

What AU Faculty Need to Know About Copyright and Their Own (and their Students') Work

This document was developed to serve as a guideline and is not intended as legal advice. Refer to appropriate copyright law and University policies for full information. If you have a specific question pertaining to copyright law and content created by members of the AU community, contact the Provost's Office at x2127.

Who owns the copyright of my article?

As the author, you would generally own the copyright to your article. However, there are some situations where you will not be considered the copyright owner. The most common situation arises when you enter into a publishing agreement. In most publishing agreements, you will transfer all or a portion of your copyrights to the publisher.

If your article has already been published and you signed a standard agreement with the publisher, please refer back to the signed agreement to understand the rights that you have retained in your article.

What rights might I be signing away to publishers?

The transfer of rights to the publisher will vary depending upon the agreement, but by transferring copyright you may be losing all or any of the following rights:

- Reuse an article as a chapter in a book
- Revise or adapt an article
- Distribute an article freely to colleagues
- Reproduce copies of an article for teaching purposes
- Self archive in an institutional repository or post on your web site

How can I retain rights to my own work?

Authors have the right to negotiate agreements with publishers that reserve rights for use of their own work, and you shouldn't be afraid to do so. Publishers are becoming much more accustomed to authors seeking to retain some portion of their rights. For some additional reference information, the Copyright Management Center (CMC) at Indiana University – Purdue University Indianapolis has developed some simple addendums that authors can use to facilitate the negotiation process. The CMC makes these documents freely available for those in the educational realm. To learn more, read the CMC's "Reserving Rights of Use in Works Submitted for Publication: Negotiating Publishing Agreement." This document includes the above mentioned addendums which you can adapt to your needs.

Where can I find information about publisher copyright agreements before I submit a work?

Many publishers post their standard agreements on their web sites. If the agreement is not available, contact the publisher and request that an agreement be sent for your review.

The SHERPA/ROMEIO project web site provides information on publisher copyright policies and self-archiving rights, and rates them according to their willingness to allow self-archiving and/or allow the author to retain certain rights. This excellent resource is available online at <http://www.sherpa.ac.uk/romeo.php>.

How can I protect my own work if I post it on the Web?

A great way to retain copyright while providing guidelines to viewers on the use of your work is to use Creative Commons licenses. The Creative Commons web site even provides a tool that helps identify the right license for you, and provides the html text that you can cut and paste into your own site. Find the Creative Commons online at <http://creativecommons.org/>.

Who owns the content of the courses and course material that I develop?

In the academic community, there is a traditional notion that faculty members generally have the right to develop and modify course materials that are created independently and at their own initiative. However, when a person is appointed by the University to a position involving the production of copyrightable materials, or when such materials are an incidental product of the appointed services to be performed, the University reserves the right to determine copyright ownership. If a faculty member plans to post course material he/she created in the ARC, they are permitted to do so unless otherwise noted by the University.

Who owns the copyright of work produced by students in my class?

In general, students own the copyright to the work they produce. If a faculty member plans to post student work in the ARC, they must first secure permission to use the student work. This can be accomplished with the completion of a simple permissions form.