

A photograph of a library or study area. In the foreground, an open book lies flat on a surface, its pages slightly blurred. Behind it, several stacks of books are visible, some standing upright and others stacked horizontally. The background shows wooden bookshelves filled with more books, creating a sense of a well-stocked library.

# Breakout Session #1: Student and Contracting Considerations

Jilda Garton, UIDP  
(moderator)



**Paul R. Lowe**

Associate Vice President for Research  
Kansas State University



**Xiquan Cui**

Senior Manager of Data Science  
The Home Depot

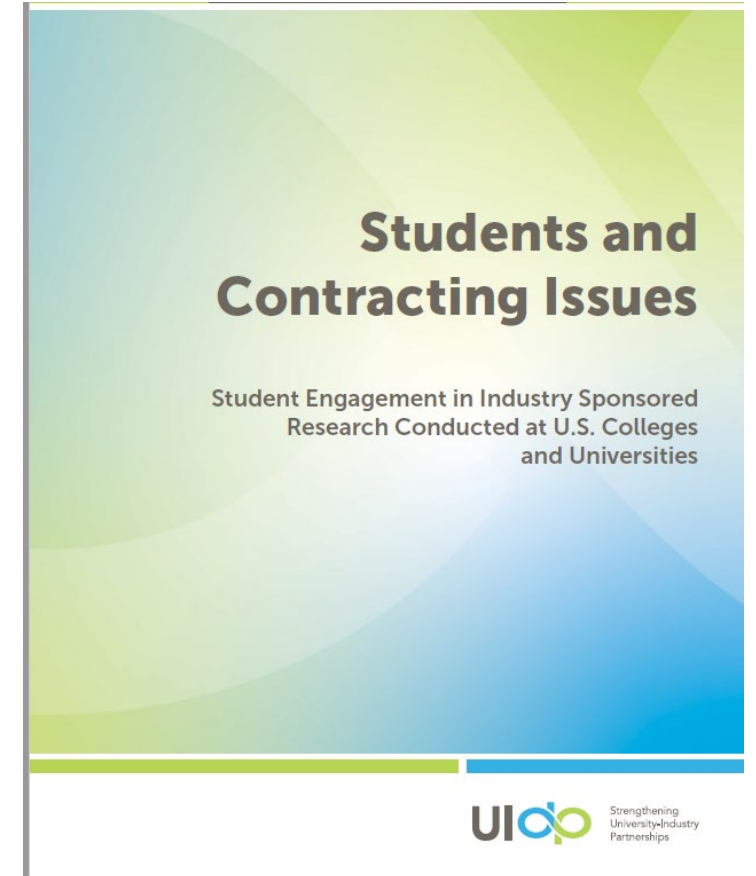
# UIDP Guide: Students and Contracting Issues

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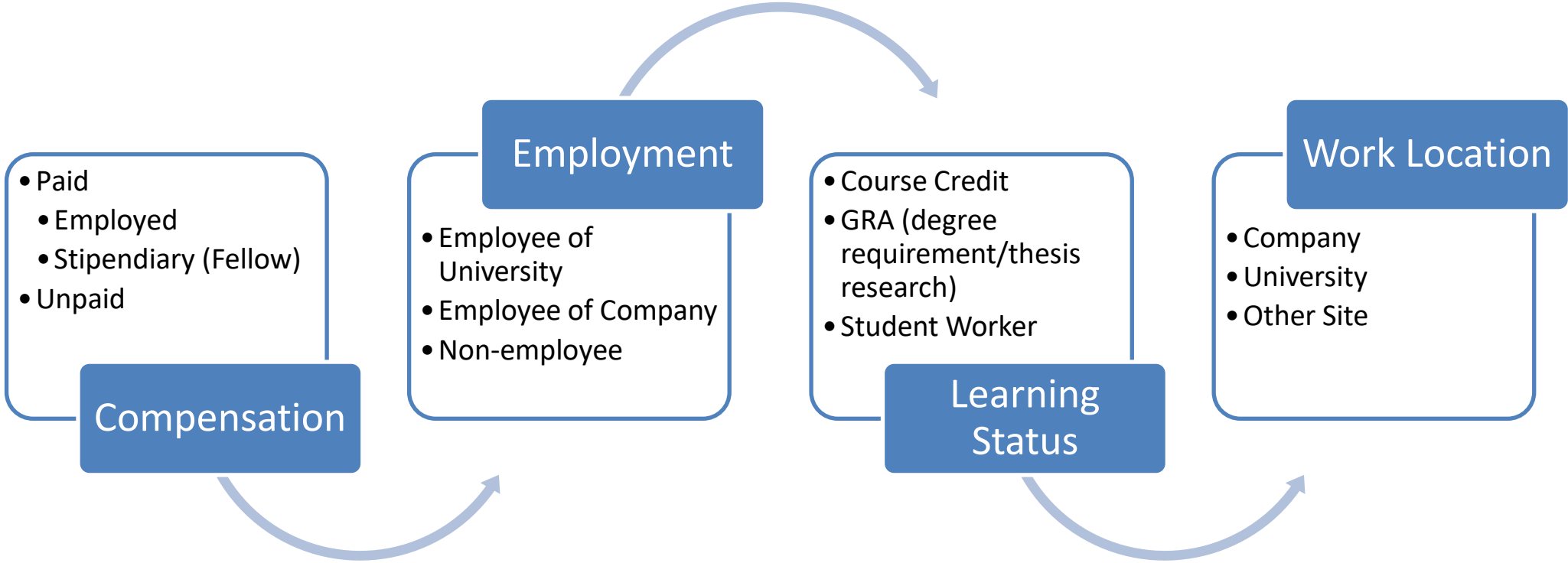
**Available on the UIDP Website at**

<https://uidp.org/publication/students-and-contracting-issues/>



# Industry-University Perspective

# Students in Research



## Major Considerations in Guide

- Supervision of the student
- NDAs and MTAs
- Publications
- *Intellectual Property*
- Export Controls
- Insurance
- FERPA (student privacy)
- F&A (aka indirect costs/overhead)



Strengthening  
University-Industry  
Partnerships

Student Category <sup>2</sup>						
Undergraduate Student	Undergraduate Student Assistant	Graduate Student	Graduate Student Research Assistant (GRA)	Graduate Student Fellow	Graduate Student Special <sup>3</sup>	Visiting Scholar

### Characteristics

<b>Enrollment<sup>4</sup></b>	Enrolled	Enrolled	Enrolled	Enrolled	Enrolled	Enrolled	Not Enrolled
<b>Employment</b>	Non-employee <sup>5</sup>	Employee <sup>1</sup>	Non-employee	Employee	Non-employee	Company employee	Non-employee
<b>Compensation</b>	None	Hourly	None	GRA appointment per university policy	Stipend or scholarship	Paid by company	None <sup>6</sup>
<b>Tuition Remission and Fringe Benefits</b>	No	No	No	Yes	No	Paid by company	No
<b>Supervision</b>	A faculty member or university employee serves as the Principal Investigator (PI) and supervises student staff.						
<b>Reports of Student Performance</b>	Information about students is protected by the Family Educational Rights and Privacy Act (FERPA), including the privacy of student records. Universities can only disclose "directory information" unless the student has given written consent for other information to be shared.						

### Common Issues in Sponsored Research

<b>Data and Material Stewardship</b>	Sponsored Research Agreements should specify data handling/retention; the PI is responsible for ensuring that students engaged in a project adhere to the agreed-upon data management.						
<b>Intellectual Property<sup>7</sup> (IP)</b>	No default assignment	Check university policy	No default assignment	Assigned	No default assignment <sup>8</sup>	Complex situation-address in advance	No default assignment
<b>Publication<sup>9</sup></b>	Required	Required	Required	Required	Required	Required	Required
<b>Confidentiality<sup>10</sup></b>	Usually not subject to policy	Usually subject to university agreements	Usually not subject to policy	Subject to university agreements	Usually not subject to policy	Complex situation-address in advance	Review university policy
<b>Research Compliance<sup>11</sup></b>	All research is subject to university policy for human subjects, animal models, and integrity in research.						
<b>Export Controls<sup>12</sup></b>	The student body of most universities includes U.S. citizens and non-citizens. Results of research undertaken with the intent to publish <b>may</b> be subject to the Fundamental Research Exemption (FRE). <sup>12</sup> Technology transfer can be affected.						Export controls may apply
<b>Workers' Compensation<sup>13</sup></b>	No	Yes	No	Yes	No	No	No
<b>Student Compensation; Facilities and Administrative Costs</b>	Wages not in budget	Wages subject to F&A	Wages not in budget	Pay and tuition in budget - Compensation subject to F&A; tuition is not	Fellowship stipend not in budget	Compensation not included in research contract	Wages not in budget

# Balance

The Guide is written (mostly) from a U.S. university perspective and it would be beneficial to have input from industry and international points of view.

- Graduate Students
- Undergraduates
- Intellectual Property
- Confidentiality
- Publications



- Internships
- Co-operative Education
- On-boarding at a company – human resources
- Insurance

## Contracts

- Sponsored Research
- Sponsored Capstones
- Student Participation Agreements

University-  
Industry  
**Perspectives  
from the  
“Real World”**

Home Depot

**Xiquan Cui**

Senior Manager of Data Science

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Strengthening  
University-Industry  
Partnerships

Student  
Engagement  
**Payment**

Unpaid or Paid

Stipend  
or  
Compensation

*Employee or Not*

or how to stay out of trouble when the internship is unpaid  
or being paid through stipend versus payroll

## Six Points for Structuring Payments

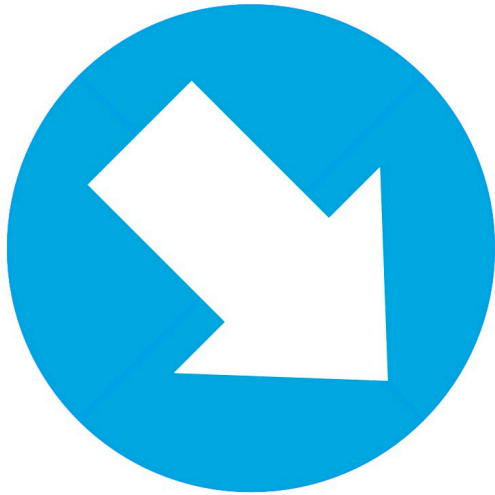
- Provides training similar to that in an educational environment.
- Tied to the intern's formal education.
- Accommodates the intern's academic commitments/calendar.
- Duration limited to the period in which there is beneficial learning.
- Work complements, rather than displaces, that of paid employees.
- Both the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.



# Questions to Consider

## Student Engagement in Research

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- Why do companies work with students in research?
- What factors determine whether a company chooses
  - Paid internships?
  - Unpaid Internships?
  - Co-op Students?
- What are the factors to consider when a company hires an intern or co-op?
- How do different universities and companies address
  - *IP* issues?
  - **Confidentiality** and access to materials?
- Do companies and universities have experience or examples of **student participation agreements** for capstone and design courses?
- What roles do companies have in graduate education, *e.g.*
  - Sponsored Projects?
  - Mentors?
  - Committee Members and Outside Reviewers?

# THANK YOU!

**Jilda Garton**  
[gartonjilda@gmail.com](mailto:gartonjilda@gmail.com)



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