would put applicants in a less competitive position for funding from other sources. Thus, applicants would likely suffer private loss by losing the exclusive right to their ideas. Additionally, their ability to attract the financial resources necessary to perform their R&D and commercialization activities could be compromised.

After a grant application has been funded and the researcher is no longer competing for financial resources to accomplish a specific work plan, that individual is still likely to be involved in a competition to be the first to solve a problem, test a hypothesis, prove a concept, develop new intellectual property, or commercialize a product. In this context, a researcher's competitive advantage is usually attributable to the novelty of his or her approach to accomplish the work plan. That novelty may lie in a unique insight, an innovative methodology, a fresh way of framing a problem, an astute business plan, or any of a myriad of other factors in which the researcher's creativity is uniquely evident. If the researcher were to lose this competitive advantage, it could greatly influence his or her ability to receive subsequent research and/or investment funding, establish a strong intellectual property or market position, attract high quality students and colleagues, publish in prestigious journals, and attain career advancement. Therefore, even after funding has occurred, confidentiality is still necessary and essential for certain critical elements in the grant application, the disclosure of which would likely result in private loss such as compromising a competitive advantage.

## Washington State's Public Disclosure Law and its Application to LSDF

LSDF is subject to [Washington State Public Records Act RCW 42.56](#).

In enacting legislation to create LSDF, legislators understood that valuable and proprietary information would be submitted in grant applications and that premature release of this information would reasonably be expected to result in private loss to its providers. Therefore, the Washington State Public Records Act was amended specifically to exempt the following from public inspection and copying:

*Financial, commercial, operations and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information. [RCW 42.56.270 \(14\)](#)*

## LSDF Public Disclosure Practices

Information contained in grant applications received by LSDF is used or disclosed solely for evaluation of the applications, administration of grant awards, or as required by law. All applications are kept confidential in accordance with LSDF's confidentiality policy ([http://www.lsdfa.org/documents/pdfs/meetings/LSDF\\_Confidentiality\\_Policy.pdf](http://www.lsdfa.org/documents/pdfs/meetings/LSDF_Confidentiality_Policy.pdf)) and are subject to the public disclosure laws of Washington state. In compliance with the Washington State Public Records Act, LSDF withholds information covered by its

exemption. Accordingly, in consultation with the Office of the Attorney General, LSDF has implemented the following disclosure practices:

*For unfunded applications:*

Soon after the submission closing date for an application, LSDF may publish on its website a tabular summary of the applications it has received. LSDF may also publish a list of all the parts of the application and its judgment about whether each part is exempt or non-exempt from disclosure under state public disclosure law, as well as the non-exempt parts of the application.

LSDF considers application information such as principal investigator and applicant organization identities and contact data, application titles, and funding request amounts to be non-exempt from disclosure and may make such information publicly available on its website or disclose it in response to public records requests.

Information deemed to be exempt from disclosure and withheld in response to public records requests related to unfunded applications includes abstracts, identities of collaborating individuals and organizations, personnel biographical sketches, R&D work plans and budgets, business plans, market analyses, intellectual property strategies, corporate financial data, and other proprietary business information.

*For funded applications:*

After announcement of grant awards, LSDF publishes synopses of the funded applications on its website, including the identities of collaborating individuals and organizations and summaries of work and commercialization plans. In response to public records requests, additional information, including a roster of grant personnel and their biographical sketches and portions of the application's abstract and narrative sections, may be provided, to the extent that release of this information is not reasonably expected to result in private loss to its provider(s).

## **Submitting a Public Disclosure Request to LSDF**

All public disclosure requests for LSDF grant applications must be in writing. The request must include the following:

- first and last name of requestor
- address
- telephone number
- email address
- specific description of the document(s) requested

The request can be submitted by mail, courier, fax, or email ([recordsrequest@lsdfa.org](mailto:recordsrequest@lsdfa.org)). LSDF will respond to the request within five business days of receipt.

If LSDF receives a public disclosure request for a grant application, it will notify the named grant applicant or recipient organization in a timely manner in order to allow that organization the opportunity to assert objections to disclosures in any applicable proceeding.

LSDF may charge a nominal fee for copying requested materials.

Revised November, 2011