Provost's Faculty Update
August, 2013

As we begin a new academic year, I’d like to update all of you about a number of changes that have occurred over the summer or that will occur in this new academic year.

Facilities

Our new all-purpose field has been completed on the site of the old soccer field on 31st Street. This new facility, with an artificial turf, will allow a number of sports, such as soccer and lacrosse as well as intermural competitions to be contested on this new surface. This is a needed improvement in our sports facilities.

We also have renovated the auditorium in the IIT Tower. The facility has seating capacity of over 130. It has new seats, updated audio-visual capability, new lighting and will be used as a large classroom, a seminar venue and as a large meeting room for events. In addition to the auditorium, two large classrooms were also renovated on the sixth floor of the Tower.

On the fourteenth floor of the Tower a newly renovated space has become the home of the offices of the Lewis College of Human Sciences. Under the direction of Dean Mitchell this space is a great example of sustainability and cost containment through re-use of office furniture.

Crown Hall has also undergone restoration under the guidance of the Dean of Architecture. The purpose of this restoration is to make Crown Hall more of a destination and a better space for Architecture’s needs.

In the coming year you will see significant renovation work in E-1 which will be renamed the Rettaliata Engineering Center and the beginning of work in Life Sciences which will be renamed after Bob Pritzker.

Lastly, the external steel beams facing State Street on E-1, Alumni Hall and Perlestein Hall will be refurbished, re-caulked and painted this fall.

New Faculty

Starting mid August there will be a number of new faculty members in our schools and colleges. Please join me in welcoming:

Engineering

Salim El-Rouayheb, Assistant Professor of Electrical and Computer Engineering
Ashfaq Khokhar, Professor of Electrical and Computer Engineer and Department Chair

Ankit Srivastava, Assistant Professor of Mechanical, Materials and Aerospace Engineering

Carrie M. Hall, Assistant Professor of Mechanical, Materials and Aerospace Engineering

**Science**

Sonja Petrovic, Assistant Professor of Applied Mathematics

Sou-Cheng Choi, Research Assistant Professor of Applied Mathematics

Andrey Rogachev, Assistant Professor of Chemistry

David Minh, Assistant Professor of Chemistry

Jean Francis Pombert, Assistant Professor of Biology

Srinivas Chakravartthy, Research Assistant Professor of Biology

Aron Culotta, Assistant Professor of Computer Science

Kevin Jin, Assistant Professor of Computer Science

Jeff Wereszcynski, Assistant Professor of Physics

Yuri Shylnov, Lecturer of Physics

**Human Sciences**

Michael Waters, Senior Lecturer of Humanities

Carolyn Purnell, Visiting Assistant Professor of Social Sciences

**Institute of Design**

Santosh Basapur, Lecturer of Design

**Law**

Alexander Boni-Sanchez, Assistant Professor of Law

Patti Sudendorf, Instructor of Law
Business

Jennifer Cutler, Assistant Professor of Marketing

Priyanka Sharma, Visiting Assistant Professor of Economics

Applied Technology

Ellisa Cole-Goldsmith, Instructor of Communication

Elizabeth Johnson, Instructor of Communication

Elizabeth Grasso, Research Assistant Professor of Food Science and Nutrition

Qian Sui, Research Assistant Professor of Food Science and Nutrition

Our tenure and tenure track faculty have risen from 284 to 294 over the last year.

Staff

Katherine Murphy Stetz has been promoted to Vice Provost for Student Affairs and Dean of Students to take into account her responsibilities for the Health Center, Housing, and Student Life.

Faculty Issues

As usual I will continue to work closely with the Faculty Council to identify and solve issues that arise from our faculty. Last year we completed a technical update of our faculty handbook, added a new section to the Appendix dealing with department head searches, and outlined our procedure to ensure that Category 2 faculty voting rights would be decided annually without the need for an additional faculty meeting, as occurred in the past.

At the end of the last faculty meeting an issue was raised concerning a faculty member’s obligations with regard to a doctoral student and their thesis, ownership of intellectual property and their relationship to that student once graduated.

First of all, the university can have no policy that has jurisdiction over a graduate of the university; for example, we cannot control or attempt to control the behavior of a graduate of the university who is not an employee of the university. Nor are we as a university responsible for such behavior. This is similar to the fact that our faculty handbook does not apply to faculty members who have left the university. Thus, issues of a graduate of the university are not issues covered by either our student handbook or our faculty handbook.
It is expected that a faculty member who is an advisor to a doctoral or a master student will act in the student's best interests and also in the best interests of the university. Thus, the graduate advisor has a dual role. This is clear as when one signs a thesis as the advisor, one is attesting to the fact that there is work worthy of acceptance towards course credit and/or a graduation requirement from the university and that the thesis is substantially the work of the student. It also means that you have no knowledge of any issues that would disqualify the work from acceptance towards course credit or a graduation requirement of the university. Plagiarism would be one example of an issue that would disqualify a thesis from acceptance.

IIT's policy has been that any associated intellectual property rights in "work done for course credit by students, including IPROs, is not considered university-owned for purposes of IIT's copyright and patents policy" and that any such work "belongs exclusively to the students." (Article III, Section M of the Student Handbook 2012-2013, entitled Student Intellectual Property). "Work done for course credit" has been interpreted to include work done as part of a degree requirement. In addition, this same policy requires that any "faculty or staff member wishing to use any such student-created work for his or her own purposes or for IIT purposes must obtain the student's consent and, at a minimum, provide adequate credit to the student."

In a Doctoral or Masters thesis, the work may be created as part of a sponsored or third party research project. The referenced section of the Student Handbook discusses this issue also:

"Ownership of and the right to use work created as part of a research project that is sponsored or funded by a third party, whether a government agency, foundation or corporation, generally qualifies as university research, and the ownership of and use rights associated therewith will be determined in accordance with the applicable terms and provisions of the sponsorship agreement. In such instances, the ownership of and the rights to use the work will generally vest with IIT and/or the sponsoring entity, not the student. Any invention, creation or copyrightable work, including software, stemming from a sponsored research project must be disclosed to IIT in accordance with the procedures set forth in Appendix K of the IIT Faculty Handbook."

After receiving legal guidance from Anthony D'Amato, the 2013-2014 version of the Student Handbook has modified Article III, Section M to make it clearer that students' have ownership of their works done for course credit or degree requirements:

M. Student Intellectual Property

1. Work Done for Course Credit or Degree Requirement
Work done for course credit by students, including IPROs, and work done by a student as a degree requirement, including master's theses, Ph.D. theses and comparable final projects, as such theses and projects are required to be substantially the original work of the students, are not considered university-owned for purposes of IIT's copyright and patents policies. All such works belongs exclusively to the students, and in such situations, the fact that a faculty member may provide
constructive criticisms, editorial suggestions or other form of guidance does not change this fact, as such undertakings are a normal and customary part of a faculty member's duties. Faculty or staff member wishing to use any such student-created work for his or her own purposes or for IIT purposes must obtain the student's consent and, at a minimum, provide adequate credit to the student. In general, if work done for course credit by students is a collaborative effort among a group of students (e.g. IPROs), meaning each such student actively participated and contributed to the creation of the work, then, each student will likely be deemed a creator/inventor of the work, and each student will have the right to use and allow others to use the work without the need to secure the consent of and without obligation to the others. Prior to commencement of a collaborative effort, participating students should consider the merits of entering into a written agreement among themselves setting forth various matters related to the ownership and use of such works, including, without limitation, how and when such work may be used. In any event, even absent an agreement, students should always give appropriate attribution to all team members involved whenever the work is used or authorized for use. The foregoing is intended as merely a general statement. Students must understand that the actual rights of each student participating in a particular collaborative effort will ultimately be determined by applicable patent, copyright or other intellectual property rights statutes and the facts and circumstances of the particular collaborative effort.

Notwithstanding the foregoing, if the course description contained in the Undergraduate or Graduate Bulletin clearly states the following:

"The applicable academic unit hereby gives notice of its desire to secure a non-exclusive, perpetual, royalty-free license solely to use, at its discretion, student-created work produced in [Insert Course Name and Number], with appropriate attribution, for its own non-commercial and educational purposes, including to promote the programs of the academic unit. Unless the student submits a written notice to the Dean of the College indicating that he or she does not agree to grant such a license by the last regularly scheduled day of the course, then the student shall be deemed to have granted the foregoing described license."

then the academic unit may so use work done for course credit by a student. The foregoing exception does not apply to work done by a student as a degree requirement.

An issue was raised at the faculty council with respect to a faculty member's intellectual property in a thesis when the work may be collaborative. It is expected that work that is solely the property of the advisor should be referenced as such in the thesis. In addition, any work that is truly collaborative, whether with the advisor or others, should also be referenced as such in the thesis. If not, the student may well be guilty of plagiarism in their thesis, and the thesis would not qualify as suitable for course credit or graduation requirement. Work not entitled to such attribution must be substantially the work of the student. Ultimately, it is the role of the examining committee and the thesis advisor to determine that there is a significant body of work in the thesis sufficient to justify a determination that it qualifies as substantially the work of the student for purposes of graduation or degree requirement. Thus by signing the thesis an advisor attests that the work in the thesis is substantially that of the student, unless noted otherwise, and that it meets the standards for acceptance towards a degree or for course credit at IIT. After all, the thesis is a published document, has a copyright, is available broadly and is published solely under the name of the student.

Generally, students and advisors publish material from a thesis in a substantially different form than that found in the thesis and often before the thesis is completed. Co-authorship is normal but not required; however, attribution of source material is necessary. Thus, if the student were to publish material substantially from the
thesis, the thesis should be appropriately referenced and where there was joint
work or work derived from the work of others, this work should be referenced in
the thesis and in the publication.

We as faculty members should be clear with our students about publication
expectations when work is done jointly or as part of a research group. Consistent
with the expectations set forth in both the Faculty and Student Handbooks, in cases
where there is the potential for joint intellectual property, faculty members, staff
and other research staff should bear in mind the sound and practical guidance
contained in the following statement adapted from the Student Handbook:

"Prior to commencement of a collaborative effort, participating faculty,
members, researchers and students should consider the merits of entering into
a written agreement among themselves setting forth various matters related to
the ownership and use of such works, including, without limitation, how and
when such work may be used."

Without an agreement, it is difficult to determine later that intellectual rights may
have been violated and the burden of proof will be on the person who claims such a
violation, i.e., one must be able to document that his or her intellectual property
existed before any subsequent publication, especially when simple forethought can
avoid such a predicament. At the end of the day, we are all educators dedicated to
the goal of ensuring that our students succeed and achieve their full potential, and
none of us desire to be in a situation that impairs our ability to achieve this goal.