

# METROPOLITAN STATE UNIVERSITY REGULATIONS



## INTELLECTUAL PROPERTY AND ONLINE COURSES

### University Policy #2110

#### **Section 1. Policy**

The purpose of this document is to clarify intellectual property rights regarding online course materials developed by Metropolitan State University faculty for use in courses at Metropolitan State University.

#### **Section 2. Basic Premises and Definitions**

- A. Metropolitan State University encourages faculty to develop online courses.
- B. Metropolitan State University provides resources to faculty for the development of online courses maintained by the university. Support from the Center for Online Learning is considered normal professional, technological, and technical support.
- C. This policy and any agreements between Metropolitan State University and faculty regarding intellectual property shall comply with MnSCU Board Policy.
- D. A complete course package is defined as the syllabus, course materials, assignments, and other course files as they are contained in a university course site within an instructional management system (e.g., D2L).
- E. Course materials such as the syllabus, slide presentations, word processing documents and any other files and artifacts created by a faculty author/creator are the intellectual property of the author/creator, even if such works are included in a complete course package.
- F. Complete course packages developed for use at Metropolitan State University shall not be licensed, sold or otherwise transferred to another university or organization without the written permission of the faculty author/creator(s) and the University.

#### **Section 3. Ownership**

Except as altered by a sponsorship agreement, individual agreement, or special commission, faculty members are the owners of the intellectual property that they create/author. In all cases in which the university has an interest in faculty created works, the university shall enter into a written agreement with the affected faculty allocating intellectual property rights in any such works between the university and the faculty author/creator(s).

**Section 4. Sharing Intellectual Property within the Metropolitan State University**

- A. Faculty may share the intellectual property they create, including personal intellectual property included in complete course packages, with other Metropolitan State University community and resident faculty without consulting the Metropolitan State University administration, but they are not obligated to do so.
- B. The university administration may request faculty to share the complete course packages they create or personal intellectual property included in such packages with other Metropolitan State University community and resident faculty, but the faculty are not obligated to do so.

**Section 5. Licensing, Sale or Other Transfer of a Complete Course Package Outside Metropolitan State University**

If a complete course package maintained by the university has commercial potential beyond use at Metropolitan State University:

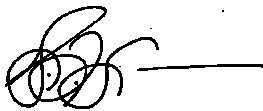
- A. The faculty author/creator(s) and the university must agree in writing prior to the licensing, sale or other transfer of a complete course package for use at an institution other than Metropolitan State.
- B. In the event of the licensing or sale of a complete course package, eighty percent (80%) of the proceeds will go to the creator/author(s). The remaining 20% will be distributed equally between the author/creator(s)' department(s), and the Center for Online Learning. The distribution of proceeds will be included in a written agreement between the creator/authors and the university prior to the sale or licensing of the complete course package.

**Section 6. Review and Updates**

This policy will be reviewed every three years, when changes in MnSCU Policy 3.26 occur, or as needed.

**Section 7. Signatures**

Issued this day, February 10, 2010



William Lowe, Provost and Vice President, Academic Affairs



Sue K. Hammersmith, President