

Peer Copyright Policies: An Overview

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Summary of Principles

- *Traditional academic work product*-under copyright policies of all universities surveyed (20), copyright ownership of non-directed academic works traditionally created by faculty and students (books, articles, theses, etc.) vests with the creators of such works. Similarly, at 16 of the 20 universities surveyed, faculty members retain ownership of course materials created during the course of teaching (syllabi, assignments, tests, etc.).
- *Works created with substantial/significant university resources*-almost uniformly (19/20), universities retain copyright ownership of works created with “substantial” or “significant” university resources, irrespective of the nonexistence of a written agreement governing the issue of ownership and irrespective of whether the work in question is classified as traditional academic work product.
- *Works made for hire*-18 of the 20 policies surveyed vest copyright ownership of “works made for hire” (works created by university employees within the scope of their employment) in the university. As with works created with substantial/significant university resources, universities retain rights in “works made for hire” notwithstanding the nonexistence of a written agreement governing the issue of ownership.
- *Courses and courseware*-8 of the top 20 universities retain copyright ownership in courses taught and courseware developed for teaching at the university. The remaining 12 universities do not address the issue of ownership of courses and courseware in their copyright policies.
- *Sponsored works*-17 of the 20 policies surveyed vest copyright ownership of sponsored works (works first produced by or through the university in the performance of a written agreement between the university and a sponsor) in the university.
- *Commissioned works*-8 of the top 20 universities retain copyright ownership in works specially commissioned by the university (works produced for university purposes by individuals not employed at the university or by university employees outside their regular employment). The remaining 12 universities do not address the issue of ownership of such works in their copyright policies.

UNIVERSITY RIGHTS: A COMPARISON

	Traditional academic work product of faculty and students	Course materials created by faculty	Works created with “substantial/significant university resources”	Works created with “university resources”	Works made for hire/ Assigned works	Courses & courseware	Sponsored works	Commissioned works
Princeton	✗	✗	✗	✗	✓	□	✓	□
Harvard	✗	✗	✓	✗	✓	□	✓	□
Yale	✗	✗	✓	✗	✓	□	✓	□
WUSTL	✗	✗	✓	✗	✓	□	✓	□
Stanford	✗	✗	✓	✗	✓	✓	✓	□
MIT	✗	✗	✓	✗	✓	□	✓	□
Penn	✗	✗	✓	✗	✓	✓	✓	□
Duke	✗	✗	✓	✗	□	✓	□	□
Dartmouth	✗	✓	✓	✗	✓	✓	✓	□
Columbia	✗	✗	✓	✗	✓	✓	✓	✓
The UC System	✗	✗	✓	✓	✓	✓	✓	✓
U. of Virginia	✗	□	✓	✗	□	□	✓	□
U. of Michigan	✗	✗	✓	✗	✓	✓	✓	□
U. of N. Carolina	✗	✗	✓	✗	✓	□	✗	✓
Coll. of W&M	✗	✗	✓	✗	✓	□	✓	□
U. of Wisconsin	✗	✗	✓	✗	✓	✓	✓	□
GIT	✗	✗	✓	✗	✓	□	✓	□
U. of Illinois	✗	□	✓	✗	✓	□	□	✓
U. of Washington	✗	✗	✓	✓	✓	□	✓	□
U. of Texas	✗	□	✓	✓	✓	□	✓	✓
UMN-Proposed Policy	✗	✗	✗	✗	✓	□	✓	✓

NOTE: ✓ ~ rights vest with university; ✗ ~ rights do not vest with university; □ ~ unspecified by copyright policy