



Seattle University Copyright Ownership Policy

A. Introduction

Seattle University (University) is committed to providing an atmosphere that is

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3. Scholarly writings: Scholarly writings (for example, articles and books) that are authored by a non-faculty employee will be wholly owned by the employee.

Copyrights in works created by non- faculty employees on their own time and without the use of University resources will be wholly owned by the employee.

reproduction of such academic publications, the University shall retain the rights to: (1) publish, republish, reproduce, post and otherwise publicize and distribute, in print or online, the academic publication in which such contribution appears; and (2) use such contribution for educational purposes within the University. The University shall also own any copyright in any compilation of individual contributions in the academic publication.

I. Ownership of Courseware

The policies articulated in this section apply to all forms of Courseware.

1. Courseware Created by Faculty

Subject to the exceptions noted below, ownership of Courseware resides with the faculty creator. The only exceptions to faculty ownership of Courseware are as follows:

a. Sponsored Project: When Courseware is created by a faculty member using funding from a Sponsored Project, the terms of that Sponsored Project will supersede this general policy with regard to ownership. Ideally, the terms of any such Sponsored Project should be specified clearly and prior to the work being undertaken or produced.

b. Exceptional Contribution of University Resources: When Courseware is developed with an Exceptional Contribution of University Resources, ownership of said Courseware is negotiable, as long as said Courseware was not created using funding from a Sponsored Project. Whether a particular instance of Courseware has been developed with an Exceptional Contribution of University Resources is determined by the Provost (or his or her designee). If it has been determined that there has been an Exceptional Contribution of University Resources, the Provost will further determine ownership of the copyright. For purposes of this Courseware policy, sabbaticals and internal grants would not, in and of themselves, be considered an Exceptional Contribution of University Resources unless there is written agreement to the contrary between the faculty member and the University.

c. University use of Courseware: Faculty who develop Courseware will not be entitled to charge the University a fee for using their author-owned Courseware in their teaching at the University. If the author leaves the University, the University shall have the right, without cost or payment to the author, to use, reproduce, adapt, modify, update, exhibit, and display all Courseware created during the period of employment for a period of three years after conclusion of the author's employment at the University. The University's right to the use of author-owned Courseware does not prevent the author from using said Courseware elsewhere or from otherwise exercising the rights associated with ownership.

Short-term stipends that may periodically be available to faculty to develop Courseware, improve courses, or change delivery methods, are considered faculty development

recommendation to the Provost. The decision of the Provost, which is to be explained in writing, will be final.

In the event of any dispute arising out of or in connection with the Provost's final decision, the dispute shall be resolved by binding arbitration. Notwithstanding the arbitration rules and procedures of the arbitration service, all fees and expenses of the arbitration service, including those for the arbitrator, shall be borne equally by the parties. The place of arbitration shall be Seattle, Washington. The decision of the arbitrator shall be binding and may be confirmed and enforced in any court having proper jurisdiction. All facts, awards, submissions, and other information relating to or arising from the arbitration shall be kept confidential by the parties and arbitrator to the fullest extent permitted by law.