Approaches to ensuring fair use of data and presentation of findings in collaborative research: Summary*

There are a variety of different types of education research relationships and a variety of agreements that can be made around the fair use of research, data, and research products. We look at research for practice, research by practice, and research within practice contexts, as well as:

• how intellectual property is defined and what is involved in intellectual property agreements; and
• the varied purposes and relationships developed between organizations in different types of research partnerships.

<table>
<thead>
<tr>
<th>Intellectual property (IP)</th>
<th>Confidentiality agreement</th>
<th>Data sharing agreement</th>
<th>“Non-compete” clause</th>
<th>Licenses</th>
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<tbody>
<tr>
<td>Rights that result from intellectual activity (Canadian Intellectual Property Office, 2011).</td>
<td>Any information between research partners is kept private from other parties, or no proprietary information is shared (Radak, 1994).</td>
<td>Decisions around what level of data are shared; who gets access to what data and for which purposes?</td>
<td>Partners agree not to enter into another partnership nor do research that would compete with the goals of the first partnership, for a set period of time.</td>
<td>Three types of intellectual property licenses: 1. Exclusive license: the ownership of research for a specific purpose. 2. Non-exclusive license: the right to use the research for various purposes. 3. Creative commons: the right to use material published online.</td>
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There are four main types of research activities in education:

**External research in school districts**

- When an external researcher enters into an agreement with a school board; for example, when a graduate student or faculty member wants to do research in a school, or board, they apply as an external researcher.
Commissioned research

- When a host organization asks external researchers to investigate a specific question or problem for them; some commissioned research is confidential and conducted for internal purposes only, while the findings from other commissioned research projects are intended for wider distribution.

Collaborative research partnerships

- When there is a reciprocal relationship between partners; for example, a school-university partnership where teachers, students, and university researchers work together on a research project.

Internal research

- When staff conducts research within their own work environment, to promote professional growth.

Challenges to the fair use of research are often around the arrangement of research ownership including:

- the protection of partners’ identity;
- how ownership is decided;
- the use of research data once the partnership agreement has expired;
- communication among partners;
- time lag between research and dissemination; and
- the sharing of materials and/or products from a joint research project/study among partners.

There are four ways that partners might choose to share their materials:

1. Researchers could share preliminary findings with their partners, for their internal use.
2. Before publishing, researchers could share a draft of their work with their partners. This would allow the partners to ensure they are portrayed fairly and give them an opportunity to suggest changes.
3. Partners could explore multiple methods of disseminating their research, including conferences, workshops, professional magazines, and online sites, as well as peer-reviewed journals.
4. Partners could apply for a ‘creative commons’ license which would allow their research to be disseminated publicly online.

Key Questions

1. What type of partnership agreement are the parties going to enter into?
2. What type of license will be needed for the materials or products that come out of the joint research?
3. What happens to the materials after the study has been completed?
   a) Who holds ownership of the materials?
   b) How can the materials be used or shared?

*This summarizes a paper that was commissioned by the OERP and prepared by Hilary Edelstein, OISE. It may be reprinted or shared freely, provided the original source is recognized.

The Ontario Education Research Panel (OERP) was established by the Ministry of Education in 2006 as part of its overall research and evaluation strategy. The Panel is made up of members from various education communities including university faculty, school board researchers, and researchers from other education organizations. The purpose of the OERP is to promote education research and evaluation activities that contribute to the advancement of education in Ontario.