



## Ohio Administrative Code

### Rule 3342-5-11 University policy regarding university sponsored education material.

Effective: March 1, 2015

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(A) Purpose. This rule provides guidance on the creation and production of films, tapes, audio visual materials, audio materials, manuals, books, workshops, and other such items, which will stimulate faculty and staff interest in their production in such a manner that the materials can be shared within and outside the university. This should serve to clarify and protect the rights of the author and the university by defining which materials are designated as "university sponsored."

(B) Definitions.

University sponsored educational materials. "University sponsored educational materials" are those which the author or producer has been specifically commissioned in writing by the university, on appropriate university forms, to develop the materials and in their production has used some part of the time for which he received compensation from university administered funds or used substantial university resources.

(C) Policy statement.

(1) It is the policy of the university that the ownership of educational materials designated as university sponsored shall vest in the board.

(2) The author of the university sponsored educational materials shall be compensated in accordance with a specific agreement.

(3) The author shall retain the intellectual rights to the materials.

(4) The rule is subject to contractual provisions of extramural grants and contracts if the materials are developed as part of a grant or contract activity.

(5) Use of the materials for instruction at the university requires normal academic approval.



(D) Compensation to the author.

(1) Compensation to the author may be made through one of several methods or a combination of them by means of an executed agreement under the authorization of the provost, or designee. The methods are as follows:

(a) By released time of a specified number of semester hours of teaching for a specified period of time;

(b) By additional compensation in a specified amount chargeable to the unit which is sponsoring the material either from the standpoint of their use or production;

(c) By compensation for a specified time and amount during a period when the author is not regularly employed, such as summer sessions; and

(d) By a share of the royalties, if any, which accrue from the use and sale of the work.

(2) Once having agreed to the amount and form of the compensation, the author receives the specified and agreed upon compensation regardless of the success or failure of the work commercially.

(3) Appropriate accounting procedures shall be established to assure record of income and expenses for the purposes of royalty distribution, if any.

(E) Administrative procedures suggested.

(1) Establishment or designation of an appropriate university officer to handle and approve procedures including those for the agreement and provisions for copyright and licensing.

(2) Establishment of an advisory committee to that officer.