

From: "Albert Schorsch, III" <schorsch@UIC.EDU>
Subject: Guidance on data agreements with other universities, government agencies, outside institutions, etc.: PAF routing as MOU required
Date: Thu, October 7, 2010 15:18
To: UICUPPAF@LISTSERV.UIC.EDU

Colleague,

In the past few years, as data analysis and especially GIS usage have increased throughout the college, CUPPA scholars, whether faculty, students, or staff, have been asked to process memoranda of understanding (MOUs) with other universities, governments, or other entities pertaining to the sharing or use of data, prior to obtaining the data.

Usually, even if there is no charge for the use or sharing of the data, such an MOU requires an institutional signature, which usually warrants or guarantees that the data will not be misused, altered, or sold, that intellectual property rights will be respected, and/or that dispute resolution pertaining to the data will be handled in a certain way.

Basically, the rule of thumb for these MOUs is that if you as a scholar must sign and agree to terms in order to get the data--even for free--for use in the course of your duties or studies at the University, the University of Illinois is the entity that in the end must formally sign the agreement, and a PAF, Proposal Approval Form, is required, in order to transmit the MOU for University approval through the Office of Research Services in the office of the Vice Chancellor for Research on campus.

Such a process protects you, since the University, and not you, is making the agreement with the outside entity about the data. The University is also protected, since it can then regularize and manage its data agreements.

Here's how to get a University signature on your data agreement (MOU) with an outside entity:

If you have a data agreement that requires an institutional signature, you should first download the PAF form 3.0--

<http://tigger.uic.edu/depts/ovcr/research/proposals/forms/0400.doc>

After filling out the identifying information on page 1 and 2, you check the Memorandum of Understanding No Money box on Page 2 under section VII C, append your MOU along with an explanatory note about where the data should be delivered or picked up, obtain your departmental signatures, and route the PAF, the MOU, and your transmittal note to the CUPPA Dean's office for approval.

Please allow a week or two for the MOU to be approved by the University.

Faculty, staff, students, heads, directors, and deans are not authorized to on their sole authority sign an agreement obligating the entire University. Such a University signature is obtained through the process above.

Thanks for your help and cooperation on this matter. We acknowledge that this is a change that puts a more formal step into the data acquisition process, and that more time will have to be allowed for data acquisition when planning a research project if you are using outside data that can only be obtained by signing an agreement. At the same time, the above actions protect both you and the University.

Please let me know if you have any questions.

Thanks,

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