



Ownership, Use and Control of Copyrightable Instructional Materials

University of Wisconsin-Green Bay policy regarding the ownership, use and control of copyrightable instructional materials is intended as an elaboration and specification of UW System General Administrative Policy Paper 27. In the event of conflicts of interpretation, GAPP 27 shall take precedence.

Objectives

In its approach to ownership, use and control of copyrightable instructional materials, the University of Wisconsin-Green Bay seeks:

1. to encourage faculty creativity and innovation in the development of instructional materials that support student learning;
2. to encourage the transformation of effective, pre-existing course materials to new modes of instructional delivery;
3. to motivate the development of new instructional materials in new, technology-based formats;
4. to provide fair compensation to faculty for instructional materials that generate income;
5. to locate responsibility for overseeing the quality and currency of instructional materials with the faculty, and;
6. to preserve for the academic programs the use of materials developed for their curricula.

Policy

Copyrightable instructional materials are those original materials developed by faculty or instructional staff for the purpose of providing instruction in the context of a course or program at UW-Green Bay, as described in GAPP 27.

At UW-Green Bay, instructional materials are typically developed by faculty or instructional staff under conditions outlined in GAPP 27, (B), (1) and (2), unless specifically determined in advance by the University to be developed under conditions (3), (4) or (5). Instructional materials developed by non-instructional or classified staff are typically developed under condition (B)(4), work for hire, unless specifically determined in advance by the University to be developed under some other condition.

GAPP 27 defines ownership interests in intellectual property clearly for conditions (1), (2) and (4). Ownership interests in condition (5) are determined through contractual agreements with external sponsors. Additional definition of ownership interests within the parameters of GAPP 27 under condition (3) is the responsibility of the campus.

If the University determines that copyrightable instructional materials are developed under condition (3), that “substantial UW System or institutional support or involvement has been provided”, the following understandings will be in effect:

1. An Academic Dean (or delegate) will draw up an agreement that identifies the specific circumstances that constitute the situation of substantial support, work for hire or extramural sponsorship (GAPP 27) and that specifies the materials that are to be produced in that context. The agreement will also specify any appropriate financial arrangements in accordance with GAPP 27. The faculty or instructional staff member will be asked to sign the agreement before work proceeds.
2. The faculty or instructional staff member who develops new instructional materials will hold the copyright on those materials.

3. Materials designed for teaching a course at UW-Green Bay that are the original creation of the author may be copyrighted, except as noted in 4) below.
4. Materials that are not considered part of copyright are the course number and title, the course description, the course learning objectives and the course syllabus.
5. The holding of the copyright by the faculty member shall explicitly acknowledge the right of the University of Wisconsin-Green Bay to have full use of the materials in the course for which they were developed and shall also acknowledge the right of the University of Wisconsin-Green Bay to share any revenue that may result from the sale of these materials in accordance with GAPP 27.
6. A UW-Green Bay course is approved by the faculty through the appropriate program curriculum committee and the Academic Affairs Council. Academic programs have the unrestricted right to offer their approved courses and to use any materials developed for those courses by faculty or instructional staff.
7. It is the responsibility of the academic program to assure the quality and currency of courses it offers. In the first instance, the faculty member who developed a course should have the opportunity to bring that course up to date. However, the academic program may assign that responsibility to another faculty or instructional staff member.
8. A faculty member who develops course materials for an approved UW-Green Bay course shall have the right to use those materials in other courses taught at other institutions. This right does not extend to the UW-Green Bay course number, course title, course description, learning objectives or syllabus. However, it is understood that different universities have comparable, highly similar courses in their curricula. A faculty member is not prohibited from teaching a course that is nearly identical to a UW-Green Bay course that is part of the approved curriculum of another institution.
9. A faculty member who develops instructional materials under conditions (B) (3)-(5) of GAPP 27 must inform the appropriate Academic Dean if he or she intends to sell those materials. Remuneration must be determined in accordance with GAPP 27.
10. An academic program may not sell instructional materials that are copyrighted by a faculty member without that faculty member's signed agreement.

Instructional materials that have been developed by a University employee under conditions (1) and (2) that are subsequently incorporated into a course or body of instructional materials that are developed under condition (3) remain the intellectual property of the developer. The academic program is entitled to use those materials, as it is entitled to use any materials developed under condition (3), but any financial gain that the employee may realize from those previously developed materials accrues to the employee.

[Contact Us \(Request Information\)](#)

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