Recommendation to the General Faculty  
Dec. 3, 2002

Ron Bohlander, 2001-2002 Chair  
Lynn Fountain, 2002-2003 Chair  
Distance Learning IP Policy Subcommittee  
of the Academic Services Committee  
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Committees

• Distance Learning IP Subcommittee of the Academic Services Committee – focusing on Section 5.14
  Fred Allvine – Management                           TyAnna Herrington – LCC - Ivan Allen
  Ron Bohlander - ITTL – GTRI – Chair          Bill Holm - SEAL - GTRI
  Joe Boland - Distance Learning       Claudia Huff - EOEM - GTRI
  Yolonda Cameron - Legal Affairs      Hans Klein - PubPol - Ivan Allen
  Steven Danyluk - ME – Engineering    Richard Meyer – Library
  Jilda Garton - GTRC and OTL          Tom Pilsch – Computing
  Monty Hayes -- ECE – Engineering     Andy Smith - Psy - Sciences
                                     Craig Zimring – Architecture

• Continuing and Technology Enhanced Education Task Force Convened by Provost, Chaired by Jim Foley

• Executive Committee reviewed and OK’d
  • Special team tied up some loose ends and updated related material in old Public Service Section 5.3
    — Ron Bohlander, Bill Wepfer, Joe Boland, Jilda Garton.
Process

• Maintained a web site to collect findings and background material – see http://www.dlip.gatech.edu

• Four step methodology:
  • Understand the legal boundaries
  • Learn what other universities are doing
  • Analyze what stakeholders need
  • Draft and refine recommended policy
Overview

- Recommending minimal changes, well-integrated with existing IP policy in Section 5.14 of the Faculty Handbook.
  - Better uniformity in application of incentives for creating IP property of all kinds leading to commercialization.
  - Draws on best practices from leading peer institutions
  - Makes clearer the distribution of rights and responsibilities among the members of the GIT community and the institution itself.

- Recommending changes in the “Public Service” Section 5.3
  - To update department names and the like
  - To recognize greater flexibility in current practice
Proposed Changes in 5.14 IP Policies – Highlights:

- Raises visibility of creation of educational materials
- Unifies the incentives for production of all kinds of IP
  - Use the term “creator” to mean inventor or author or both.
  - Revenue from licenses of IP is shared according the existing table regardless of kind of IP:
    
    |                | Next $500 K | $501 K - $1,000 K | > $1,000 K |
    |----------------|-------------|-----------------|----------|
    | Creators       | 33%         | 33%             | 33%      |
    | Unit           | 17%         | 27%             | 33%      |
    | GTRC           | 50%         | 40%             | 34%      |

- Compensation for sale of Distance Learning materials moved to 5.3.
- Clearer language on application of traditional academic rights to copyrightable material including electronic media under US copyright law.
- New section 5.14.8 on Fair Use and Other Protections Relating to Copyrights.
New Section 5.14.8
Fair Use and Other Protections Relating to Copyrights

• Even when university may own copyright to a work, a faculty member who participated in creating it has right to make derivative works from his/her part and the right to use and present such
  • Whether or not the faculty member is still employed by GIT
  • Subject to policies on conflict of interest and commitment.
• GIT has right to see that educational materials are updated appropriately
  • Will as far as possible involve original creators
  • Give credit appropriately
• Parties encouraged to enter into signed agreements in cases where multiple parties collaborate in the production of copyrighted IP.
• Right of students to hold copyrights to their work is acknowledged, subject to university license to reasonable use and to usual possible restrictions if the work is sponsored.
• GIT protects its trademarks and good name.
• Members of GIT are cautioned to respect and observe copyrights of others in accordance with fair use doctrines in US copyright law.
Proposed Changes in Section 5.3

• Section Title changed from “Public Service” to “Distance Learning, Professional Education, and Study Abroad”

• Distance Learning
  • Center for Distance Learning services must be utilized for registering and tracking participation in all Georgia Tech master’s-level credit courses offered at a distance to working professionals either for academic credit or for professional development.
    • DL also provides various production and delivery services by agreement with the offering unit(s).
  • Revenue sharing:
    • Portion of tuition from DL participants (determined by Provost) is returned to the offering unit to encourage faculty development.
    • Other kinds of revenue sharing determined by negotiation.
Proposed Changes in Section 5.3 continued

• Professional Education (new name for Continuing Ed)
  • Dept. of Distance Learning & Professional Education must be involved in all GIT Professional Education events to track participation.
  • The level of services provided by DL&PE is worked out with the units offering the course according to established schedules of fees.
  • Faculty participating in short courses offered outside GIT must have prior written consent of the faculty member's School Chair or Laboratory Director and the Vice-Provost of Distance Learning and Professional Education.
    • Faculty asked to report attendance to DL&PE so this can be added to GIT’s CEU tracking, whenever feasible.
  • Rates for extra compensation are determined by the offering unit(s).
• Study Abroad section – no changes