

Convening a Graduate Student Copyright/IP Task Force

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Background

“One of our faculty is concerned about the new copyright template implemented by the office of the thesis clerk this spring. His concern is based upon the student being the sole **copyright holder** of the contents of any thesis or dissertation including **every figure, table and phrase**. This is probably not an issue in most cases where the student does submit manuscripts for journal publication from their thesis or dissertation. However, what if the relationship between the major advisor and the student deteriorate or the student decides for some reason not to authorize journal publications from the thesis? How would the major advisor ensure that they could fulfill the obligation to **report results of funded research to a granting agency** and to be able to **publish results in a timely manner**?” Administrator, Summer 2013

Background

“[The student’s] work is collaborative scientific work, some of which has already been published and includes other authors work and presentation of data. *It is not appropriate nor common to have a copyright for a student on these thesis documents.* I realize the OGS policy is for the student to retain copyright, but a single individual student should not have this in the case that **multiple people contributed to the work** included in the document. I am not inclined to sign off on his thesis until the copyright statement is removed. Can you let me know the position of OGS in cases such as this one?” Faculty Chair, Spring 2014

Background

- Copyright notice
- Faculty needs to be able to publish the work
- Grant funded research
- Work for hire – who does the work belong to?
- Student use of University resources
- Inclusion of pre-published, multi-authored material
- Research that results from collaborative efforts

Charge

To examine inconsistencies in and identify issues with current graduate student intellectual (including copyrightable works) property rules and policies, recommend changes, and consider crafting scenarios that address who owns copyright in a variety of circumstances (e.g., independent research, funded research, as a result of/or in the course of on-campus employment, etc.).

Task Force Representation

- Office of Graduate and Professional Studies, Task Force Co-Chairs
- Scholarly Communications, University Libraries representative
- Graduate Student Council representative
- Council of Principal Investigators representative
- Graduate Operations Council representative
- Associate Vice President for Administration & Academic Affairs, Legal representative
- Faculty Senate representative
- Vice President for Research representative

- U.S. Copyright law and Essential Definitions
- System Intellectual Property (IP) Policy
- University Rule on IP
- Council of Graduate Schools Ph.D. Policy Statement
- Graduate Catalog
- Office of Graduate and Professional Studies, Thesis Office Documentation
 - Copyright & Availability form
 - Thesis Manual – Copyright Notice, copyright language
 - Texas Digital Library and ProQuest license agreements

What Is Copyright?

Copyright is a form of protection provided by the laws of the United States (title 17, U. S. Code) to the authors of “original works of authorship,” including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works.

Copyright gives the owner of copyright the exclusive right to do and to authorize others to do six basic activities: reproduce, prepare derivative works, distribute copies, and perform or display the work publicly.

Source: Copyright Basics, <http://www.copyright.gov/circs/circ01.pdf>

Examining Existing Documentation

Copyright protection subsists from the time the work is created in fixed form. The copyright in the work of authorship immediately becomes the property of the author who created the work.

The authors of a joint work are co-owners of the copyright in the work, unless there is an agreement to the contrary. Copyright in each separate contribution to a periodical or other collective work is distinct from copyright in the collective work as a whole and vests initially with the author of the contribution.

Source: Copyright Basics, <http://www.copyright.gov/circs/circ01.pdf>

What Is Not Protected by Copyright?

- *Works that have not been fixed in a tangible form of expression*
- *Titles, names, short phrases, and slogans; familiar symbols or designs; mere variations of typographic ornamentation, lettering, or coloring; mere listings of ingredients or contents*
- *Ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices, as distinguished from a description, explanation, or illustration*
- *Works consisting entirely of information that is common property and containing no original authorship (for example: standard calendars, height and weight charts, tape measures and rulers, and lists or tables taken from public documents or other common sources)*

Source: Copyright Basics, <http://www.copyright.gov/circs/circ01.pdf>

How to Secure a Copyright

- Secured automatically upon creation

Notice of Copyright

- No longer required although often beneficial

Use of the notice may be important because it informs the public that the work is protected by copyright, identifies the copyright owner, and shows the year of first publication. Furthermore, in the event that a work is infringed, if a proper notice of copyright appears on the published copy or copies to which a defendant in a copyright infringement suit had access, then no weight shall be given to such a defendant's interposition of a defense based on innocent infringement in mitigation of actual or statutory damages, except as provided in section 504(c)(2) of the copyright law.

- Form of Notice

Source: Copyright Basics, <http://www.copyright.gov/circs/circ01.pdf>

System Policy 17. 01 Intellectual Property Management and Commercialization

1.1 Introduction

The system is committed to teaching, inquiry-driven learning and the research associated with it, and public service. Research is one of the most important and rewarding aspects of the educational process, regularly leading to the development of new ideas, discoveries and technologies with the potential to benefit the public at large.

This policy is based on three fundamental principles: enhancing academic freedom, providing a clear pathway for pursuing technology commercialization and protecting all interested parties.

Source: <http://technology.tamu.edu/about/index.jsp?cid=41>

System Policy 17. 01 Intellectual Property Management and Commercialization

1.1 Introduction

To that end, the purposes of this policy are to:

- (a) ensure that the commercial development of research results enhances the system's education, research and public service missions;
- (b) protect the academic freedom of faculty with respect to the publication of their research findings;
- (c) foster an entrepreneurial environment through incentives and protections that encourages the creation, discovery, development and rapid transfer of new knowledge for the public benefit;
- (d) educate and assist faculty, staff and others in the use of the intellectual property process with respect to their discoveries and inventions; and
- (e) establish the principles for determining and protecting the interests of the system, creator, and sponsor with respect to discoveries and inventions created by faculty, staff and others in a manner that is equitable to all parties.

System Policy 17. 01 Intellectual Property Management and Commercialization

1.2 Applicability

This policy **applies to all employees of the system** and its **members** including, but not limited to, full and part-time faculty and staff and all persons using system facilities under the supervision of system personnel **including** visiting and adjunct faculty and researchers, undergraduate students, **candidates for master's and doctoral degrees**, post-doctoral students, and non-degree seeking graduate students, provided that visiting and adjunct faculty may be excluded in a written agreement negotiated by the system or its member in advance of employment or visitation. The ownership and rights to technology-mediated materials are governed by System Regulation 17.02.02, Technology-Mediated Instruction.

System Policy 17. 01 Intellectual Property Management and Commercialization

2. OWNERSHIP OF INTELLECTUAL PROPERTY AND TANGIBLE RESEARCH PROPERTY (TRP)

Rights in intellectual property and TRP are as follows:

2.1 Creator or Third Party-owned

2.2 System-owned

2.3 Member-owned (e.g., Works for Hire)

2.4 Intellectual Property Involving Sponsored Research

2.5 Intellectual Property Arising from Consulting Activities

2.6 Tangible Research Property

2.7 Multiple Creators

2.8 Joint Employment

2.9 Offers of Intellectual Property

2.10 Software Ownership

System Policy 17. 01 Intellectual Property Management and Commercialization

2. OWNERSHIP OF INTELLECTUAL PROPERTY AND TANGIBLE RESEARCH PROPERTY (TRP)

Rights in intellectual property and TRP are as follows:

2.1 Creator or Third Party-owned

2.1.1 Intellectual property which is **unrelated** to an individual's **employment** responsibilities and developed on his or her own time **without the support of the system or any of its members or significant use of their facilities** as defined in Section 2.2.3 of this policy, is **owned by the creator**, subject to the rights of third parties.

System Policy 17. 01 Intellectual Property Management and Commercialization

2.1.2 The system recognizes and affirms the traditional **academic freedom of its faculty and staff** to publish pedagogical, scholarly or artistic works without restriction. In keeping with this philosophy, the **system does not claim copyright to pedagogical, scholarly or artistic works**, regardless of their form of expression, unless required by a funding or research contract. Such works include, but are not limited to, faculty-prepared works such as textbooks, course materials and refereed literature, and **copyrightable works of students created in the course of their education, such as dissertations, papers and journal articles**. Furthermore, the system claims no ownership in popular nonfiction, novels, poems, musical compositions or other works of artistic imagination that do not constitute significant use of resources and/or are not works for hire as defined in Section 2.3.1 of this policy.

Ph.D. Policy Statement, Council of Graduate Schools

“Whether the publications are the product of the doctoral student or a collaborative effort of one or more authors, the dissertation committee must be able to evaluate the contributions and writing of the student.” p. 27

“Graduate students involved in sponsored research should be informed of relevant research policies governing issues such as patents, copyright, disposition of tangible research property, and guidelines on secrecy in research.” p. 29

Source: Council of Graduate Schools. (2005). *The doctor of philosophy degree: A policy statement*. Washington, DC: Author.

Ph.D. Policy Statement, Council of Graduate Schools

“Within the increasingly collaborative environment of doctoral education and with the unprecedented access to information made possible by electronic media, intellectual property issues are very complex. Every university must therefore develop clear, written policies about the ownership of intellectual property.” p. 30

Source: Council of Graduate Schools. (2005). *The doctor of philosophy degree: A policy statement*. Washington, DC: Author.

Ph.D. Policy Statement, Council of Graduate Schools

“The doctoral candidate retains copyright over the dissertation. The university typically retains ownership of any research products described within the dissertation, or otherwise produced during candidacy that result from the student's use of university resources (including financial support), facilities, and faculty supervision. In the period during which advisers and advisees attempt to find a productive match, doctoral candidates may be asked to sign institutional agreements regarding how authorship responsibilities for research results will be allocated, how patentable materials will be handled, and who will process the patent application and own royalties.” p. 30

Source: Council of Graduate Schools. (2005). *The doctor of philosophy degree: A policy statement*. Washington, DC: Author.

Ph.D. Policy Statement, Council of Graduate Schools

“In all cases of joint authorship, individuals working together should establish ahead of time the criteria for their coauthorship.” p. 31

“In those instances in which jointly-authored journal articles or manuscripts are submitted as part (or all) of the dissertation, the candidate's own contributions should be a substantial part and it should be clearly indicated what they are.” p. 31

Source: Council of Graduate Schools. (2005). *The doctor of philosophy degree: A policy statement*. Washington, DC: Author.

Texas A&M University Graduate Catalog 2013-2014

The ability to perform independent research must be demonstrated by the **dissertation**, which **must be the original work of the candidate**. Whereas acceptance of the dissertation is based primarily on its scholarly merit, it must also exhibit creditable literary workmanship. The format of the dissertation must be acceptable to the Thesis Office. Guidelines for the preparation of the thesis are available in the Thesis Manual, which is available online at thesis.tamu.edu.

The EdD student will produce a major research document called a **record of study**. The research project may involve such topics as (1) a field study on a problem of major proportions in time or extent; (2) a curriculum development project validated through pilot and field testing; or (3) action research on a curricular, instructional, supervisory or administrative problem based on empirical data. The EdD student must have primary responsibility for the design and development of the research, and the record of study **must be the sole and original work of the candidate....**

Texas A&M University Graduate Catalog 2013-2014

An acceptable **thesis** is required for the Master of Urban Planning degree for a student who selects the thesis option program. The finished work must reflect a comprehensive understanding of the pertinent literature and express in clear English, the problem(s) for study, the method, significance and results **of the student's original research**. Guidelines for the preparation of the thesis are available in the Thesis Manual, which is available online at thesis.tamu.edu.

Examining Existing Documentation

Texas A&M University Graduate Catalog, Intellectual Property, 2012-2013

Intellectual Property will mean individually and collectively, all forms of intellectual property including, but not limited to inventions, copyrightable works, trademarks, plant varieties, tangible research products, and know-how. In keeping with academic tradition, **works created by a student in the course of his/her education, such as dissertations, papers and journal articles are owned by the student.** Intellectual property created from activities related to an individual's employment responsibilities and/or with support from University-administered funds, facilities or personnel will be owned by the University. Ownership of intellectual property developed in the course of or resulting from research supported by a grant or contract with the federal government or state government or a nonprofit or for-profit nongovernmental entity shall be determined in accordance with the terms of the sponsored grant or contract, or in the absence of such terms, shall be owned by the University.

Examining Existing Documentation

Texas A&M University Graduate Catalog, Intellectual Property, 2013-2014

The ownership, management and commercialization of system-owned Intellectual Property and Tangible Research Property are set forth in **System Policy 17.01 Intellectual Property Management and Commercialization**. Intellectual Property will mean, collectively, all forms of intellectual property including, but not limited to, issued patents, patentable inventions, copyrightable works, trademarks, mask works, and trade secrets. The system recognizes and affirms the traditional academic freedom of its faculty and staff to publish pedagogical, scholarly or artistic works without restriction. In keeping with this philosophy, **the system does not claim copyright to pedagogical, scholarly or artistic works, regardless of their form of expression, unless required by a funding or research contract**. Such works include, but are not limited to, copyrightable works of students created in the course of their education, such as dissertations, papers and journal articles. Authors of copyrightable works that are not owned by the system, its members, or another party such as a research sponsor, own the copyright in their works and are free to publish them, register the copyright, and receive any revenues which may result.

Examining Existing Documentation

Texas A&M University Graduate Catalog, Intellectual Property, 2013-2014

Accordingly, **copyrightable works may be owned by the student/author/creator, by multiple individuals (such as a research team or co-authors of a publication), by the system, by a System member, or by another party such as a research sponsor.** Factors that require consideration in determining ownership include: 1) whether or not the intellectual property was conceived or developed as a result of activities related to an individual's employment responsibilities and/or with support from University-administered funds, facilities or personnel; 2) whether or not the intellectual property was conceived or developed in the course of, or resulting from, research supported by a grant or contract with the federal government or state government or a nonprofit or for-profit nongovernmental entity; and, 3) the individual collaborators, relative contributions of each individual, and agreements among creators of the work.

Office of Graduate and Professional Studies, Thesis Office Documentation

- Thesis Manual – Copyright Notice, copyright language
 - http://ogs.tamu.edu/wp-content/uploads/2012/07/Thesis_Manual_July_2013_minorrevison_8_22_13.pdf

Office of Graduate and Professional Studies, Thesis Office Documentation, Thesis Manual

Copyright Notice

“Students *may* include copyright information on the title page, which consists of the word ‘Copyright’, followed by the year of graduation and the student’s name. The copyright notice indicates that the student owns copyright to the thesis as an original work of authorship. It is included regardless of whether the student has officially registered copyright with the U.S. Copyright Office and regardless of whether portions of the document are copyrighted by others. **It is good practice to include it in the thesis** because it informs the public that the work is protected by copyright, identifies the student as copyright holder, and shows the year of original publication.” Pp. 6-7, 23-24

SAMPLE TITLE PAGE
Visit website for template files.

THE DEVELOPMENT AND IMPROVEMENT OF INSTRUCTIONS
FOR GRADUATE STUDENTS

A Thesis
by
SARAH ANDERSON SMILEY

Submitted to the Office of Graduate and Professional Studies of
Texas A&M University
in partial fulfillment of the requirements for the degree of
MASTER OF SCIENCE

Chair of Committee, Charles Doakes
Committee Members, John J. Anderson
David Benner
Harold B. Morton
Head of Department, Darla J. Marsh

December 20XX

Major Subject: Educational Administration

Copyright 20XX Copyright Owner’s Name

First page in ETD
(unnumbered)

24

Double space title.

Title is in all capital letters.

Double space thesis author statement.

Name is in all capital letters.

Submittal statement text is centered on the page and single spaced.

Degree is in all capital letters and one double space below submittal statement.

Names do not include the title Dr., Prof., or Ph.D.

Date is month and year of graduation.

There are two double spaces between the following:

- title and thesis statement
- thesis author statement and submittal statement
- degree name and approval listing
- approval listing and month/year of graduation
- month/year of graduation and major subject
- major subject and copyright notice

Source: http://ogs.tamu.edu/wp-content/uploads/2012/07/Thesis_Manual_July_2013_minorrevision_8_22_13.pdf

Office of Graduate and Professional Studies, Thesis Office Documentation Copyright & Availability form

TAMU COPYRIGHT AGREEMENT

I hereby certify that, if appropriate, I have obtained and attached hereto a written permission statement from the owner(s) of each third party copyrighted matter to be included in my thesis, dissertation, or record of study, allowing distribution as specified below.

I certify that the version I submitted is the same as that approved by my advisory committee.

I hereby grant to Texas A&M University or its agents the non-exclusive license to archive and make accessible, under the conditions specified below, my thesis, dissertation, or record of study in whole or in part in all forms of media, now or hereafter known.

FERPA. To the extent this thesis, dissertation, or record of study is an educational record as defined in the Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g), I consent to disclosure of it to anyone who requests a copy.

I retain all other ownership rights to the copyright of the thesis, dissertation or record of study.

I also retain the right to use in future works (such as articles or books) all or part of this thesis, dissertation, or record of study.

Source: http://ogs.tamu.edu/wp-content/themes/ogs-genesis/thesis-resources/CA_Approval_Form_2011_fillable.pdf

Office of Graduate and Professional Studies, Thesis Office Documentation

Texas Digital Library License Agreement:

I grant the Texas Digital Library (hereafter called "TDL"), my home institution (hereafter called "Institution"), and my academic department (hereafter called "Department") the non-exclusive rights to copy, display, perform, distribute and publish the content I submit to this repository (hereafter called "Work") and to make the Work available in any format in perpetuity as part of a TDL, Institution or Department repository communication or distribution effort.

I understand that once the Work is submitted, a bibliographic citation to the Work can remain visible in perpetuity, even if the Work is updated or removed.

I understand that the Work's copyright owner(s) will continue to own copyright outside these non-exclusive granted rights.

Office of Graduate and Professional Studies, Thesis Office Documentation

Texas Digital Library License Agreement, continued:

I warrant that:

- 1) I am the copyright owner of the Work, or
- 2) I am one of the copyright owners and have permission from the other owners to submit the Work, or
- 3) My Institution or Department is the copyright owner and I have permission to submit the Work, or
- 4) Another party is the copyright owner and I have permission to submit the Work.

Office of Graduate and Professional Studies, Thesis Office Documentation

Texas Digital Library License Agreement, continued:

Based on this, I further warrant to my knowledge:

- 1) The Work does not infringe any copyright, patent, or trade secrets of any third party,
- 2) The Work does not contain any libelous matter, nor invade the privacy of any person or third party, and
- 3) That no right in the Work has been sold, mortgaged, or otherwise disposed of, and is free from all claims.

I agree to hold TDL, Institution, Department, and their agents harmless for any liability arising from any breach of the above warranties or any claim of intellectual property infringement arising from the exercise of these non-exclusive granted rights.

Issues Identified

General

- Clarity is needed as to what is copyrightable in a thesis/dissertation? When we say the student owns the copyright to their thesis/dissertation what does this mean?
- How do the terms of a contract or other agreements in place (based on employment, collaborations, or as a result of a funded contract) that formed the basis of the research impact copyright of a thesis/dissertation or other scholarly work?

Issues Identified

Language of the thesis/dissertation/record of study copyright notice

- A student's thesis/dissertation may include copyrightable works that belong to someone else, and/or it may include material that is not copyrightable. In these cases, what are the impacts to the copyright and language of the copyright statement of the thesis/dissertation?
- Some dissertations include a collection of previously published/authored papers that are not single author works (e.g. the dissertation author, other student(s) in research group, facult(ies), etc.). Or, some theses/dissertations are not a collection of papers, but they may have passages that were collectively created by the theses/dissertation author, other student(s) in research group, facult(ies), etc. Should only the student be listed as the copyright owner of the thesis/dissertation?

Defining the Gaps

Issues Identified

Language of the thesis/dissertation/record of study copyright notice

- The University indicates that theses and dissertations are single author works, and only a single author is included on the author line of the title page. Also historically the copyright notice has only included the name of the student, but should that be the case? Must the authorship line and copyright notice owner match? In some cases, the faculty advisor helped and guided the student to generate the thesis/dissertation. Does that change the copyright ownership and for which conditions?
- What should the copyright notice on the TAMU Thesis Title page state in the various scenarios noted above?
- The taskforce should provide recommendations for definitions, and possibly guidelines, for the various kinds of collaborations.

Defining the Gaps

Issues Identified

Collaborative research and a student's independent effort in a thesis/dissertation for the University

- When research that is collaborative in nature is included as part of the thesis or dissertation, how should a student document the various contributions made by the individuals involved, including the independent effort/original contribution of the student (i.e., thesis/dissertation author)?
- How do we judge how much independent effort/original contribution is required for the work to meet the standards of a thesis/dissertation?

Defining the Gaps

Issues Identified

Language of the System Policy and University Rule on IP

- Should the System IP policy, section 2.1.2., be reworded so that the entire section is inclusive of students, as it currently is for faculty and staff. Currently the rule provides examples of students, but does not include them in the introductory language of the section.
- The University rule does not explicitly mention students because the University rule refers to the member owned section of the system policy, which relates to employee created IP or contracted/commissioned works. In some cases student may be serving in an employee role, albeit as a graduate assistant who is first and foremost considered to be a student. Should there be language that specifically addressed this unique employee role?

Defining the Gaps

Issues Identified

Ethical Authorship Practices/Managing Author Rights

- Should the University define best practices for ethical authorship and managing author rights for student and faculty collaborations? There appears to be a need for faculty to uniformly discuss with advisees/student collaborators, early in the relationship, how the collaborative relationship will work – who will do what, who gets credit and when and for what, how agreements will be signed, and who will be responsible for signing, etc. In general, it appears that these kinds of conversations are not taking place in the beginning. Should this agreement be documented in writing?
- For student publications beyond the thesis/dissertation – should the taskforce also provide guidance?

Defining the Gaps

Issues Identified

Ethical Authorship Practices/Managing Author Rights

- After the student has graduated, if the faculty wants/needs to revise a student paper/dissertation to publish it, must the faculty advisor obtain the student's permission to do so?
- To address the above points, should the university require or encourage students (and faculty) participation in IP/copyright/authorship/ethics-related training to be sufficiently knowledgeable to make/sign such agreements? Also should the university provide guidelines and processes that encourage or require faculty committee chairs and students to develop agreements at the beginning of their collaborations which define the terms of publication (theses/dissertations, papers, chapters, books, etc.) authorship and IP ownership, where applicable.

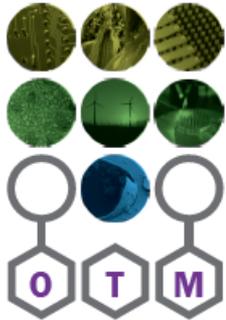
Defining the Gaps

Issues Identified

University materials that need updating in response to taskforce recommendations

- For next the next year's graduate catalog (2014-2015), OGAPS may need to expand the graduate catalog statement on IP to add information about training and other things that result from the taskforce.
- OGAPS Thesis Office Documentation (e.g., Copyright & Availability Form, Thesis Manual, Title page copyright notice, Texas Digital Library and ProQuest license agreements) will need to be reviewed and adjusted to address taskforce outcomes.
- Guidance on the Libraries website around issues of IP and copyright, as well as the education being provided to students and repository and catalog practices may also require changes. How would collaborative research be represented in the catalog record and in the institutional repository?

- Institutional IP policies and other documentation
- Faculty/Student agreements
- Guidelines for authorship
- Thesis/Dissertation practices around copyright and collaborative works represented in the thesis/dissertation
- Required/optional training for students



The Office of Technology Management | Informational Series

A Student's Guide to

Copyrights and Fair Use

Copyright & Ownership

What is intellectual property?

"Intellectual property" encompasses all forms of intellectual activity, such as, inventions, discoveries, creative or artistic works, know-how, processes, and unique materials. Intellectual Property is protected by law, through patent, copyright, trademark, and trade secrets. Multiple forms of protection may be used on the same piece of intellectual property, say, for example computer software, which can be protected by copyright, patent, trade secret and trademark. Intellectual Property is also protected through agreements which control access and use of the Intellectual property.¹

the right to copy, which includes the right to copy, distribute copies, and make changes to the original copyrighted work, (known as derivative works).

Copyright provides the owner with the right to determine how the work is copied and distributed to others: through traditional or on-line publication, through open access, through sale, lease, or lending, and whether you want to make it available without a fee or to charge royalties.

How is copyright protected?

Copyright protection occurs immediately from the time

Source:

<http://otm.illinois.edu/sites/www.otm.illinois.edu/files/Students%20Guide%20to%20Copyright%20Revised%20Final%20Dec%202008%20for%20print.pdf>



Guidelines on Student/Faculty Collaboration in Research

Department of Kinesiology • Michigan State University • East Lansing MI 48824 • <http://www.education.msu.edu/kin>

Authorship and Acknowledgements

- **MSU Guidelines on Authorship.** The MSU Guidelines on Authorship shall be used to determine authorship, order of authors, and acknowledgment credits for both faculty-initiated and student-initiated research projects. The MSU Guidelines on Authorship can be accessed at <http://www.msu.edu/user/ucrihs/authorship.htm>.
- **Publication of student-initiated research.** The Department of Kinesiology has one additional policy related to the publication of student-initiated research such as theses and dissertations where there has been extensive mentoring by one or more faculty members. If a student does not submit the results of her/his thesis or dissertation within 18 months following the formal defense of that project, the student's mentor may prepare and submit the results for publication. In this case, order of authorship shall be negotiated between the student and faculty mentor.
- **Institution of record.** MSU shall be the institution of record for any publication, presentation, or other public dissemination of results for research conducted at MSU or using MSU resources. No other institutions, including future institutions where a student or faculty member works at the time of presentation/ publication, shall be included in a presentation/publication unless the other institution contributed significantly to the project. This policy does not preclude listing the student's or faculty member's current address for correspondence.



Guidelines on Student/Faculty Collaboration in Research

Department of Kinesiology • Michigan State University • East Lansing MI 48824 • <http://www.education.msu.edu/kin>

Agreement

Title of project _____

Principal investigator _____

Members of the research team likely to be authors _____

Members of the research team likely to be acknowledged _____

Source: <http://education.msu.edu/kin/documents/bylaws/researchcollab.pdf>

University of Rochester, Thesis Contents

- i. Title page (counted as first page but no page number printed on page)
- ii. Dedication (optional)
- iii. Biographical Sketch
- iv. Acknowledgments (optional)
- v. Abstract
- vi. Contributors and Funding Sources (new in 2012)
- vii. Table of Contents
- viii. List of Tables (where appropriate)
- ix. List of Figures (where appropriate)
- x. List of Schemes (where appropriate)
- xi. List of Symbols (where appropriate)
1. Text of the thesis (starts on page 1)
2. Summary or conclusion (may be a section of the final chapter)
3. Bibliography or References
4. Appendices (where appropriate)

Source:

<http://www.rochester.edu/theses/ThesesManual.pdf>

Contributors and Funding Sources

“This page replaces the Foreword described in previous thesis manuals. All theses must include a page entitled “Contributors and Funding Sources.” In this section, name all members of the dissertation committee. Then, any collaboration with others in carrying out your dissertation research or in publications reflecting that research must be clearly described, and your independent contributions must be made clear. The sources of financial support for your research must be listed. If you completed all the work independently without outside funding support, indicate this here.” p.7

Contributors and Funding Sources

Example One (with collaborative work and funding)

This work was supervised by a dissertation committee consisting of Professors Jane Doe (advisor) and John Smith of the Department of Home Department and Professor Diego Garcia of Outside Department. The data analyzed for Chapter 3 were provided by Professor Doe. The analyses depicted in Chapter 4 were conducted in part by Rebecca Jones of the Department of Biostatistics and were published in 2010, in an article listed in the Biographical Sketch. All other work conducted for the dissertation was completed by the student independently. Graduate study was supported by a Provost Fellowship from the University of Rochester and a dissertation research fellowship from ABC Foundation.

Example Two (independent work without funding)

This work was supervised by a dissertation committee consisting of Professors Jane Doe (advisor) and John Smith of the Department of Home Department and Professor Diego Garcia of Outside Department. All work for the dissertation was completed independently by the student.

Source: <http://www.rochester.edu/theses/ThesesManual.pdf>

Training – Timing, Optional/Mandatory, Content

- Michigan State University, Responsible Conduct of Research Workshop Series (requirements established at college level)
 - <http://grad.msu.edu/rcr/>
 - Being an Early Career Scholar
 - Scientific Communications, Rights to Data, and Authorship
 - Crediting the Works of Others and Avoiding Plagiarism
 - Conflict of Interest, Peer Review, & Collaboration/Teamwork.....
- UT Austin, Copyright Crash Course
 - <http://copyright.lib.utexas.edu/>
- University of Central Florida, Ethics/Responsible Conduct of Research Workshops (4 required)
 - http://www.students.graduate.ucf.edu/Ethics_Workshops/

Conclusions

At Texas A&M University:

- Theses and dissertations are not “Works for Hire”
- Thesis/Dissertation merits copyright
- Having a Copyright notice is good practice since it clarifies to the public that the work is indeed copyrighted; omitting the copyright notice does not omit copyright ownership but only leads to ambiguity as to who is the copyright owner.
- The student owns copyright to the “compilation” of work that constitutes a thesis/dissertation
- There may be ideas, data, research described or presented in the work that does not belong to the student

Crafting the Recommendations

- Recommendations for the Thesis/Dissertation
 - Copyright Notice – mandatory/optional, language
 - Contributors Section – mandatory/optional, sample language
- Recommendations for Training – mandatory/optional, timing, contents
- Recommendations for Student-Faculty Agreements – mandatory/optional, timing, components
- Recommendations for changes to System IP Policy, University Rule, and other documentation.
- Recommendations for policies, rules, and guidelines regarding copyright ownership of the thesis/dissertation

Recommendations for policies, rules, and guidelines regarding copyright ownership of the thesis/dissertation

While the System and University do not claim ownership of the copyrightable works of students created in the course of their education, it would be difficult to come up with statement that says, students always own copyright to their thesis/dissertation because each work is unique and may have various rights tied to the work in addition to the rights of the student. Thus, while the task force understands that the thesis/dissertation (as a compilation) is the copyrighted work of the student – otherwise it would not meet the definition of a thesis or dissertation, there are a variety of other considerations (i.e., the underlying data, research, and IP upon which the thesis/dissertation may not belong to the student; chapters or sections of the work may be jointly owned or have rights assigned to a publisher; etc.) which must be taken into account. As a result there is a need to develop informal guidelines, FAQs, and/or training to help students and faculty navigate these complex issues.

Questions?