

1 **Intellectual Property and Instructional Materials**

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3 Policy Number: 2031

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5 Date Created/Revised: 2021

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7 Executive Responsibility: Provost
8 Faculty Senate

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10 Applies to: All full-time and part-time faculty

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12 **2031.1**

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14 Intellectual property (IP) rights are essential to the research and teaching mission of any
15 educational institution. Faculty members draw on their expertise, creativity and experience to
16 prepare, refine and implement the highest quality instructional approaches and materials for their
17 students.

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19 All instructional materials created by any member of the instructional faculty as part of their
20 appointment remain the intellectual property of their creator(s). Thus, the creator(s) may share
21 their intellectual property as they wish. Use, copy, distribution of the materials and duration of
22 use, other than as addressed in this policy, should be approved by the creator(s).

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24 Instructional materials include (but are not limited to): syllabi, lectures, lecture notes, handouts,
25 visual presentations, images, and other visual aids, laboratory manuals, video and audio
26 recordings, bibliographies, pedagogical and/or andragogical documents, course assignments and
27 activities, study guides, quizzes and examinations, and all web content, regardless of its hosting
28 site, method of distribution, or mode of instructional delivery.

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30 **2031.2 Fair Use**

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32 The University shall operate within the restrictions of fair use as established by applicable case
33 law. In this policy, fair use of educational materials is limited to the syllabus.

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35 This policy distinguishes between types of syllabi. Master syllabi are created for course approval
36 and remain on file. Master syllabi are not the focus of this policy; their use is not limited to any
37 individual(s). Rather, in this policy, “syllabus” refers to the “instructional syllabus” being used
38 for a particular academic term.

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40 2031.2a: Evaluation: All instructional faculty must share their syllabus with their departmental
41 or school leadership at the beginning of each academic term for the purpose of evaluation,
42 reference, and curricular consistency.

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44 2031.2b: Curricular planning: Programs and departments use syllabi for curricular decisions,
45 including transfer credit, cross-listing, and other curricular work.

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47 2031.2c: Students: Former students periodically request syllabi for transfer or other
48 documentation, and current and potential students sometimes request to view syllabi to
49 understand concepts and depth of particular courses. Syllabi may be shared in these cases.

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51 2031.2d: Continuity of instruction: When a faculty member is unable to finish teaching a course,
52 the replacement instructor may use the original instructor's syllabus only for the academic term
53 the instructional interruption occurred.

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55 2031.2e: Accreditation: Syllabi may be shared as required by an established accrediting body.

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57 2031.3 Exceptions

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59 2031.3a: Collaborative creations: Instructional works that are collaboratively authored for
60 ongoing educational use in a particular college, school, department, or program are exempted
61 from this policy, as all of the people who create a joint work own IP rights together.

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63 2031.3b: Special projects: Signed agreements for special instructional projects may reallocate
64 rights or otherwise alter application of this policy. Unless such agreements specifically address
65 IP ownership, all IP ownership belongs to the author(s).

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67 2031.3c: Grant-supported instructional projects: Any materials created as a result of grant
68 funding, either internal or external, need to abide by any agreements established as part of the
69 grant award process.

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