Committee on Student Life (CSL)
Friday, May 20, 2011
Room 12-196 12pm – 2pm
Minutes taken by Lisa Stagnone

Present: Enectali Figueroa, Barbara Baker, Robin Deits

Guests: Maryanne Kirkbride, MIT Medical, Graham Ramsay, Video Blogging, Peer2Peer Group; James Chansky LICSW, Jessica Bainbridge-Smith, Isabella Lubin, Emma Jeffries, Tzipora Wagner, Corey Smith
Tena Herlihy, General Council Office. Yangbo Du

TOPIC: Peer2Peer, (Legal Issues -rescheduled for next year)

Peer2Peer is a student peer support group staffed by students at MIT.

History: MIT’s student support programs started with Nightline. It was a phone service started in 1979, and ran for 30 years, until recently disbanded. It was anonymous. It was confidential support from peers at night. It was modeled on Harvard’s Room 13. It supported everything from trivia calls informational usage.

Currently, MIT has support for students from Student Leadership, MIT Medical (mental health & counseling as well as community wellness), S^3 and UAAP, Institutional Research and Publishing Services Bureau.

Institutional research surveys showed that
57% of students fell overwhelmed by everything they have to do
36% of students have no one to confide in
When asked why they didn’t ask for help
39% of students said they would feel bad burdening others
21% of students didn’t know who to talk to
Self-esteem/self-confidence
18% are not confident in their academic abilities
24% say MIT experience contributed little or none to self-esteem/self-confidence

When asked what the sources of stress can be in their lives
12% personal relationships/family
20% difficulty of curriculum
21% balancing multiple commitments
26% future plans
35% workload

Can peer support help?
When asked, students were somewhat or very likely to call a peer support service they said they would.
-It’s informal, student to student (alternative would be professional/clinical support).
-It’s anonymity (most options require identification/appointments).
-Nighttime service (campus services close by nighttime; students are available and usually more stressed then).
Whom do students contact about problems?
84% friends
61% family
40% significant other
13% S^3
13% mental health
12% academic advisor
9% GRT

Anonymity is key. Some students want someone else to talk other than their friends for fear of being judged. 53% of students were more likely to call an anonymous service; only 5% were less likely. Nighttime there was more usage. Mental Health is closed, friends are sleeping or studying. Peer support closes the gap.

The folks who didn’t call stated that they didn’t think the service could help their problem. Some didn’t even consider calling (no advertising/outreach to support service). The Nightline service was not well understood.

There are comparable programs out there, all who report to a mental health organization. Some programs are at night however they are limited in what they offer and some identify staff. We need to figure out what’s best all round and build a program based on that. This is something that MIT can take leadership on.

Program Parameters: must be based in mental organization, not in Student Support Services. Nightline may not have been flexible enough. Estimates show that the support may require 30 staffers, working 2 (12 hour) shifts per week.

<table>
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<th>Services would be</th>
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<td>- in-person office hours (33% comfortable using)</td>
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<td>-by phone (50% most comfortable)</td>
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<td>-online (56% most comfortable with IM)</td>
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<th>Approach</th>
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<td>-complete anonymity</td>
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<tr>
<td>-need a face for the public also</td>
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<td>-caller handles</td>
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<tr>
<th>Supervision</th>
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<tr>
<td>-Development supervision model to follow</td>
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<td>-approval for additional staff</td>
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<th>Training</th>
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<td>-rely on outside vendor for training staff</td>
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We don’t want to infringe on the mental health staffers by taking work away from them. We would like to form an advisory board of ten (consisting of staff and faculty) to set clear expectations.

Maryanne Kirkbride stated that project needs to live in the tissue of MIT not at a departmental level. Let’s get feedback from this committee and return in the fall to discuss details of going forward, finding funding and developing structure.
Committee members asked

What is the call rate?
Call rate is low, mostly with non MIT callers. Perhaps 5% of sophomores to seniors would call. Going forward, we’d want it to be MIT specific.

Anonymity. It was stated that you could set up a system throughout Google Voice, validating anonymity, login through a webpage using certificates.

Confidentiality. When you’re not a doctor and you are a volunteer, what are the rules? You can use a person in the office, ID confidentiality. You can’t sell the service without this. Perhaps having a clinician oversee the needs of the office and be part of training.

Services available now. Students who are in need of the services do not seek them. They don’t want to have that stigma associated with mental health assistance. We need to work on removing that factor to get students in who should be in for help. Peer services don’t have the stigma as mental health facilities do. Students need to take small steps. Maybe linking it to mental health is part of that barrier however it is necessary.

Everyone has a different level of needing assistance. One student may seek help after ending a relationship where as another student would just talk it through with someone to get past it. One may go for support with a serious issue. It differs.

Marketing and education is important. People don’t know enough about mental health. We need to make everyone more aware.

Outreach program could be there to inform students of the Peer2Peer service, such as student organization groups that already exist (Active Minds, GRT’s, RA’s, Medlink). You can have these partners spread the word.

You need to understand the issues you’re dealing with:
Budget – institution need to provide funding. Low call rate to consider, needs to be in concert with student voice from the institute for support.
Marketing - at any point, you don’t want it to conflict with a non pathologic approach. It needs to be branded and marketed as such. Medlinks is under MIT Medical however they try to keep it as distant as possible when marketing the services. SaveTFP is another group to promote health awareness but keep the marketing side low. (The group promotes anti-alcohol program options to students.)

What can CSL do now to assist you?
Invite us back in the fall when we have our proposal. Help us populate the advisory board.

Due to timing issues, it was decided to invite Tena Herliby back in the fall to discuss Legal Issues; her PowerPoint presentation is attached to these minutes.

Attachments:
Peer2Peer Presentation
Legal Issues Presentation
Peer2Peer Needs Assessment Summary

Nightline
- Phone service
- Anonymous, confidential support from peers at night
  Opened in 1979
  - Modeled on Harvard's Room 13
- Informational / trivia calls encourage usage

Process thus far
- Student leadership
- MIT Medical
  - Mental Health and Counseling
  - Community Wellness
- S³/UAAP
- Institutional Research
- Publishing Services Bureau

Needs Assessment
- Institutional Research
  - Peer2Peer survey linked to MIT Enrolled Students Survey
    - N = 1137
- Publishing Services Bureau
  - Three focus groups
  - 5-8 students each
  - Moderated by PSB
Students’ Needs

- 57% often overwhelmed by “all they have to do”
- 36% have no one to confide in
- Why didn’t you reach out?
  - 39% I would feel bad burdening others
  - 21% I didn’t know who to talk to
- Self-esteem/self-confidence
  - 18% not confident in academic abilities
  - 24% say MIT experience contributed ‘little or none’ to self-esteem/self-confidence

Sources of Stress

- “Very stressful” responses
  - 12% personal relationships/family
  - 20% difficulty of curriculum
  - 21% balancing multiple commitments
  - 26% future plans
  - 35% workload

Can Peer Support Help?

- “Somewhat” or “very likely” to call a peer support service: 39%
  - Higher among freshmen, people facing difficulties with “personal relationships/family”

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<th>Difficulties with “personal relationships/family”</th>
<th>Interest in peer support</th>
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<tr>
<td>Not</td>
<td>20.00%</td>
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<tr>
<td>Slightly</td>
<td>25.00%</td>
</tr>
<tr>
<td>Moderately</td>
<td>30.00%</td>
</tr>
<tr>
<td>Very</td>
<td>50.00%</td>
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The Peer Support Niche

- “I've taken advantage of basically every student help service on this campus and Nightline definitely fills a hole in the system”—Focus Group Student

- Informal, student-to-student
  - Alternative to professional or clinical support
- Anonymity
  - Most options require identification/appointments
- Nighttime service
  - Most campus services close or become harder to use at night
  - Students are freer (and often stressed) at night
Informality, Students

*When you're talking to a peer, you know that they understand what it's like to be an MIT student*—Focus Group Student

- Whom do students contact about problems?
  - 84% friends
  - 61% family
  - 40% significant other
  - 13% S³
  - 13% Mental Health
  - 12% academic advisor
  - 9% GRT

Anonymity

*If... you need help... sometimes you don't want to talk to your friends because they're new friends; you don't want them to judge you*—Focus Group Student

- 53% more likely to call anonymous service
- Only 5% less likely to call

Nighttime

*You can't really call your parents at 3am*—Focus Group Student

- 85% said most likely to call during the night or early morning
  - 17% said day or afternoon (multiple responses allowed)
  - 5% listed operating hours as one reason they did not contact Nightline

Why students did not call

- Non-service approach
  - 41% prefer someone they know
  - 34% prefer to deal "on their own"
  - 26% did not think Nightline could help
- Advertising/outreach
  - 44% did not think to call
- Service model
  - 19% phone
  - 16% anonymous student
  - 11% prefer professional help
  - 9% might know a staffer
  - 5% Nightline not open
Comparable Programs

- Services and utilization vary widely
- Would not replicate some services
- Noting best practices
- Chance for MIT leadership

Program Parameters

- Must be in Mental Health and Counseling
- Current student leadership opinion:
  - Peer service is necessary
  - Flexibility to work with Institute services
- Needs to be sustainable
- Opportunity costs need to be considered
- Start as a pilot
- Will need ongoing communication with relevant parties - with a budget

Program Options

- Venue
  - In-person (office hours) (33% students most comfortable using)
  - By phone (50% most comfortable)
  - Online (56% most comfortable with IM)
- Approach to Anonymity
  - Complete anonymity
  - Public face
  - Caller handles
- Supervision
  - Development of appropriate supervision model
  - Seek budget approval for additional staff
- Training
  - Outside vendor

Next steps

- Peer2Peer Advisory Board
  - About 10 people
  - Clear expectations regarding staffing
  - Using existing list of interested candidates
- What more do we need to make a decision?
Intellectual Property at MIT and Beyond

Presentation to CSL, May 20, 2011

Tena Z. Herlihy  tenazara@mit.edu
What is intellectual property?

- **Patent** – Rights granted to an inventor of a device, method or process that is new, inventive, and useful or industrially applicable.

- **Copyright** – Protects literary, scientific and artistic works, in any form of expression, provided they are "fixed in a tangible form." If you can see it, touch it, or hear it, it may copyrighted.

- **Trademark** – Protects a word, name or symbol used to indicate the source of goods. (Trivia: very first trademark was Bass Ale’s red triangle.)
Patent Protection

- Your patent would give you the right to exclude others from making, using, offering for sale, selling or importing any invention that infringes the specific claims in your patent.

- Your patent does not prevent others from creating a program that achieves the same results, so long as they can “design around” your patent.
Copyright Protection

- Right to reproduce the protected work (make one or more copies)
- Prepare derivative works (including abstracts, enhancements, translations, and digitizing text material)
- Right to distribute (even one copy)
- Right to display publicly
- Right to perform publicly
Trademark Protection

- You can prevent others from using a the same or confusingly similar name or logo for the same or similar products. Standard is Likelihood of Confusion.
Why you need to consider IP rights

• Offensive – To protect your works. Recognition or financial rewards.
Why you need to consider IP rights

- Defensive:

- Infringing intellectual property rights creates civil liability, which means you can be sued and ordered to pay money.

- Infringement can lead to criminal liability, which means you would have a criminal record and either be fined or spend time in prison.
MIT IP Ownership Policies

"MIT owns inventions (patents, software, maskworks...) of faculty, students, staff, visitors or others participating in MIT programs or using MIT funds or facilities if either of the following applies:

(1) The IP was developed in the course of or pursuant to a sponsored research agreement with MIT

(2) The IP was developed with significant use of funds or facilities administered by MIT

(3) [for anything copyrighted:] "Work for Hire"* as defined by copyright law”

*[not common for MIT research or academic works except theses]
What about Students?

- The policy is the same for students
- Was the student working in a capacity of an employee for MIT?
- Was the inventions created with "significant use" of MIT funds?
- Was the invention created with "significant use" of MIT facilities?
What is "significant" use of facilities?

- MIT does not construe [as significant use]
  - Office, library, machine shop, or Project Athena personal desktop work stations and communication and storage servers
More on "significant" use for funds or facilities

"Generally an invention...will not be considered to have been developed using MIT funds or facilities if:

- Only a minimal amount of unrestricted funds have been used; and
- The invention...has been developed outside of the assigned area of research of the inventor/author under a Research Assistantship or sponsored project; and
- Only a minimal amount of time has been spent using significant MIT facilities; and
- The development has been made on the personal, unpaid time of the inventor/author."

Massachusetts Institute of Technology
More on Copyrights

5 Rights Held by Copyright Holder:

- Right to reproduce the protected work (make one or more copies)
- Prepare derivative works (including abstracts, enhancements, translations, and digitizing text material)
- Right to distribute (even one copy)
- Right to display publicly
- Right to perform publicly
What is Copyrightable?

- What is copyrightable? "Original works of authorship" [low threshold] "fixed in a tangible form of medium." This means most writings, images, artworks, videotapes, musical works, sound recordings, motion pictures, computer programs, etc.

- Not copyrightable: facts, ideas, concepts, titles, short phrases, public domain information.

- Author/artist/photographer owns the copyright unless the work qualifies as a "work for hire" or the author assigns the copyright to someone.

- Any assignment of copyright must be in a written agreement signed by the copyright holder (very important).
When is it ok to use Copyrighted Works?

- Permission – always an absolute defense
- “Educational Use” exception
- “Fair Use” exception
Exception to copyright: educational use

- Very misunderstood, often confused with fair use
- Very narrow exception covering only face-to-face teaching
Exceptions to Copyright: Fair Use

- Under the Copyright Act, it is not infringement to reproduce and distribute (on a limited basis) a copyrighted work without permission of the copyright holder for:
  - Criticism or parody
  - Commentary
  - News reporting
  - Teaching, scholarship, research
  - Home use (using TiVo to record a show)
Fair Use

- Fair Use is *always* determined by a 4-factor test
  - Purpose and character of use, including whether the use is commercial or for nonprofit educational purpose.
  - Nature of the copyrighted work (Scientific/historical vs. fictional/entertainment/unpublished).
Fair Use Factors

- Amount and substantiality of the portion used in relation to work as a whole (key issue with respect to photos).

- Effect on potential market for or value of copyrighted work (Courts often consider this factor controlling, and it does not matter whether the copyright holder is actually profiting from the work, only whether the use could have an impact on the market value).
Infringement: criminal penalties (LaMacchia case)

- 1994 – MIT junior David LaMacchia was indicted for conspiracy to commit wire fraud
- Accused of modifying Athena workstation to run a bulletin board that allowed people to illegally copy more than $1 million worth of copyrighted software without paying
- Accused of encouraging people to use the site to make software free for others to use
- “Largest incident of software piracy ever” at the time, according to Boston District Attorney
- Charges eventually dismissed, judge finding that copyright infringement could not be prosecuted under wire fraud statute in part because LaMacchia did not profit from the scheme
- Criminal penalties for copyright infringement at the time all required that the infringer profit from the infringement
NET Act: congress reacts to LaMacchia case

- **1997 No Electronic Theft Act ("NET Act")**
- **Felony** to copy or distribute copyrighted works with a combined value exceeding $2,500 in 180-day period.
- **Misdemeanor** for works valued between $1,000 and $2,500.
- Criminal liability *regardless of whether copying or distribution was done for free.*
- Think about it: Letting 8 friends copy your version of Windows 7 Pro would be a FELONY. Sharing 3 copies would be a misdemeanor.
Questions? Thanks.

- If you have any questions, contact:

  Office of General Counsel – web.mit.edu/ogc
  Technology Licensing Office – web.mit.edu/tlo

  TenaZara@mit.edu

- Please keep in mind that this presentation is purely informational, not a substitute for personalized advice from a knowledgeable lawyer. The OGC does not provide legal advice or representation to MIT community members in connection with personal legal issues, and for assistance on such issues you should consult an attorney who will represent your interests.