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Academic Affairs

February 1, 2019

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2. If a copyrightable work is funded, in whole or in part, by a contract or grant from an agency outside the University, copyright shall be assigned in accordance with the terms of the contract or grant. The individual faculty member or employee who is working on the contract or grant and who is developing the copyrightable works is required to execute any documents necessary to assign copyright ownership in accordance with the contract or grant.
3. If a copyrightable work is commissioned by the University, meaning that a faculty member or employee receives supplemental compensation from the University to prepare a specific copyrightable work, rights to that work shall be according to terms negotiated at the time of the commission. The faculty member's dean (or non-faculty employee's supervisor or designee) must reasonably schedule negotiations. Negotiated terms will be noted on the appropriate university form, with all terms noted, including compensation. Those terms may include assignment of copyright, license of rights, or division of royalties. If negotiations do not occur after being initiated, in writing, by the responsible parties or if the negotiations do not come to a mutually agreeable resolution, then the copyright shall be jointly owned by the University and the authors, and the same division of royalties as utilized for patent income shall be used.
4. Copyright in "institutional works" shall be owned by the University. An "institutional work" means either (a) a work prepared at the direction of the University for the use of the University in conducting its own affairs (for example, University handbooks, press releases, and software tools); or (b) a work that cannot be reasonably attributed to a single author or group of authors because it is the result of contributions or revisions by numerous faculty members, employees, or students of the University. Textbooks and other course materials prepared by a faculty member shall not be considered "institutional works".
5. Video or online courses shall not be sold, leased, rented or otherwise used by a current University employee in a manner that competes with the offerings of the University, unless the transaction has received the prior approval of the Provost or his/her designee.
6. When the University assigns one or more faculty members to create electronic course materials, rights to those materials shall be negotiated at the time of such assignment. Negotiations shall include the faculty member(s), the appropriate dean(s) and any employee

2. The Rights in Copyrightable Materials Committee shall be a standing committee composed of six members, equally apportioned between faculty (chosen by the Faculty Senate) and administration (appointed by the President or his/her designee). The committee shall serve as a forum for discussion of University copyright policy and recommend changes as appropriate.
3. Disputes over copyrightable material or agreements dealing with copyright issues should be resolved using the General Grievance Policy given in Appendix E of the Faculty Handbook.

[Determination of Rights in Copyrightable Materials Policy Negotiation Form](#)

Academic Affairs will review this policy every five years or sooner as needed.