Guidelines on University Use of Intellectual Property Regarding Courses and Course Content

Northern Arizona University, May 5, 2014

This document provides guidelines for the current NAU interpretation of the Intellectual Property policy established by the Arizona Board of Regents (6-908) vis-à-vis course material use. That policy articulates that the Board owns all intellectual property[[1]](#footnote-1) created by employees in the course and scope of their employment or with significant use of University resources. The guidelines below acknowledge the University’s right of use, but articulate the practices and intentions currently in place at NAU.

In current practice, NAU distinguishes between course components that are created by the program and those that are created by individual faculty members. Each course includes a basic set of components consisting of the material submitted to and approved by the college and the University Curriculum Committee. These program-created components include all written and/or electronic versions of applicable course descriptions, learning objectives, means of course assessment and grading, syllabi, and other program-created common course elements such as common assessments.

In addition to those program-created common components, courses include faculty-created components that animate and individualize the course, making it the product of a particular faculty member (or other employee) with unique professional and personal resources. These include, but are not limited to, components such as faculty-created presentations (e.g., PowerPoint or Prezi slides); unpublished readings or handouts created by the faculty member; faculty-created photographs, films, audio recordings, or drawings; personal possessions; and in-class or on-line simulations or exercises created by the faculty member.

In current practice, our guideline at Northern Arizona University is to make the program-created components of a course available to all faculty members teaching that course. The additional faculty-created course components are used by the University, excluding the course creator’s use, only in cases where: the work was done for hire (either through grant awards and financial incentives, re-assigned time, or other fair compensation); the components were created with substantial university assistance[[2]](#footnote-2) (such as creating a video); or a faculty member has granted formal permission as a service to their unit.

**Disputes**: Any disputes concerning ownership of the intellectual property rights arising under the Intellectual Property Policy shall be referred to the University Intellectual Property Committee through the IP Official. The members of this committee are listed at <http://nau.edu/Research/NAU-Innovations/IP-Committee/>.

As a statement of current practice, these guidelines are subject to future review.

1. In cases where the policy allows for ownership to be transferred to and/or vested in the employee creator(s), the policy stipulates that the University retains a “paid up royalty-free, non-exclusive license . . . to use for non-commercial purposes these works of authorship for education, research and the furtherance of the public service mission of the University.” [↑](#footnote-ref-1)
2. Substantial assistance goes beyond assistance that is traditionally provided to faculty members for the preparation of their course materials. Such arrangements are to be agreed to in writing in advance. [↑](#footnote-ref-2)