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| **EDUCATIONAL MATERIALS POLICY OVERVIEW**  |
| **TASK FORCE CHARGE** |
| **In the Fall of 2022 the Educational Materials Task Force was assembled and charged by the Faculty Senate Executive Council and the Office of the Senior Vice President and Provost to review and update Chapter 10.9 of the Faculty Handbook and the university’s current Educational Materials Policy to create a modern, consistent, inclusive, and concise educational materials policy that provides a framework for ownership and use of educational materials developed by faculty, staff, and students (as applicable) at Iowa State University.**  |
| **BACKGROUND**  |
| The following are links to the current Chapter 10.9 of the Faculty Handbook and Educational Materials policy: **Chapter 10.9 of the Faculty Handbook:** <https://www.provost.iastate.edu/sites/default/files/wdclientcss/Faculty/Policies/Faculty%20Handbook%20-%20June%202023.pdf>**Policy on Educational Materials:** <https://www.techtransfer.iastate.edu/wp-content/uploads/2018/09/USponsored-Educational-Materials.pdf> (Approved 1976)  |
| **SUMMARY OF THE UPDATED EDUCATIONAL MATERIALS POLICY****(Including revised language based upon stakeholder input as noted below)** |
|  | **AUTHOR MATERIALS** | **UNIVERSITY MATERIALS**  |
| **DESCRIPTION** | Author owns: * Educational Materials created without Substantial University Resources
* Scholarly Works created without Substantial University Resources
 | All Educational Materials are author-owned **UNLESS** the Educational Materials are: * Created with Substantial University Resources, including -
	+ Use of assistance greater than what is normally provided to others in the unit
	+ Use of specialized media production services
* Supported by sponsored projects or other agreements requiring that the Educational Materials be owned by the University or other entity
* University commissioned works
* Extension Works
* Works assigned to the university pursuant to agreement
* Collaborative Works
* Works derived from University-owned Educational Materials
* Works created by staff\*
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| **WHO OWNS THESE MATERIALS?**  | AUTHOR | UNIVERSITY  |
| **CAN THE AUTHOR USE EDUCATIONAL MATERIALS?** | *YES*. Author may use the materials provided author use does not conflict with ISU policy and any use of the University name and trademarks are removed.  | *YES, in some circumstances*. Author may use the materials for personal and educational non-commercial purposes provided author use does not conflict with ISU policy and any use of the University name and trademarks are removed.   |
| **CAN THE UNIVERSITY USE EDUCATIONAL MATERIALS?** | *YES, in some circumstances*. University may use the material *internally* for educational purposes, update as necessary to ensure continuity of academic and educational programming, and update as needed, with appropriate attribution. Use by the University is permitted for a period of three (3) years, after which the author may request in writing that the University cease internal use of the Educational Materials. The University may not use these materials *externally* without author approval.  | *YES*. University owns, and the University maintains rights to use and allow others to use, reproduce, adapt, modify, update, display, distribute the materials for any University purpose.  |
| **CAN THE UNIVERSITY UPDATE EDUCATIONAL MATERIALS FOR UNIVERSITY USE?** | *YES, in some circumstances*. If University use requires updates for continuity in programming, the University will work with the author to update the materials as mutually agreed upon. University may engage another author to make updates if the parties are unable to reach agreement.  | *YES*. University may update materials for any University purpose. If updates are needed, the University will provide author the first opportunity to perform the updates. |
| **CAN THE AUTHOR UPDATE THESE MATERIALS FOR AUTHOR USE?**  | *YES*. Author may continue to update author materials for author purposes as needed.  | *YES, in some circumstances*. Author may update for personal and educational use. University permission in writing is required for commercial use.  |
| **ARE ROYALTIES PAID BY ISU FOR USE OF EDUCATIONAL MATERIALS?** | *NO*. Author contributions are recognized as part of the University’s academic programming and author development process.  | *YES, if royalties result from external use and sale of the materials by the University*. Royalties will be paid consistent with the [ISURF Patent Royalty Distribution Policy](https://www.techtransfer.iastate.edu/wp-content/uploads/2018/09/Royalty-Distribution-Policy.pdf).  |

\*staff who teach or conduct research at the University with a level of responsibility and self-direction similar to that exercised by faculty shall have the same ownership as faculty when those activities result in the creation of Educational Materials