**Contract Tip:** Are my lecture notes, syllabi, exams, etc. my intellectual property?

UA has received some questions regarding the ownership of lecture notes. Specifically, some websites allow students to upload and sell syllabi and exams, etc. Also, sometimes students record lectures without the permission of the instructor. Here is what faculty should know:

According to the University’s intellectual property rights policy, your course materials are yours. You can access the policy at:

http://www.uvm.edu/policies/general_html/intellectualproperty.pdf

The collective bargaining agreement clearly gives faculty the ownership of their lectures and exams, etc. What is unclear is what responsibility the university has, if any, when it comes to student behavior. If the university declined to get involved, faculty would have to seek redress in some other venue, such as a court. While there are significant statutory damages for violation of registered copyrighted products or information, damages for unregistered copyright violations are limited to the actual amounts. So if a student sold lecture notes to some online service for $100, that would be the maximum amount one could recover.

Students cannot legally sell your materials without your permission. Enforcing this may be difficult. However, departments can adopt policies, such as this one recently voted on and adopted by the Sociology department:

Consistent with the University’s policy on intellectual property rights, it is the Sociology department’s policy that teaching and curricular materials (including but not limited to classroom lectures, class notes, exams, handouts, and presentations) are the property of the instructor. Therefore, electronic recording and/or transmission of classes or class notes is prohibited without the express written permission of the instructor. Such permission is to be considered unique to the needs of an individual student (e.g. ADA compliance), and not a license for permanent retention or electronic dissemination to others.

Sociology faculty have put this statement on syllabi. All faculty members may express a similar prohibition on their syllabi, with or without a specific department policy.

If you have questions or concerns about this or any other contract item, contact the Contract Administration Committee (CAC) by sending an e-mail to contract@unitedacademics.org.

—Contract Administration Committee

_E-mailed to faculty: February 13, 2012_  
_Posted on the website: February 13, 2012_