

1 **Intellectual Property and Instructional Materials**

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Policy Number: 2031

Date Created/Revised: 2021

Executive Responsibility: Provost
Faculty Senate

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

2031.1

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

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

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

2031.2 Fair Use

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

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

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

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

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. This does not apply to a work stoppage unless the faculty
54 member provides permission.

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56 2031.2e: Accreditation: Syllabi may be shared as required by an established accrediting body.

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58 2031.3 Exceptions

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

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

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

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