

Motion approved by Faculty Assembly May 5, 2011 as amended. Latest changes highlighted.

Updated Motion on Copyright of Online Course Materials:

Copyright Policy: The faculty and adjuncts of SUNYIT shall retain all rights to copyright and publish written works produced by them including including any ancillary work created for their course. The exception is a work for hire where faculty agree by contract to produce specific works that SUNYIT may have the right to publish without copyright or to copyright in its own name. The copyright forfeiture will be subject to contractual arrangements by SUNYIT for work in the course of which the writing was done. In the simplest terms: You own what you produce unless you knowingly give up your rights to the product.

Key Terms and Issues:

Work for Hire – When a work qualifies as a work for hire, the employer or commissioning party may be considered to be the author. Work for hire contracts must clearly note if the author is giving up ownership of copyright to their work. Work done by faculty outside the Scope of Employment either through contract, consultancy or purchase order may be considered work for hire.

Written works - Any copyrightable work. All intellectual creations are treated the same, regardless of how they are stored ... on a printed page, on videotape, on a computer, or on any other storage medium.

Format and Timing - Work is under copyright protection the moment it is created and fixed in a tangible form so that it is perceptible either directly or with the aid of a machine or device.

Rights and Responsibilities - Nothing in this policy precludes the University from requesting to use online materials developed by faculty members. SUNYIT shall accept responsibility and establish guidelines for protecting the rights of faculty members for materials stored on resources owned by SUNYIT. Faculty understand that they must use online materials in an ethical and legal manner and that they have the responsibility for retaining copies of their work.

Faculty also support the clarifications and commentary noted in the UUP Memo, Intellectual Property, Software and Distance Learning, which is attached.

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