

Policy on the Ownership and Use of Educational Materials for Online Courses

SUMMARY OF THE MOST PERTINENT CLAUSES

- Under the work for hire principle, the University owns the intellectual property for online courses developed by EP faculty, including educational materials such as videos, slides, documents, and assessments, though this is not intended to be an exhaustive list.
- The instructor is granted an automatic, non-exclusive, no-cost license to use these materials as part of any of their teaching or scholarly functions either inside or outside of the University.

Introduction

The Johns Hopkins University Intellectual Property Policy clarifies ownership of intellectual property (IP) created by faculty, staff and students of the University. The policy can be found here:

https://www.jhu.edu/assets/uploads/2014/09/intellectual_property_policy.pdf

In most cases, the University asserts its ownership rights to IP created by those working on behalf of the University. An exception is made for some "literary or scholarly works", for which the University relinquishes ownership to the individual creator(s). This policy is meant to provide clarification on the ownership and use of educational materials for online courses by Johns Hopkins University Whiting School of Engineering, Engineering for Professionals ("EP") faculty, staff and students working on behalf of EP (hereinafter referred to as "faculty"). EP does not consider educational materials to be traditional literary or scholarly works, and it is important that ownership of these materials be clearly understood in order to operate effective academic programs. Educational materials include videos, slides, documents, and assessments, though this is not intended to be an exhaustive list. Literary and scholarly works would include books, monographs, articles and similar work. This policy is not meant to change ownership rights for literary and scholarly works, as defined in the JHU IP Policy.

Policy Statement

1. By law under the work for hire principle, the University is the owner of intellectual property developed by faculty as part of their teaching, research, and service activities and supported by sponsored project activities or otherwise developed within the scope and course of employment.
2. Intellectual property for online courses owned by the University includes videos, slides, documents, and assessments, though this is not intended to be an exhaustive list (hereinafter referred to as "Educational Materials").
3. Faculty who develop Educational Materials in performing their teaching, service, or sponsored project activities are granted an automatic, non-exclusive, no-cost license to use these materials as part of any of their teaching or scholarly functions either inside or outside of the University. The faculty are granted an automatic, non-exclusive, no-cost license to use these materials in developing traditional derivative works such as books, book chapters, journal articles, and electronic representations of these conventional works. The license to use the materials and develop traditional derivative works remains in effect if a faculty member leaves the University. Revenues from the distribution of these traditional derivative works shall remain entirely with the faculty authors. The University shall retain all other rights associated with these Educational Materials, including commercialization.
4. In cases where Educational Materials are jointly developed by two or more faculty, this section, and related sections concerning licenses back to faculty, refer to the faculty member's personal contribution only, and do not include a license to any portion of the entire work contributed by others. Development of derivative works such as books or journal articles shall be negotiated among the authors. Likewise, if one member leaves the University, the license for a faculty member to use material developed by others will need to be negotiated with the other faculty members. Disputes regarding use of Educational Materials or development of derivative works shall be referred to the Office of the EP Associate Dean.
5. When faculty leave the University, or for any other reason are not teaching a course they developed, the University continues to own the Educational Materials and retains the right to use and revise the traditional derivative works developed for the course. Where appropriate, authors of the materials may be involved in the development of revisions.

Entities Affected by this Policy

All individuals hired by EP engaged in the creation, modification or use of Educational Materials for online courses.

Who Should Read this Policy

All EP faculty and staff members who create, modify or use Educational Materials for online courses; administrators responsible for hiring individuals who create, modify or use Education Materials for online courses, or direct the use of Education Materials for online courses in academic programs; and any other individuals (including students) who create, modify or use Education Materials for online courses.