Cooper
October 16, 2015

Physics 596 – Fall 2015

Scientific Ethics Case Study #13*: Data Ownership

Jessica Banks, a Ph.D. student working with Professor Brian Hayward, a physicist studying fundamental aspects of gravitational forces, has recently defended her dissertation and is now ready to file it and leave for a tenure-track position in a midsize private university on the west coast. Banks' dissertation involved a project funded by Hayward's NSF grant at the time. Later, Banks' experimental plan and early results were included in Hayward's grant renewal. Banks' new job is a tenure-track position in a midsize private university on the west coast.

Shortly before leaving for her job, Banks comes to Hayward's office to make copies of research data stored only on Hayward's computer using special software, which she also plans to copy. Banks is looking forward to continuing the research she had been conducting as a student. Hayward comes in as Banks is downloading her material, and asks her what she is doing. She tells him, and he then says to her that she cannot take the data. "They belong to me," he says. Banks is confused. "But I did the work, and I wanted to follow up on it. I can't do that without the data." Hayward is adamant. "I'm sorry, but you should understand this. Our research project was a joint enterprise, and all the work you did was funded by money I brought in via my NSF grants. The data do not belong to you or to me; they actually belong to the university, and the work will be continued with other students. I've already talked to one of the new students about working on those projects this fall." Banks, seeing her plans fall apart around her, protests, but Hayward is implacable.

Some questions to consider: Who is right here? Who owns the data? How could Banks have handled the situation better? What about Hayward?

***Before discussing the cases:** Identify people in the group for the following presentation duties: (i) A person to present the 'case' in their own words to the rest of the class; (ii) a person to present one point of view in this study; (iii) a person to present the opposing point of view; and (iv) a person to lead a class discussion of the case. Feel free to take notes as necessary to present your discussions to the class.

Take 15-20 minutes to discuss this case study and prepare to relate your discussions to the rest of the class.